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1883-4.

NEW SOUTH WALES.

VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1883-4,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN ELEVEN VOLUMES.

VOL. XI.

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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOTES AND PROCEEDINGS.

SESSION 1883-4.

IN ELEVEN VOLUMES.

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—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

ARMIDALE GAS COMPANY'S INCORPORATION BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
19 *February*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 44. THURSDAY, 24 JANUARY, 1884.

9. ARMIDALE GAS COMPANY'S INCORPORATION BILL (*Formal Motion*):—Mr. Sydney Smith moved, pursuant to Notice,—
- (1.) That the Armidale Gas Company's Incorporation Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. A. G. Taylor, Mr. Young, Mr. Burns, Mr. Copeland, Mr. Levien, Mr. Melville, Mr. McLaughlin, Mr. Farnell, Mr. Teece, and the Mover.
- Question put and passed.

VOTES No. 58. TUESDAY, 19 FEBRUARY, 1884.

14. ARMIDALE GAS COMPANY'S INCORPORATION BILL:—Mr. Sydney Smith, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 24th January, 1884; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

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 ARMIDALE GAS COMPANY'S INCORPORATION BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 24th January, 1884,—“*the Armidale Gas Company's Incorporation Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them, with an amended Preamble.

SYDNEY SMITH,

Chairman.

No. 3 Committee Room,

Sydney, 19th February, 1884.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 13 FEBRUARY, 1884.

MEMBERS PRESENT:—

None.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY, 14 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Sydney Smith, | Mr. McLaughlin,
Mr. Teece.

Mr. Smith called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present,—Robert D. Pring, Esq. (*Counsel for the Bill*).

Committee deliberated.

[Adjourned to To-morrow, at *Three o'clock*.]

FRIDAY, 15 FEBRUARY, 1884.

MEMBERS PRESENT:—

None.

In the absence of a Quorum, the meeting called for this day lapsed.

TUESDAY, 19 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Sydney Smith in the Chair.

Mr. Teece, | Mr. Levien.

Present,—Robert D. Pring, Esq.

Charles Wilson, Esq. (*Secretary to the Company and Council Clerk Armidale*), called in, sworn, and examined.

Witness *produced* Memorandum and Articles of Association, and Certificate of Registration of the Company.

Room cleared.

Preamble considered and amended. *

Question,—“That this Preamble, as amended, stand part of the Bill,”—put and passed.

Parties called in and informed.

Clause 1 read, amended, * and agreed to.

Clause 2 read, amended, * and agreed to.

Clause 3 read, amended, * and agreed to.

Clauses 4 and 5 read and agreed to.

Clause 6 read, amended, * and agreed to.

Clause 7 read, amended, * and agreed to.

Clauses 8, 9, and 10 read and agreed to.

Clause 11 read, amended, * and agreed to.

Clause 12 read and agreed to.

Clause 13 read, amended, * and agreed to.

Clauses 14 and 15 read and agreed to.

Clause 16 read, amended, * and agreed to.

Clauses 17 to 39 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House with an amended Preamble.

* See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

- Page 1, Preamble, line 7, *Omit* "a certain deed of settlement bearing date the twenty-eighth day of September one thousand eight hundred and eighty-one and purporting to be and being the deed of settlement of the said Company and whereas by the said deed of settlement the several parties thereto have respectively and mutually covenanted and agreed that they whilst holding shares in the said Company should be and continue until the said Company be dissolved under the provisions in that behalf therein contained a Joint Stock Company or partnership under the name and style of the Armidale Gas Company (Limited) for the purpose of creating and establishing and exercising a business for the purpose of producing inflammable air or gas from coal oil-tar pitch or other material and for lighting and supplying with gas all public and private places roads streets and buildings within the city of Armidale and also for manufacturing selling and disposing of all and every product refuse and residuum to be obtained from the material used by the said Company in such business and for the said purposes to purchase or lease lands offices and buildings and make erect sink lay place and fix such retorts gasometers meters and receivers cisterns engines machines cuts drains sewers watercourses pipes reservoirs and buildings of such construction and in such manner as shall be deemed necessary and proper for carrying the objects of the said Company into execution" *Insert* "certain articles of Association signed in the month of October one thousand eight hundred and eighty-three and purporting to be the articles of Association of the said Company And whereas by the memorandum of Association of the said Company it was declared that the objects for which the said Company was established were to manufacture gas and supply the same in the town and suburbs of Armidale and to carry on the business of a Gas Company in all its branches To manufacture render saleable and deal in coke tar pitch asphaltum and all residual products obtained in the manufacture of gas To construct and maintain works for manufacturing receiving and purifying gas and all other works buildings pipes plant machinery appliances and apparatus necessary or proper for the manufacture or supply of gas To purchase lease or otherwise acquire lands buildings easements collieries plant machinery and all other goods chattels or things used by the said Company for the purposes of its undertaking To obtain an Act or Acts of Parliament and all other authorities for enabling the Company to carry into effect all or any of the above objects.
- " 2, Preamble, line 9, *Omit* "deed of settlement" *insert* "memorandum of association"
 " 2, " line 11, *Omit* "six" at commencement of line, *insert* "eight"
 " 2, " line 11, *Omit* "to be contributed in six" *insert* "divided into eight"
 " 2, " line 12, *Omit* "deed of settlement" *insert* "articles of association"
 " 2, " line 13, *Omit* "bonuses"
 " 2, " line 14, *Omit* "and for the disposal and application of the profits"
 " 2, clause 1, line 1, *Omit* "deed of settlement" *insert* "articles of association"
 " 2, " 2, line 55, *Omit* "deed of settlement" *insert* "articles of association"
 " 3, " 2, line 5, *Omit* "dced of settlement" *insert* "articles of association"
 " 3, " 2, line 8, *Omit* "deed of settlement" *insert* "articles of association"
 " 3, " 2, line 12, *Omit* "deed of settlement" *insert* "articles of association"
 " 3, " 3, line 16, *Omit* "deed of settlement" *insert* "articles of association"
 " 3, " 6, line 36, *Omit* "deed of settlement" *insert* "articles of association"
 " 3, " 7, line 48, *Omit* "deed of settlement" *insert* "articles of association"
 " 4, " 11, line 24, *Omit* "deed of settlement" *insert* "articles of association"
 " 4, " 11, line 38, *Omit* "deed of settlement" *insert* "articles of association"
 " 5, " 13, line 25, *Omit* "deed of settlement" *insert* "articles of association"
 " 6, " 16, line 12, *Omit* "deed of settlement" *insert* "articles of association"
 " 6, " 16, line 21, *Omit* "deed of settlement" *insert* "articles of association"

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

ARMIDALE GAS COMPANY'S INCORPORATION BILL.

FRIDAY, 19 FEBRUARY, 1884.

Present:—

MR. SYDNEY SMITH, | MR. TEECE,
MR. LEVIEN.

SYDNEY SMITH, ESQ., IN THE CHAIR.

Mr. Pring appeared as Counsel for the Bill.

Mr. Charles Wilson, called in and examined:—

1. *Chairman.*] You are Secretary to the Armidale Gas Company? I am one of the Directors and Secretary *pro tem.*
2. *Mr. Pring.*] You are also Clerk of the Borough Council of Armidale? Yes.
3. Do you produce the memorandum and articles of association of the Armidale Gas Company? I do. Mr.
C. Wilson.
19 Feb., 1884.
4. Do you also produce the certificate of registration? Yes. (*Produced.*)
5. The memorandum of association bears no date, nor do the articles? No; they were executed some time in October, 1883.
6. The certificate of registration bears date the 12th November, 1883? Yes.
7. The objects of the Company are set forth in the memorandum of association? Yes, in clause 3.
8. What is the capital of the Company? £8,000, in 8,000 shares of £1 each.
9. That also appears in the memorandum? Yes.
10. In the articles of association do you find any provisions for the payment of dividends, increasing the capital and the management of the affairs of the Company? Yes; those matters are all provided for in the articles.
11. Can you tell us the clauses which provide for the payment of dividend? Clauses 84 to 89.
12. And for the increase of the capital? Clauses 28 to 30.
13. The general provisions for the management of the affairs of the Company run through the articles of association? Yes.
14. Are you aware of any opposition to this Bill either by the Borough Council or any other persons? There is no opposition by any body. The Borough Council passed a resolution, which I have copied from the minute-book. On the 14th August, 1883, in reply to a letter from the Secretary of the Armidale Gas Company, the following resolution was carried unanimously by the Armidale Municipal Council:—
"That the exclusive right be granted to the Armidale Gas Company to break up the streets within the Municipality of Armidale for the purpose of laying down main and service gas-pipes, with the understanding that traffic be interfered with as little and as short a time as possible, and that the Company make good all streets broken up by them to the satisfaction of the Council or officers."
15. Do you know whether at any meeting of the Company it was resolved to apply for an Act of Parliament? Yes; a resolution was passed instructing the Company's solicitor, Mr. Macdonald, to take the necessary steps to obtain an Act of Parliament.
16. *Chairman.*] Have you heard of any objection outside the Borough Council? No, there is no objection at all. There are 200 shareholders in the town of Armidale, and there were applications from persons outside the town which could not be granted.
17. You think it would be for the advantage of the general public in the town that this Bill should be passed? Not the slightest doubt about it; it is the unanimous wish of all the residents.
18. Has the capital all been subscribed? Yes, the whole £8,000.

1883-4.

—
LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

BOOROWA ROMAN CATHOLIC CHURCH LAND
SALE BILL ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
27 *March*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 46. TUESDAY, 29 JANUARY, 1884.

13. BOOROWA ROMAN CATHOLIC CHURCH LAND SALE BILL (*Formal Motion*):—*Mr. Teece*, for *Mr. Fletcher*, moved, pursuant to Notice,—
- (1.) That the Boorowa Roman Catholic Church Land Sale Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Day*, *Mr. Heydon*, *Mr. Levin*, *Mr. Barbour*, *Mr. Teece*, *Mr. George Campbell*, *Mr. Lynch*, and *Mr. Fletcher*.
- Question put and passed.
-

VOTES No. 77. THURSDAY, 27 MARCH, 1884.

3. BOOROWA ROMAN CATHOLIC CHURCH LAND SALE BILL :—*Mr. Teece*, for *Mr. Fletcher*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 29th January, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

BOOROWA ROMAN CATHOLIC CHURCH LAND SALE BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 29th January, 1884,—“ *the Boorowa Roman Catholic Church Land Sale Bill*,”—beg to report to your Honorable House:—

That they have examined the witness named in the margin (whose evidence will be found appended hereto); and the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make an amendment.

The Right
Rev. William
Lanigan.

Your Committee now beg to lay before your Honorable House the Bill as amended by them, with an amended Preamble.

JAMES FLETCHER,
Chairman.

*No. 3 Committee Room,
Sydney, 25th March, 1884.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 25 MARCH, 1884.

MEMBERS PRESENT :—

Mr. Fletcher, | Mr. Heydon,
Mr. Teece.

Mr. Fletcher called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

The Right Reverend William Lanigan (*Roman Catholic Archbishop of Goulburn*), called in, sworn, and examined.

Witness produced original Deeds of Grant referred to in the Preamble, and supplied copies of the same; and also handed in a request from Roman Catholics of Boorowa to carry out the objects of the Bill, which was ordered to be appended. (*See Appendix.*)

Room cleared.

Preamble considered and amended.*

Question,—“That this Preamble, as amended, stand part of the Bill,”—put and passed.

Clauses 1 and 2 read and agreed to.

Schedules read and agreed to.

New* clause, to stand clause 3, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, as amended, to the House, with an amended Preamble.

SCHEDULE OF AMENDMENTS.

Page 2, Preamble. Line 6. *Insert* “And whereas since the date of the said grants the said Very Reverend Michael McAlroy departed this life” after “house”

Page 2. *Insert* the following New Clause, to stand clause 3 :—“This Act may be cited as the ‘Boorowa Roman Catholic Church Land Sale Act of 1884.’”

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

BOOROWA ROMAN CATHOLIC CHURCH LAND SALE BILL.

TUESDAY, 25 MARCH, 1884.

Present:—

MR. FLETCHER,

MR. HEYDON,

MR. TEECE.

JAMES FLETCHER, ESQ., IN THE CHAIR.

The Right Reverend William Lanigan called in and examined on oath:—

1. *Chairman.*] You are the Roman Catholic Bishop of Goulburn? Yes.
2. You produce the deed of grant of allotments 9 and 10 of section 17, dated the 16th day of January, 1874, for one acre of land situated in the county of King, parish of Boorowa, town of Boorowa? Yes. (*Deed produced and copy supplied.*)
3. You also produce the deed of grant, bearing the same date, of allotment 8, section 17, for 2 roods of land, in the county of King, parish of Boorowa, town of Boorowa? Yes. (*Deed produced and copy supplied.*)
4. Also the deed of grant, bearing the same date, of allotment 7 of section 17, consisting of 2 roods, in the parish of Boorowa, town of Boorowa? Yes. (*Deed produced and copy supplied.*)
5. One of the trustees, the Very Reverend Michael McAlroy, died after the deeds of grant were issued? Yes.
6. It is stated in the preamble of the Bill that has been referred to this Committee that the sites referred to, which were granted for a church and presbytery and school-house, are unsuitable for the purposes for which they were respectively granted, and it is proposed to sell the allotments and apply the proceeds towards the purchase of another piece of land in the town of Boorowa, in a more suitable position, as a site for a Roman Catholic church and presbytery and school-house,—is that so? Yes. I have got the consent of the people, or rather an expression of their opinion, and to remove all doubt I have got them to sign a paper, in which they express a wish to have the lands referred to sold, and the proceeds devoted to the same purposes on a grant on which a church has already been built, at a cost of over £3,000. The land referred to in the Bill is unsuitable for the purposes for which it was granted, and we have built a church on another piece of land in the same town, Boorowa. I have a petition from the people in favour of the objects of this Bill; it contains, amongst other signatures, that of the only living trustee, the Hon. John Nagle Ryan. I asked for and obtained the consent of the people some three years ago; and in order to show that their wish was continuous, they signed this petition only a few days ago. (*Petition handed in, and marked Appendix A.*)
7. There is no objection to the Bill on the part of any one? I have not received any objection from any one of the congregation. They are all of opinion that what is proposed to be done by the Bill is necessary, and will be for the public benefit; that is, that the lands described should be sold and the proceeds devoted to similar purposes on ground that was selected by themselves, and on which a church *de facto* is erected, and which cost something over £3,000.

Right Rev.
W. Lanigan.
25 Mar., 1884

- Right Rev. W. Lanigan.
25 Mar., 1884.
8. You think that the application provided by the Bill would be for the benefit of the Roman Catholic people residing in the town and district of Boorowa? I think it would, and the people are unanimously of the same opinion.
9. You intend, in the event of the Bill passing, to apply the proceeds of the sale of the land to the same purposes for which the land referred to in the Bill was originally granted? Yes, for similar purposes.
10. Does the surviving trustee concur with you in this application? He does; he is one who signed the petition which I have just handed in. When I state that I did not meet with any opposition, I might qualify the statement. I asked the opinion of the people, some considerable time ago, as to whether it would not be better to have the church, &c., built in a more suitable part of the town, and they were unanimously of opinion that it would; they selected a site for themselves, and they all contributed towards the erection of a church on it. There was some little difference of opinion when the site was being chosen, but there has not been any since the selection was made and the church erected.
11. Have you had any objection from your congregation to the proposal to remove from the original site? At the time I refer to there was a certain dispute; but then it was decided to remove from the original site; all contributed towards the erection of a church on the new site, and since then I have not heard any objection from any of the congregation to the proposal to sell the land that was originally granted for the purposes of the church. I refer to what took place about ten years ago.
12. I understand you to say that there is no difference of opinion as to the unsuitableness of the old site for the purposes for which it was granted? A new site having been selected, the old site is altogether unnecessary; it is altogether unsuitable.
13. When you say there was a dispute as to the best site for a church, you refer to something that took place ten years ago? Yes.
14. *Mr. Heydon.*] Is it ten years since the church was erected? It was commenced ten years ago.
15. Since the application was made to Parliament for this Bill, have you heard any objection to it? I have not heard an objection from any one since this Bill was introduced to Parliament.

APPENDIX.

[To the Evidence of the Right Reverend William Lanigan, 25 March, 1884.]

Boorowa, 13 March, 1884.

The Right Reverend Dr. Lanigan, Lord Bishop of Goulburn.

May it please your Lordship,

We, the undersigned Catholics of Boorowa and the district, being convinced that the block of land granted by the Government, allotments 7, 8, 9, 10, section 17, situated in the township of Boorowa, will never be required for church purposes, as the block on which our present church stands will be sufficient for all future requirements, hereby respectfully request your Lordship to sell and dispose of the same, and to appropriate the proceeds for the church and presbytery which are on our purchased land.

John N. Ryan.	Valentine O'Hare.	John Murphy.	Daniel Ryan.
Thos. Lang, C. C.	John Barnett.	A. A. Cusack.	Denis M'Carthy.
Andrew J. Walsh, C. C.	M. P. Lowry.	Michael Conroy.	J. T. White.
Thomas Hoskins.	P. Corbett.	Pierce Hackett.	B. M'Cabe.
James Cass.	Thomas Dwyer.	G. Patterson.	Christh. John Cole.
Patrick Hoy.	Thomas Carroll.	William Lyons.	John Ryan.
Fredk. J. O'Leary.	John Hickey.	William Greenwell.	Michl. Quigley.
Philip Dwyer.	Patrick Hickey.	William Maloney.	Henry Cusack.
J. H. Clampelt.	Thomas Jos. Ryan.	Patrick J. Lynch.	Wm. Ryan, M.D.
James + Conry.	James O'Connor, junr.	John Young.	F. J. O'Leary, junr.
Michl. Dwyer.	James O'Connor, senr.	Patrick Dwyer.	John Hurley.
Thos. Donnelly.	Patrick Carmody.	John O'Hehir.	John English.
Denis Dwyer.	Michael Carmody.	Wm. Dunne.	E. Cusack.
J. J. Coughlan.			

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

BOROUGHES OF RANDWICK AND PADDINGTON
BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

A P P E N D I X.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
5 March, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 31. FRIDAY, 7 DECEMBER, 1883.

9. **BOROUGHES OF RANDWICK AND PADDINGTON BILL** (*Formal Motion*):—Mr. Burns moved, pursuant to Notice,—
- (1.) That the Boroughs of Randwick and Paddington Bill be referred to a Select Committee for inquiry and report.
- (2.) That such Committee consist of Mr. Butcher, Mr. Day, Mr. Chapman, Mr. Spring, Mr. Sutherland, Mr. Moses, Mr. Suttor, Mr. Teece, Mr. White, and the Mover.
- Question put and passed.

VOTES NO. 41. FRIDAY, 18 JANUARY, 1884.

3. **BOROUGHES OF RANDWICK AND PADDINGTON BILL**:—Ordered, on motion of Mr. Burns, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee on the "Boroughs of Randwick and Paddington Bill," and the Committee being desirous of examining the Honorable Charles Moore, a Member of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Member to attend and be examined by the said Committee, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 18th January, 1884.*

VOTES NO. 44. THURSDAY, 24 JANUARY, 1884.

7. **BOROUGHES OF RANDWICK AND PADDINGTON BILL**:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 18th January, 1884, requesting leave for the Honorable Charles Moore, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the "Boroughs of Randwick and Paddington Bill," the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

*Legislative Council Chamber,
Sydney, 24th January, 1884.*

JOHN HAY,
President.

VOTES NO. 66. WEDNESDAY, 5 MARCH, 1884.

8. **BOROUGHES OF RANDWICK AND PADDINGTON BILL**:—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 7th December, 1883; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee. Ordered to be printed.

* * * * *

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1883-4.

BOROUGHES OF RANDWICK AND PADDINGTON BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 7th December, 1883,—“*the Boroughs of Randwick and Paddington Bill,*”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence * See List, page 5. will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule to the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

J. F. BURNS,
Chairman.

*No. 3 Committee Room,
Sydney, 4th March, 1884.*



PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 19 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Burns,	|	Mr. Day,
Mr. Teece,	|	Mr. Chapman.

Mr. Burns called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of Bill referred, together with original Petition to introduce the same, before the Committee.

Present,—Herbert Harris, Esq. (*Counsel for the Bill*).

George Denning, Esq. (*Mayor of Randwick*), called in, sworn, and examined.

Mr. Harris handed in a Plan showing the alteration of the boundaries of the Municipalities, as described in the Schedule to the Bill, which was ordered to be appended. (*See Separate Appendix A.*)

Witness handed in a copy of Resolutions passed at a meeting of the Municipal Council of Randwick, in reference to the annexation of a portion of their Borough by the Municipal Council of Paddington, which was ordered to be appended. (*See Appendix.*)

Witness withdrew.

Mr. Charles Hellmrich (*Council Clerk, Paddington*), called in, sworn, and examined.

Room cleared.

Committee deliberated.

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

[Adjourned.]

THURSDAY, 24 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns in the Chair.

Mr. Day,	|	Mr. Butcher.
----------	--	--------------

Frederick Hamilton Reuss (*Licensed Surveyor*), called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That the Honorable Charles Moore, M.L.C., be requested to give evidence next meeting.

[Adjourned to Tuesday next, at Three o'clock.]

TUESDAY, 29 JANUARY, 1884.

MEMBERS PRESENT:—

None.

In the absence of a quorum the meeting called for this day lapsed.

THURSDAY, 31 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns in the Chair.

Mr. Day,	|	Mr. Chapman,
	|	Mr. Spring.

Extracts from the Votes and Proceedings, obtaining leave for the Honorable Charles Moore, M.L.C., to attend and be examined before this Committee, read by the Clerk.

The Honorable Charles Moore, M.L.C., called in, sworn, and examined.

Witness handed in an amended Plan, leaving out a portion of the City of Sydney not referred to in the Bill, which was ordered to be appended. (*See Separate Appendix B.*)

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

TUESDAY,

TUESDAY, 4 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Burns,	Mr. Teece,
Mr. Spring,	Mr. Chapman.

The Chairman informed the Committee that it had been agreed upon by the parties concerned to amend the Schedule to the Bill in accordance with the description in Mr. Moore's evidence.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 to 4 read and agreed to.

Clause 5 read, amended,* and agreed to.

Schedule read and omitted, and new * Schedule inserted.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

* See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 3, clause 5, line 10. *Omit* “Act to transfer a portion of the Borough of Randwick to the Borough of Paddington” *insert* “Borough of Randwick and Paddington Act of 1884”

„ Schedule. *Omit* “All that piece or parcel of land situate lying and being in the parish of Alexandria in the County of Cumberland Colony of New South Wales be the hereinafter mentioned several dimensions a little more or less being portion of the Borough of Randwick to be ceded to the Borough of Paddington commencing at a point at the south-west corner of Gordon's Grant and bounded on the north by that grant bearing east to the south-east corner thereof being part of the present southern boundary of the Borough of Paddington thence north-easterly to the Old South Head Road opposite the centre of the Point Piper Road thence along the Old South Head Road south-easterly to the centre of Moore Park Road thence along said centre westerly to the centre of Gordon-street thence along centre of Gordon-street north-westerly to the centre of Leinster-street bearing westerly to Bent-street and lastly by Bent-street bearing north to the point of commencement” *insert* “All that piece or parcel of land situate lying and being in the parish of Alexandria in the County of Cumberland Colony of New South Wales being portion of the Borough of Randwick to be ceded to the Borough of Paddington Commencing at a point at the south-west corner of Gordon's Grant and bounded on the north by that Grant bearing east to the south-east corner thereof being part of the present southern boundary of the Borough of Paddington thence north-easterly to the Old South Head Road opposite the centre of the Point Piper Road thence along the Old South Head Road south-easterly to that point of the south side of Old South Head Road where the boundary of the City of Sydney intersects that road being near the eastern boundary of St. Matthias's Church land thence by the said boundary of the City of Sydney along the north side of Park Road to the centre of Gordon-street thence along the centre of Gordon-street north-westerly to the centre of Leinster-street and along the centre of that street to Bent-street and thence northerly to the point of commencement.”

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

BOROUGHS OF RANDWICK AND PADDINGTON BILL.

WEDNESDAY, 19 DECEMBER, 1883.

Present:—

MR. BURNS,	|	MR. TEECE,
MR. DAY,	|	MR. CHAPMAN.
J. F. BURNS, ESQ., IN THE CHAIR.		

Mr. Harris appeared as Counsel for the Promoters of the Bill.

George Denning, Esq., Mayor of Randwick, called in and examined:—

1. *Chairman.*] Have you read the Bill that has been referred to this Committee? Yes.
2. Has the matter of this transfer received the approval of the Borough Council of which you are Mayor? Yes. G. Denning,
Esq.
3. Is there a mutual arrangement between the Boroughs of Randwick and Paddington to have this transfer effected? Yes. 19 Dec., 1883.
4. Do you think it will be for the benefit of the parties concerned, living within the boundaries shown on the plan now before you (*plan put in by Mr. Harris—see Separate Appendix A*) to have that portion of the Borough of Randwick transferred to the Borough of Paddington? Yes, greatly to their benefit.
5. Their location being much nearer to the Borough of Paddington than to the Borough of Randwick? Yes. It would be also an advantage for the drainage; the line cutting across some of the allotments at the road being divided, it is almost impossible for us to drain it. The City Council, having the Moore Park Road, divides this portion from us altogether.
6. Do you think the plan fairly describes the land proposed to be transferred to Paddington? Yes.
7. *Mr. Chapman.*] Has any intimation been sent to the City Council of this business at any time? I do not know that any notice of the present proposal has been given specially to the City Council. I know there was some communication with reference to the matter with the City Council some years ago.
8. And they refused to acquiesce? I could not say whether they refused or not, but it is more suitable that this piece of land should be handed over to the Paddington Council than to the City Council, because the Park Road divides it from the rest of the city.
9. *Mr. Harris.*] The City Council only claim the road? Half the road.
10. That red line on the plan is up to the centre of the road? Yes.
11. *Mr. Day.*] How long is it since the Borough of Randwick was incorporated? Randwick was the first borough incorporated, about twenty-four years ago.
12. Is the land within the red lines included within its boundaries? Yes.
13. Have you been collecting rates for the Borough of Randwick ever since from this land? I have no reason to doubt but what we have done so; but some fourteen years ago the City Council got a Bill passed which took Moore Park out of the Borough of Randwick, and leaving this part on the northern side of the park, separated from us, but still part of our municipality. On that account it is now difficult to attend to it as we would like to do.
- 14.

- G. Denning, Esq.
19 Dec., 1883.
14. The Bill passed by Parliament at that time did not include the space within the red lines? No.
 15. Did the City Council ever lay claim to this piece of land to the Borough Council of Randwick? Not that I am aware of. All I know of that is that Mr. Charles Moore being an Alderman in our Council he spoke about it.
 16. No definite claim was ever made by the City Council to this land? Not with my knowledge.
 17. May it have been done without your knowledge? It might have been, but I do not think so.
 18. *Chairman.*] Is it within your knowledge that the rates on the properties included in this portion of land have been paid to your Borough Council? Yes.
 19. *Mr. Harris.*] Rates have been collected? Yes.
 20. For all this portion of land? Yes.
 21. *Mr. Day.*] Do you say you only think that portion of land within the red lines is incorporated within the Borough of Randwick? I do not say I think it is—I say it is part of our Borough, and I cannot see how Mr. Charles Moore can object to it; he ought to have opposed the Bill in the Council if he had any objection to make.
 22. Are you aware whether the people residing and holding property within these red lines on this plan have made any objection to this land being included in the Borough of Paddington? I have never heard of any objection on their part. Their complaint is with reference to being with us, because they say they do not get a fair share of attention, being so far away from our borough, and therefore they think it would be better for them to be united with Paddington.
 23. *Mr. Harris.*] Do you produce a copy of the minutes of resolutions passed at a meeting of the Municipal Council of Randwick on this subject? Yes. (*Handed in. See Appendix.*)
 24. You were present at that meeting? Yes.

Mr. Charles Hellmrich called in and examined:—

- Mr. C. Hellmrich.
19 Dec., 1883.
25. *Mr. Harris.*] You are Council Clerk of the Borough of Paddington? Yes.
 26. You are always present at the meetings of the Council? Yes.
 27. Were you present at the meetings about this Bill to transfer a portion of the Borough of Randwick to the Borough of Paddington? Yes.
 28. Have you seen the Bill? Yes; I read it to the Council.
 29. Was this plan produced at the meeting (*referring to the plan put in*)? Yes.
 30. Do you know who produced it? Our Council furnished the data for this plan—it is taken off our plan.
 31. Is this the signature of Messrs. Reuss and Nott to this certificate? I cannot say, but I saw that plan in Mr. Reuss's office.
 32. *Chairman.*] Do you think it would be for the advantage of the proprietors and occupiers of the premises within these red lines if they were annexed to the Borough of Paddington instead of to the Borough of Randwick? Yes, greatly to their advantage; in fact they have signed as many as three petitions asking that they may be annexed to Paddington.
 33. They think it would be more convenient, as they are really situated within what may be called the natural boundaries of the Municipality of Paddington? Yes. I might also add that we have great difficulties to contend with in the present state of matters; for instance, the nuisances from Paddington run into this lane (*referring to the plan*), and the lane being in the Borough of Randwick we can do nothing with it.
 34. It is the wish of all parties to have this transfer carried out? Yes.
 35. *Mr. Harris.*] Has not a petition been signed by the inhabitants of this locality asking for incorporation with Paddington? Yes, I think all but one have signed it, and that was a person whom Mr. J. B. Moore, who collected the signatures, could not find.
 36. Does this plan correctly show the boundary of the Paddington municipality on this side. Yes.
 37. Does the description in the Schedule to this Bill correctly describe the locality intended to be severed from the Borough of Randwick and annexed to the Borough of Paddington? Yes, I believe it does.

THURSDAY, 24 JANUARY, 1884.

Present:—

MR. BUTCHER, | MR. DAY.
J. F. BURNS, ESQ., IN THE CHAIR.

Ferdinand Hamilton Reuss, Esq., called in and examined on oath:—

- F. H. Reuss, Esq.
24 Jan., 1884.
38. *Chairman.*] You are a licensed surveyor, I believe? Yes.
 39. You are aware of the objects of the Bill before this Committee? Yes.
 40. Can you state whether the area of land proposed to be severed from the Borough of Randwick and annexed to the Borough of Paddington is correctly described in the Schedule of the Bill? Yes, the description is correct.
 41. It correctly describes the land proposed to be annexed to the Borough of Paddington? Yes.
 42. You give that opinion professionally, as a licensed surveyor? Yes.
 43. Have you any sketch or plan of the land? I have with me the original plan from which I prepared the one I submitted to Mr. Denning for Mr. Trickett.
 44. The original chart corresponds with the description contained in the Schedule? Yes.
 45. For whom did you make a survey of the land? For the Mayor of Randwick.
 46. *Mr. Butcher.*] Was that done with the concurrence of the Mayor of Paddington? Yes, he was asked to give me instructions; it was a joint affair; in fact there was an appointment made for them both to meet in my office, but one of them failed to attend.
 47. *Chairman.*] But you have no doubt about the land being correctly described in the Bill? No; it is also in accordance with the municipal plan of the Borough of Paddington.
 48. *Mr. Day.*] The description in the Schedule contains these words—"Thence along the Old South Head Road south-easterly to the centre of Moore Park Road"? Yes.

ON THE BOROUGHS OF RANDWICK AND PADDINGTON BILL.

49. What portion of the Old South Head Road does it take in? That is the very point about which I was arguing with the Mayor; I think the Old South Head Road is a trust road.
50. But could any amateur understand what these words mean—"Thence along the Old South Head Road south-easterly to the centre of Moore Park Road"? I admit that it is vague, and I may say it is purposely vague. Some plans show the centre of the roadway; but the Municipality say they have put kerbs down, and that would imply that the boundary is the kerbstone. The Old South Head Road is under a trust, and you cannot embody a road under a road trust within a municipality. The description leaves it open for them to go down to the kerb.
51. Is the Old South Head Road considered a main road? Oh yes, it is the high road.
52. What is the custom—for a main road to be under a municipality or under Government? Main roads are frequently under trust; both of the South Head Roads are under trust.
53. *Chairman.*] The description of the area of land dealt with by this Bill is drawn up so as to avoid coming into collision with the road trusts? Yes.
54. *Mr. Day.*] But the objection I see to it is that it does not state what part of the road it takes in and what part it leaves out, whether it takes in the footpath as well as the carriage-way? That is a matter open to argument. Other descriptions are drawn up in just the same way. The descriptions of other boroughs do not say whether they extend to the centre or to the side of a trust road. In regard to every street or road, with the exception of the Old South Head Road, I have, in drawing up the description, named the centre of those streets or roads. For instance, the centre of Moore Park Road is mentioned.
55. In such cases the municipalities on either side of the road can join in the cost of keeping it in repair? Yes. The Mayor of Randwick tells me that the usage is for them to do the footpath, and they have done that heretofore.
56. *Chairman.*] What do your descriptions mean? My description says, "along the Old South Head Road"; I admit that it does not explain whether the kerb-line or the building-line is meant.
57. *Mr. Butcher.*] It is customary with a municipality when dealing with a trust road to take in the footpath? It is so in regard to the Municipality of Randwick. In reality it is more than the kerb—it is the edge of the guttering; but it has never been mentioned in any description of a borough to my knowledge, and in all previous descriptions I followed the ordinary practice.
58. *Mr. Day.*] I suppose that the commencing point of the boundary is at the south-west corner of Gordon's grant? Yes.
59. That is a well-defined point? Yes.
60. It is bounded on the north by that grant, and follows along it to the south-east corner, and then goes north-easterly to the Old South Head Road? Yes.
61. It goes straight, I suppose? Yes, to the junction of the old Point Piper Road with the Old South Head Road.
62. Then it runs along the Old South Head Road? Yes, to its junction with Moore Park Road; thence along the centre of Moore Park Road, south-westerly, to its junction with the centre of Gordon-street; thence along the centre of Gordon-street, north-westerly, to its junction with Leinster-street; thence along the centre of Leinster-street, westerly, to Bent-street; and on the west by Bent-street, northerly, to the point of commencement.
63. Through all the other streets to Bent-street the centre of the streets is taken as the boundary-line? It takes the side of Bent-street—it is bounded by Bent-street.
64. What does that mean? Because Bent-street is out of the description.
65. That means that the boundary-line is the building-line? Yes.
66. Why was that done? Because that is the old municipal boundary.
67. The whole of it is within the Paddington Borough? Yes; they have nothing to do with Bent-street now.
68. *Chairman.*] The plan you produce is a correct plan of the property? Yes.
69. *Mr. Butcher.*] There was a street called Piper-street, now called Queen-street: do you not think it would be better to define it as Queen-street on the plan? I think it would.
70. The street marked on the plan as Piper-street is that which is now called Queen-street? Yes.
71. Do you intend to mark it on the plan as Queen-street? Yes.

F. H. Reuss, Esq. 21 Jan., 1884.

THURSDAY, 31 JANUARY, 1884.

Present:—

MR. DAY, | MR. CHAPMAN,
MR. SPRING.

J. F. BURNS, ESQ., IN THE CHAIR.

The Honorable Charles Moore, M.L.C., attending by leave of the Legislative Council, examined:—

72. *Chairman.*] You are a Member of the Legislative Council of this Colony? Yes.
73. And were formerly Mayor of Sydney? Yes.
74. You are still an Alderman of the City of Sydney? Yes.
75. You have also been a resident and an Alderman of the Borough of Randwick for many years? Yes, up to within a short time back.
76. You have taken an interest in the affairs of the Borough of Randwick since its establishment? Yes, since 1859.
77. Was it under your direction that the land at Paddington which it is proposed to transfer to the Borough of that name was first subdivided by the City Corporation and sold? It was during my time that that portion of the city was subdivided and sold, under the Sydney Common Act.
78. You have before you the plan handed in of that area? Yes.
79. Do you desire to amend that plan in any way? Yes. The plan takes in a portion of the City of Sydney which is not referred to in the Bill—the plan does not correspond with the Bill.
80. I understand that the City Surveyor has prepared an amended plan? Yes, an amended plan, which is correct according to the city proclamation.

The Hon. C. Moore, M.L.C. 31 Jan., 1884.

The Hon.
C. Moore,
M.L.C.
31 Jan., 1884.

S1. Do you produce that plan? I do. (*Plan handed in. See Separate Appendix B.*) The description in the Schedule to the Bill ought to be amended, so as to read thus:—"All that piece or parcel of land situate, lying, and being in the parish of Alexandria, in the county of Cumberland, Colony of New South Wales, being portion of the Borough of Randwick, to be ceded to the Borough of Paddington: Commencing at a point at the south-west corner of Gordon's grant; and bounded on the north by that grant bearing east to the south-east corner thereof, being part of the present southern boundary of the Borough of Paddington; thence north-easterly to the Old South Head Road, opposite the centre of the Point Piper Road; thence along the Old South Head Road south-easterly to that point on the south side of Old South Head Road where the boundary of the city of Sydney intersects that road, being near the eastern boundary of St. Matthias's Church land; thence by the said boundary of the city of Sydney along the north side of Park Road to the centre of Gordon-street; thence along the centre of Gordon-street north-westerly to the centre of Leinster-street, and along the centre of that street to Bent-street; and thence northerly to the point of commencement."

S2. If the description is made correct in the way you suggest, do you see any objection to the transfer of this area to the Borough of Paddington? None whatever.

APPENDIX.

[*To the Evidence of George Denning, Esq., 19 December, 1883.*]

TRUE copy of resolutions relating to the transfer of a portion of the Borough of Randwick to the Borough of Paddington, made and passed in Council, and copied from the Minute Book of the Randwick Municipal Council this day by me.

18 December, 1883.

W. BETHUNE,
Council Clerk.

Resolution No. 1. Agreed to 29th May, 1883.

Moved by Alderman Bradley, seconded by Alderman Wall, "That a Committee, consisting of the Mayor, Aldermen Wall, Bradley, and Yeoman, be appointed to confer with the Paddington Council relative to the annexation of the north-western portion of this borough to the Borough of Paddington."—Carried.

Resolution No. 2. Agreed to 10th July, 1883.

Alderman Bradley reported that he had, in conjunction with the Mayor and Alderman Yeoman, conferred with a Committee from the Paddington Council relative to the annexation of Leinster, Ulster, and Gordon Streets to the Borough of Paddington; and that in consideration of such annexation being effected, the Paddington Council would undertake to retire £500 worth of Randwick debentures upon their becoming due.

The Council agreed to accept the offer.

On 7th August, 1883, a letter was read at the meeting of the Randwick Council from the Paddington Council, expressing willingness to annex Leinster, Ulster, and Gordon Streets.

The Mayor stated that an Act of Parliament would be required to confirm this matter.

Resolution No. 3.

"The Council agreed to pay half the cost of a 'Bill,' provided the Paddington Council pay the other half."

The foregoing is a true copy of minutes copied from the Minute-book of the Randwick Municipal Council.—
W. BETHUNE, Council Clerk, 18 December, 1883.

[Two plans.

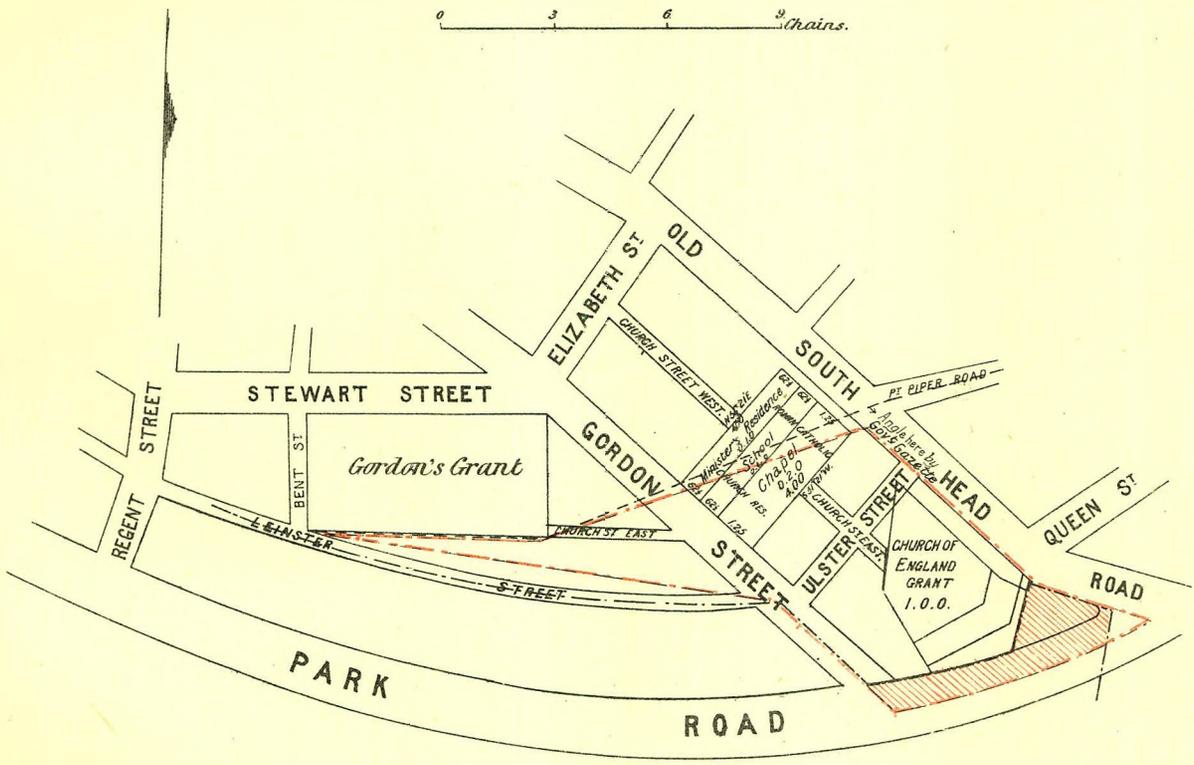
PLAN

Shewing portion of the Municipality of Randwick
ceded to
PADDINGTON



Separate Appendix B.

Scale.
0 3 6 9 Chains.



NOTE.

To the evidence of Mr. Moore 31st
January, 1884.

Copy of Tracing with City Surveyor
for Mr. Alderman Moore.

J. Dibbs
24/1/84

Alm Co.
24/1/84

CM
1/2/84

City Boundary shown thus —————
 Municipality of Paddington shown thus - - - - -
 Proposed transfer by accompanying schedule shown thus - - - - -
 Encroachment on City by said schedule tinted pink on original plan 
 Where the Boundaries agree they are both shown thus — - - - - and - - - - -
 City Boundary shown along the South Eastern and Eastern
 Boundaries of the Church of England Ground as fenced and claimed.

(Sig. 586-)

1883.

(THIRD SESSION.)

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BOROUGHS OF RANDWICK AND PADDINGTON.
(PETITION FOR TRANSFER OF PORTION OF RANDWICK TO PADDINGTON—INHABITANTS OF
RANDWICK.)

Received by the Legislative Assembly, 20 December, 1883.

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

The humble Petition of ratepayers, residents, and owners of property in a portion of the
Borough of Randwick,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners are residents and owners of ratable property in a portion of the
Borough of Randwick, situated between the boundary of Paddington on the one side and the boundary
of the city of Sydney on the other side.

2nd. That the properties of your Petitioners are situated 3 miles from the town of Randwick and
are completely separated therefrom by the interposition of Park Road, Moore Park, and the Water
Reserve, the whole of which are under the control of the Municipal Council of Sydney.

3rd. That in consequence of being so isolated your Petitioners are greatly inconvenienced, and
though having paid rates for the last twenty-three (23) years their interests are ignored and neglected,
and they are debarred from partaking of the benefits and privileges of Municipal Government.

4th. That geographically speaking your Petitioners are a part and portion of the Borough of
Paddington.

5th. That the Borough Council of Paddington is willing to take over the area referred to, and to
have the same annexed to the Borough of Paddington, and the Council of the Borough of Randwick is
willing to cede the same to the Borough of Paddington.

Your Petitioners therefore humbly pray that your Honorable House will cause the area referred to
to be annexed to the Borough of Paddington.

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

[Here follow 33 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

BRYEN'S ESTATE LEASING BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

24 *September*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 158. THURSDAY, 18 SEPTEMBER, 1884.

5. BRYEN'S ESTATE LEASING BILL (*Formal Motion*):—*Mr. Hugh Taylor*, for Mr. Proctor, moved, pursuant to Notice,—
- (1.) That Bryen's Estate Leasing Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Barbour, Mr. Burdekin, Mr. Gibbes, Mr. Chapman, Mr. Day, Mr. Gill, Mr. Withers, Mr. Poole, Mr. Teece, and the Mover.
- Question put and passed.
-

VOTES No. 161. WEDNESDAY, 24 SEPTEMBER, 1884.

12. BRYEN'S ESTATE LEASING BILL:—*Mr. Burns*, for Mr. Proctor, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before the Select Committee for whose consideration and report this Bill was referred on 18th September, 1884; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- * * * * *
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1883-4.

 BRYEN'S ESTATE LEASING BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 18th September, 1884,—“*Bryen's Estate Leasing Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the *List (whose evidence will be found appended hereto), and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and the Schedule of the Bill, in which it was deemed necessary to make an amendment. • See List, page 4.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

W. C. PROCTOR,
Chairman.

*No. 3 Committee Room,
Sydney, 23rd September, 1884.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 23 SEPTEMBER, 1884.

MEMBERS PRESENT:—

Mr. Proctor,	|	Mr. Gibbes,
Mr. Withers,	|	Mr. Teece,
Mr. Burdekin.		

Mr. Proctor called to the chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—James Frederick Fitzhardinge, Esq. (*Solicitor for the Bill*).

Mr. Stephen Josiah Bryen called in, sworn, and examined.

Witness *handed in* a copy of the Will of the late John Bryen.

Witness withdrew.

Mr. John George Leary (*Clerk, Supreme Court*) called in, sworn, and examined.

Witness *produced* original Will of the late John Bryen.

Witness withdrew.

Mr. Stephen Josiah Bryen called in and further examined.

Witness withdrew.

Mr. Alfred Neale (*an Executor of the Will of John Bryen*) called in, sworn, and examined.

Witness withdrew.

James Frederick Fitzhardinge, Esq., sworn and examined.

Witness *produced* Deeds of the lands referred to in the Schedule to the Bill.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 6 read and agreed to.

Schedule read, amended,* and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

SCHEDULE OF AMENDMENT.

Page 4, Schedule, line 37. *Omit* “Six acres of.”

LIST OF WITNESSES.

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* See Schedule of amendment.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

BRYEN'S ESTATE LEASING BILL.

TUESDAY, 23 SEPTEMBER, 1884.

Present:—

MR. BURDEKIN,		MR. PROCTOR,
MR. GIBBES,	|	MR. TEECE,
	MR. WITHERS.	

WILLIAM CONSETT PROCTOR, Esq., IN THE CHAIR.

James Frederick Fitzhardinge, Esq., solicitor, appeared as Solicitor for the Bill.

Stephen Josiah Bryen, Esq., called in and examined on oath:—

1. *Chairman.*] You are applying to Parliament for a Bill to enable you or your representatives to grant leases, for any term not exceeding fifty years from the passing of the Bill, of certain portions of the real estate devised by the will of John Bryen? Yes. S. J. Bryen,
Esq.
23 Sept., 1884.
2. Who was John Bryen? He was my father.
3. And he made a will in which he devised the property as set out in the preamble of the Bill now under the consideration of this Committee? Yes.
4. You have read the preamble of the Bill? Yes.
5. Have you a copy of the will? Yes, I produce a copy of the will, also a copy of the disclaimer of one of the trustees, Thomas M'Guire. The will is dated the 18th October, 1853, and was duly proved in the Supreme Court on the 5th of July, 1877, by Joseph Richard Clayton, who in the will is called Joseph J. Clayton, and Alfred Neale, the only other executor therein named, Thomas M'Guire, having disclaimed. The original disclaimer is annexed to the papers produced from the Wills Office, and is dated June 19, 1877. *(Copy of will handed in.)*
6. That is produced by a clerk of the Custodian of Wills? Yes.

Mr. John George Leary called in and examined:—

7. *Mr. Fitzhardinge.*] Are you Custodian of Wills? No; I am a clerk in the office of the Supreme Court. Mr. J. G.
Leary.
23 Sept., 1884.
8. And you have the custody of the wills? Yes, of some of the wills, but have not the custody of this will. I come simply because the Custodian of Wills has been called away to attend the Court at Darlinghurst.
9. But you are a clerk in the office of the Supreme Court, and produce the original will of John Bryen? Yes.
10. On which probate has been granted by the Supreme Court? Yes.

Stephen

Stephen Josiah Bryen, Esq., recalled and examined:—

S. J. Bryen,
Esq.
23 Sept., 1884.

11. *Mr. Fitzhardinge.*] You have read the Schedule of the Bill now before the Committee? Yes.
12. You are the only son, the only child in fact, of Mr. John Bryen, named in the Bill? Yes.
13. And you are the Stephen Josiah Bryen mentioned in your father's will? Yes.
14. You receive the whole of the income from your father's estate for life? Yes.
15. No other person is entitled to received any portion under your father's will? No.
16. Your mother having pre-deceased him? Yes.
17. What age were you when your father died? In my 29th year; he died in June, and I was 29 in the following August.
18. You were married at your father's death? Yes.
19. How many children had you at the time your father died? Two,—a son and a daughter.
20. Which was the oldest? The daughter.
21. How many children have you now? Four.
22. What are their respective ages? The oldest is ten years, I think; the second is about nine; the third is about six; the youngest is about two years and two months.
23. The eldest, you say, is a daughter, the second a son? Yes.
24. Is there more than one son? Two sons and two daughters.
25. Where does the other son come in? He is the youngest child.
26. Do you remember the date of your father's death? He died on the 3rd June, 1877.
27. Now we will come to the land described in the Bill;—you have read the schedule? Yes.
28. The lands mentioned there were all your father's property at the time of his death, so far as you know? With the exception of that named in the second clause of the schedule; I am disposed to think that my father disposed of that piece some years since.
29. As to the other lands, you know that they formed part of your father's estate at the time of his death? Yes.
30. Some parts of those lands are of considerable area? Yes.
31. We will commence with the first portion named in the schedule, which is described as 6 acres; as a matter of fact it is 60 acres, and the land is situated near the Nepean River? Yes, fronting the Nepean River.
32. That is not improved? No; it is mountain land.
33. That is the least valuable of any of the land named in the Bill? It is.
34. Passing from that we come to some land at the junction of the Missenden Road and the Parramatta Road? Yes.
35. Then there is some land fronting the Parramatta Road at Burwood;—do you know that? Yes.
36. Then there is some land at Surry Hills? Yes; about 108 feet square.
37. And then there are several pieces at Burwood? Yes.
38. Then you get to some land at Macdonaldtown, 2 acres 1 rood 10 perches? Yes.
39. Then there is some other land at Newtown, or described as being at Newtown, although I believe it is really in Macdonaldtown? Yes, fronting Macdonald-street; it is in the Macdonaldtown Municipality.
40. Then there is a piece of land fronting Levey-street, Chippendale? Yes.
41. And some other land at Macdonaldtown? Yes.
42. And then there is some land at Forest Lodge? Yes.
43. All these lands are comparatively unimproved? Yes.
44. There are no buildings on them, or the buildings are insignificant compared to the value of the land? There are no buildings on any of them, I think.
45. Are all the lands let? The piece at Macdonaldtown is let for grazing purposes.
46. There is only one piece of land that is producing anything at all? Yes.
47. What does that produce? Only £10 a year; it is simply let for temporary use, for running horses and cattle belonging to Mr. Knight.
48. You know all the lands personally? Yes.
49. Are they eligible for building purposes? Yes; especially the piece at Macdonaldtown and the piece at Chippendale.
50. Do you think they would let upon building leases if you had power to let them? I do.
51. Do you think you would be able to get a reasonable income from them? I do.
52. Your father had a large quantity of land, had he not—a great many different pieces of land? Yes; they are enumerated in the schedule to the Bill.
53. So far as you believe the schedule includes all the unimproved lands that belonged to your father? Yes; but the corners at the Missenden Road and Parramatta Road were disposed of I think many years ago.
54. What you desire by this Bill is that you should have the power of granting leases of the land that belonged to your father's estate—the estate is entirely under your control? Yes.
55. The trustees are both men who are no longer young? Yes.
56. And one of them is in failing health? I believe so.
57. They take no interest in the management of your father's estate? No.
58. The management is confided solely to you? Solely to me.
59. Do you know of your own knowledge that they have been informed that application has been made to Parliament to pass this Bill? I do.
60. And do you know that they have approved of it? I do.
61. They have made no response to the information given to them regarding your application to Parliament? Mr. Neale only.
62. He is in attendance now? Yes.
63. You believe that they approve of this Bill? Quite so.
64. *Chairman.*] Have notices of your intention to apply for this Bill been published in the *Nepean Times*? Yes.
65. You and your children are the only persons who can possibly be interested in the will? That is all.
66. *Mr. Gibbes.*] The sons come in first, and then the daughters? Yes.
67. *Chairman.*] The real object of the Bill is to enable you to grant leases of the lands that form part of your father's estate for fifty years? Yes.

Alfred Neale, Esq., called in and examined on oath:—

68. *Mr. Fitzhardinge.*] You were as far back as the year 1858 in business in Parramatta-street? Yes.
69. You are now living retired from business? Yes.
70. You knew John Bryen, who was then a brickmaker, and lived in Abercrombie-street? Yes.
71. You were one of the executors of his will, which is dated 18th October, 1858? Yes.
72. Mr. Joseph J. Clayton, then a clerk to the City Corporation, and subsequently treasurer to the Municipal Council of Sydney, and Mr. Thomas M'Guire, were also executors and trustees of the will? Yes.
73. You and Mr. Clayton alone acted? Yes.
74. You proved the will and took the management of the estate? Yes.
75. And having got the estate in order, having taken the management of it and ascertained what it was, you then, as the will directed, handed it over to young Mr. Bryen, he being of age? Yes.
76. Since then he has had the entire management and control of it? Yes.
77. You know that he has applied for an Act of Parliament to enable him to lease some of the land? Yes.
78. Do you know any of the lands personally; one of the portions was I believe the late Mr. Bryen's original brickfield? I recollect some of them; but it is so long since that I have almost forgotten.
79. I think you can say generally that some of the lands were not built upon at the time of Mr. John Bryen's death? No; the land in Abercrombie-street was not built upon.
80. Would the lands be valuable for building upon now? Yes.
81. But the land at present lies unproductive? Yes; Mr. Bryen can only grant leases for seven years.
82. And as a matter of fact there are several pieces of land belonging to the estate which would be of value now for building upon, although not so valuable in 1858? Yes; the price of land has gone up considerably since then.
83. You approve of the Bill now before the Committee? I do.
84. And are content that the powers sought for by it shall be delegated to Mr. Bryen? Yes.
85. As a matter of fact he is a careful and good manager, and capable of taking care of whatever he may become entitled to? Yes.
86. Can you say whether or not your co-trustee approves of this Bill? I saw him about two months ago, when the matter was first mooted. I met him casually in Moore Park, and he said then that he consented to the Bill.
87. When it was first proposed to make application to Parliament for a Bill you met Mr. Clayton, and he expressed his approval of it? Yes, we were speaking casually.
88. *Mr. Withers.*] It is for the benefit of the estate that it should be let on long leases? Yes.
89. Not only for the benefit of Mr. Bryen but for the benefit of his children afterwards? Yes.
90. It would be impossible to get people to put up decent property on a seven years' lease? Yes.
91. *Mr. Burdekin.*] And I suppose it would be the same with a twenty-one years' lease? Yes.
92. You think the term stated in the Bill, namely fifty years, is about the shortest that could well be named? Yes, for any one to put up any sort of buildings.
93. *Chairman.*] In the event of leasing the land for any length of time would it be necessary to lay out streets? On some of the land I think it would.

A. Neale,
Esq.
23 Sept., 1884.

James Frederick Fitzhardinge, Esq., examined:—

94. *Chairman.*] You are solicitor for the Bill? Yes.
95. And you produce certain documents with regard to the estate of the late John Bryen? I produce various title deeds, showing the title of the testator, John Bryen, to the lands mentioned in the schedule of the Bill; some of them are under the Real Property Act. I have examined the titles with regard to the others, and Mr. Bryen's title to them appears to be perfect. Some of them he had for a great number of years—as far back as 1844, I think, some of them. The will of the deceased gives everything to his executors and trustees in the first instance, subject to an annuity to be paid to his wife, but the testator's wife predeceased him. Then the will contained provisions for the application of a sufficient part of the income from the estate to the maintenance of the applicant for the Bill, Stephen Josiah Bryen, until he should have attained the age of twenty-five years; he was twenty-nine years of age when his father died. On his attaining the age of twenty-five years, or, according to the words of the will, "on his attaining the age of twenty-five years, on trust, to pay or transfer to the said trust, afterwards to him, his executors, administrators, or assigns." Therefore he took everything absolutely but the land. The testator's personal estate came to nearly £30,000. The land is entailed, but the applicant has a life interest. Upon his death it goes to his eldest son alone, and to the eldest son's eldest son; it is in entail male; there is a power in the will to grant leases of the land for seven years only.
96. *Mr. Withers.*] How are the proceeds of the leases to be applied? He does as he likes with them.
97. *Chairman.*] But the 5th clause of the Act;—does not that propose to alter the will so far as the distribution of the property after the death of the intestate is concerned? It proposes to affect the income from the leases granted by the applicant. The Bill proposes to allow the applicant to deal with the rents coming from the leases that he may make under this Bill.
98. That would be for life? During his life they are to be for his own use and benefit.
99. But after his death they do not go according to John Bryen's will? No; any lands that are not leased by him may be dealt with according to John Bryen's will. It is, of course, a question for the Committee, and probably for the Legislative Assembly and Parliament generally, to determine whether they would make any difference. The fact is, the eldest son is more than abundantly provided for by the father's will. It is for the consideration of Parliament whether it will interfere with it in any way whatever. I may say that the income from properties that must go to the eldest son amounts to nearly £2,000 a year.
100. What I understand is this: If the property is allowed to remain as it is it will, under the will of John Bryen, go to the applicant's eldest son? Yes.
101. But if it is leased as proposed by this Bill it will go according to the statute of distribution? The rents of the leases. It is a diversion of the income, not interfering with the ownership of the lands. I was going to call the attention of the Committee to the fact that that is the only respect in which the will

J. F.
Fitzhardinge,
Esq.
23 Sept., 1884.

J. F. Fitzhardinge, Esq. 23 Sept., 1884. will can be said to be altered. As the lands at present produce no income at all I do not think it can be said that the eldest son would be injured by the passing of this Bill. If the father chose to let things go as they are the son would get nothing.

102. *Mr. Burdekin.*] But is it not possible that if the lands were to remain ten years longer before being leased a better rent would be got for them than they would bring at present? Yes.

103. *Chairman.*] At all events you say the eldest son is abundantly provided for? Yes, I think his income amounts to a very large sum indeed.

104. The trustees really have nothing to do with the property now? Nothing.

105. When the eldest son comes of age he could bar the entail? Not if his father is then alive.

106. *Mr. Withers.*] The children of Mr. Bryen will never enjoy the freehold to any great extent if even they live fifty years from the present time? No, none of them would have it for more than their lives in any event, only the eldest son, and then his eldest son. I may add that I have seen Mr. Clayton, one of the trustees under the will, yesterday. He came to me in consequence of a notice he had received to attend this Committee to-day; he desired to be excused from attending on the ground of ill-health; he said he approved of the object of the Bill; he knew most of the lands, and he was of opinion that what this Bill proposed was the best thing that could be done for the estate, subject to the approval of Parliament. I can produce, if it be thought desirable, a formal letter, written to the trustees, informing them exactly of the objects of the Bill. The letter was sent to them with a copy of the notice I now produce.

107. *Mr. Burdekin.*] The Bill does not touch improved properties? No.

108. The Bill would not touch properties at present producing a considerable income? Not at all.

109. If the rents derivable from this Bill were distributed in any other way than that proposed it would not affect the present income at all, or not to any considerable extent? It would not affect it at all.

1883-4.

—
LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

CITY BANK BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

4 *June*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 105. FRIDAY, 23 MAY, 1884.

3. CITY BANK BILL (*Formal Motion*):—Mr. Burns moved, pursuant to Notice,—
- (1.) That the City Bank Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Griffiths, Mr. George Campbell, Mr. Day, Mr. Moses, Mr. Chapman, Mr. Hammond, Mr. Suttor, Mr. Burdekin, Mr. De Salis, and the Mover.
- Question put and passed.
-

VOTES No. 110. WEDNESDAY, 4 JUNE, 1884.

4. CITY BANK ACT EXTENSION BILL [*Heretofore CITY BANK BILL*]:—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 23rd May, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

CITY BANK BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 23rd May, 1884,—“*the City Bank Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto), and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, to which it was deemed necessary to add a new clause.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

J. F. BURNS,
Chairman.

No. 2 Committee Room,
Sydney, 3rd June, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 3 JUNE, 1884.

MEMBERS PRESENT:—

Mr. Burns,	|	Mr. Day,
Mr. Hammond,	|	Mr. DeSalis.

Mr. Burns called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present: A. F. Dawson, Esq. (*Counsel for the Bill*).

William Neill, Esq., General Manager of the City Bank, called in, sworn, and examined.

Witness *handed in* Abstract of the Liabilities and Assets of the Bank during the Quarter ending 31 March, 1884.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Counsel called in and informed.

Clause 1 read and agreed to.

*New clause, to stand as Clause 2, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

*See Schedule
Amendment.

SCHEDULE OF AMENDMENT.

Page 1,—Insert the following new clause, to stand as Clause 2:—

“This Act may be cited as the ‘City Bank Act Extension Act of 1884.’”

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

CITY BANK BILL.

TUESDAY, 3 JUNE, 1884.

Present:—

MR. BURNS | MR. DE SALIS,
MR. DAY, | MR. HAMMOND.

J. F. BURNS, Esq., IN THE CHAIR.

Arthur Dawson, Esq., Barrister-at-Law, appeared as Counsel for the City Bank.

William Neill, Esq., called in and examined on oath:—

1. *Chairman.*] You are General Manager of the City Bank? Yes.
2. Do you recollect the year in which the Bank commenced business? The Act of Incorporation was assented to in 1864.
3. The subscribed capital of the Bank at that time, I believe, was £200,000? Yes.
4. What is the amount of the paid-up capital at the present time? £240,000.
5. What was the amount of the reserve fund at the last half-yearly meeting? £100,000. I have a copy of the last half-yearly balance-sheet with me.
6. Since the Bank was established it has carried on its business as a Bank of issue, discount, and deposit? Yes.
7. And it has paid dividends to the shareholders? Yes.
8. The Bank has power to increase its capital to £500,000? Yes.
9. Under the City Bank Act, you have power to issue and circulate bank notes for a period of twenty-one years from the passing of the Act? Yes.
10. And you desire to have that power extended for a further period of twenty-one years? Yes.
11. I believe the Bank is in a flourishing condition? Yes, it is sound and satisfactory.
12. And for some years past you have regularly, in the declaration of the dividends, carried forward some portion of the profits to the reserve fund? Always from the time the Bank commenced operations.
13. You find the power to issue and circulate bank notes profitable for your business? We do.
14. How many shareholders are there? Over 450. At the last half-yearly settlement the number was 454.
15. Are they mostly resident in the Colony? Mostly resident in the Colony.
16. Have you a general abstract showing the average amount of the liabilities and assets of the City Bank for the past quarter? Yes. (*Abstract handed in. See Appendix.*)
17. *Mr. Day.*] I suppose that the 7th clause of the Act under which the Bank carries on operations refers only to the making and issue of bank notes and bills? It does.
18. And it limits the time to twenty-one years? Limits its duration as an incorporated body for twenty-one years.

W. Neill,
Esq.
3 June, 1884.

- W. Neill, Esq.
3 June, 1884.
19. And unless Parliament extends that period the Bank will not be able to carry on? It cannot; it cannot sue or be sued as an incorporated body.
20. Then it is absolutely necessary, in the interests of the Bank, the shareholders, and the public, that the period of incorporation should be extended? It is essentially necessary.
21. I suppose this Bill has been before the Directors of the Bank? It has.
22. Have the Directors agreed to it? They have agreed to it, and have petitioned Parliament to pass it.
23. I suppose the shareholders have been informed with regard to this Bill? It is a question with regard to which the shareholders naturally look to the Directors to carry out; it is one of the functions of the Board to see that the constitution of the Bank is preserved.
24. There has not been any objection offered by any person, either as shareholder of the Bank or one of the public, against the passing of this Bill? None whatever.

APPENDIX.

A.

GENERAL ABSTRACT showing the average amount of the Liabilities and Assets of the City Bank, within the Colony of New South Wales, taken from the several weekly statements, during the Quarter from the 31st December, 1883, to the 31st March, 1884.

Liabilities.	Amount.		Total.	Assets.	Amount.		Total.
	£	s. d.	£ s. d.		£	s. d.	£ s. d.
Notes in circulation—				Coined gold and silver and other			
Not bearing interest			50,863 4 7	coined metals			133,459 1 10
Bearing interest				Gold and silver in bullion or bars			1,092 7 5
Bills in circulation—				Landed property			30,163 6 3
Not bearing interest			215 11 3	Notes and bills of other Banks...			1,270 18 6
Bearing interest				Balances due from other Banks..			188,740 3 3
Balances due to other Banks			4,494 3 1	Amount of all debts due to the			
Deposits—				Bank, including notes, bills			
Not bearing interest	325,602	16 4		of exchange, and all stock			
Bearing interest	973,336	14 10		and funded debts of every			
			1,298,939 11 2	description, excepting notes,			
				bills, and balances due to the			
				said Bank from other Banks...			1,347,056 5 5
Total amount of liabilities.....£			1,354,512 10 1	Total amount of assets.....£			1,706,782 2 8
Amount of capital stock paid up to date			240,000 0 0				
Rate of the last dividend declared to the share-							
holders			10 % per annum.				
Amount of the last dividend declared			12,000 0 0				
Amount of the reserved profits at the time of							
declaring such dividend (not including amount							
of dividend)			106,123 18 7				

WILLIAM NEILL, Manager.
EDMUND ROUSE, p. Accountant.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

COOTAMUNDRY ROMAN CATHOLIC CHURCH
LAND SALE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
27 *March*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 46. TUESDAY, 29 JANUARY, 1884.

12. COOTAMUNDY ROMAN CATHOLIC CHURCH LAND SALE BILL (*Formal Motion*):—*Mr. Teece*, for *Mr. Fletcher*, moved, pursuant to Notice,—
- (1.) That the Cootamundry Roman Catholic Church Land Sale Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Sydney Smith*, *Mr. Heydon*, *Mr. Vaughn*, *Mr. Lynch*, *Mr. Teece*, *Mr. Slattery*, and *Mr. Fletcher*.
- Question put and passed.
-

VOTES NO. 77. THURSDAY, 27 MARCH, 1884.

2. COOTAMUNDY ROMAN CATHOLIC CHURCH LAND SALE BILL:—*Mr. Teece*, for *Mr. Fletcher*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before the Select Committee for whose consideration and report this Bill was referred on 29th January, 1884; together with Appendix and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

COOTAMUNDRY ROMAN CATHOLIC CHURCH LAND SALE BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 29th January, 1884,—“*the Cootamundry Roman Catholic Church Land Sale Bill*,”—beg to report to your Honorable House:—

That they have examined the witness named in the margin* (whose evidence will be found appended hereto); and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make certain amendments.

* The Right
Rev. William
Lanigan.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them, with an amended Title and Preamble.

JAMES FLETCHER,

Chairman.

No. 3 Committee Room,

Sydney, 25th March, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 25 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Fletcher,	|	Mr. Heydon,
Mr. Teece,	|	Mr. Slattery.

Mr. Fletcher called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original petition, to introduce the same, before the Committee.

The Right Reverend William Lanigan (*Roman Catholic Bishop of Goulburn*), called in, sworn, and examined.

Witness produced the original Deeds of Grant referred to in the Preamble and supplied copies of the same; and also handed in a request from Roman Catholics of Cootamundra to carry out the objects of the Bill, which was ordered to be appended. (*See Appendix.*)

Room cleared.

Preamble considered and amended.*

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clause 1 read, amended,* and agreed to.

Clauses 2 read and agreed to.

Schedules read and agreed to.

New clause,* to stand clause 3, read and agreed to.

Title read, amended, and agreed to.

Chairman to report the Bill, with amendments, to the House, with an amended Preamble.

* See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 1, Title, line 3. *Omit* “Michael Quinlan”

„ 1, Preamble, line 15. *Insert* “And whereas since the date of the said grants the said Michael Quinlan departed this life” *after* “Cootamundry.”

„ 2, clause 1, line 13. *Omit* “Michael Quinlan.”

„ 2. *Insert* the following New Clause to stand clause 3. “This Act may be cited as the Cootamundry Roman Catholic Church Land Sale Act of 1884.”

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

COOTAMUNDRY ROMAN CATHOLIC CHURCH LAND
SALE BILL.

TUESDAY, 25 MARCH, 1884.

Present:—

Mr. FLETCHER,
Mr. TEECE,Mr. HEYDON,
Mr. SLATTERY.

JAMES FLETCHER, Esq., IN THE CHAIR.

The Right Reverend William Lanigan, Bishop of Goulburn, sworn and examined:—

1. *Mr. Slattery.*] You are the Roman Catholic Bishop of Goulburn? Yes.
2. Do you produce the deeds of grant of the land mentioned in the preamble of this Bill? I do. (*Produces two deeds.*) One is the deed of grant of allotment No. 6, section 24, containing 2 roods, county of Harden, and parish of Cootamundry, village of Cootamundry, and the other is the deed of grant of allotments 7 and 8, containing 1 acre, county of Harden, parish of Cootamundry, village of Cootamundry; both dated the 10th May, 1877.
3. Are all the trustees now alive? No; Mr. Quinlan is dead. The living trustees are myself, Mr. John Hurley, and the Rev. Patrick Dunne.
4. Mr. Quinlan died since the issue of the grant? Yes.
5. In the preamble it is stated that the sites for a church and presbytery are unsuitable for the purposes for which they were respectively granted, and it is expedient that the said land should be sold and that the proceeds to arise from such sale should be applied in or towards the purchase of another piece of land in the said village of Cootamundry in a more suitable position as a site for a Roman Catholic Church and presbytery, and the erection of such church and presbytery thereon, and for other purposes? We have a church built on another site. Another person offered 3 acres in what was considered a more suitable place, and on this a church has been built which cost over £2,000.
6. And it does not stand on any of these allotments? No. The land was a gift from another person.
7. You and your co-trustees are desirous of selling this land and of applying the proceeds to similar purposes? To similar purposes on the land on which the church is erected in the same township.
8. *Chairman.*] I presume the trustees have been urged to take this step by the request of the parishioners? Yes, with the consent and wish of the people. I was desirous of having the consent of the people, and they pressed me to take this step. But I have more than that. Only a few days ago I sent to these people of Cootamundry to ask their consent in a written form, and I produce this (*showing written document*) signed by a number of the people of Cootamundry. (*Document put in. See Appendix.*) I can not only say that the people are satisfied, but I have their written sanction to sell and dispose of the proceeds for a similar purpose on ground the gift of a private individual.
9. *Mr. Slattery.*] Do you think the mode of application of the proceeds provided in the Bill would be for the benefit of the members of the Roman Catholic Church now residing in the district? Individually, I think it is altogether for their benefit.

Right Rev.
W. Lanigan.
25 Mar., 1884.

- Right Rev. W. Lanigan. 10. You and your co-trustees intend to apply the proceeds of the sale for like purposes to those for which this land was granted? Yes.
- 25 Mar., 1884. 11. *Chairman.*] The proceeds will be applied to church purposes? To church purposes only, and in the town of Cootamundry.
12. *Mr. Slattery.*] Do your co-trustees concur with you in this matter? They do concur.
13. *Chairman.*] Have you heard any objection from any of the parishioners or any person interested? I have not had exception taken to it by a single person.

APPENDIX.

[To the Evidence of the Right Rev. Bishop Lanigan, 25 March, 1884.]

Cootamundra, 13 March, 1884.

The Right Rev. Dr. Lanigan, Lord Bishop of Goulburn,—

May it please your Lordship,—

We, the undersigned Catholics of Cootamundra and district, being convinced that the block of land granted by the Government, situated at the corner of Thompson and Wallendoon streets, in section No. 24, in the township of Cootamundra, will never be required for church purposes, as the block on which our present church stands will be sufficient for all future requirements, hereby respectfully request your Lordship to sell and dispose of the same and to appropriate the proceeds on the church and a presbytery on M'Gowan's land, on which the church at present stands:—

Richard Butler, C.C.,	Patrick Maguire,	A. F. Julian,	John Duffy.
John B. Hurley,	Owen Hilly,	H. A. O'Donnell,	William O'Brien,
James Ryan,	Patrick Ryan,	A. Norberry,	Matthew Quinlan,
William Renchan,	Michael Hallinan,	J. Carberry,	Michael Deegan,
Thos. Mangan,	Denis Hall,	Philip Hurley,	John Rigney,
Richard Kennedy, C.C.,	John H. Raleigh,	Thomas S. Camb,	William Gardiner,
Michael Maher,	M. R. Mooney,	James Ryan,	John Quinlan,
William Muleshy,	Joseph H. Gravalin,	Edward Ryan,	William Hurrold,
Michael Renchan,	M. T. Carberry,	Michael Galvin,	James Tuohey,
Jas. Maguire,	T. A. Worthington,	Edward Connor,	Denis Quinlan.
John Canty,			

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

DUBBO CATTLE SALE-YARDS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
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SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 6, THURSDAY, 18 OCTOBER, 1883.

14. DUBBO CATTLE SALE-YARDS BILL (*Formal Motion*) :—Sir Patrick Jennings moved, pursuant to Notice,—
- (1.) That the Dubbo Cattle Sale-yards Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Badgery, Mr. White, Mr. Day, Mr. Cass, Mr. Melville, Mr. Dalton, and the Mover.
- Question put and passed.
-

VOTES No. 17, WEDNESDAY, 14 NOVEMBER, 1883.

5. DUBBO CATTLE SALE-YARDS BILL :—Sir Patrick Jennings, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 18th October, 1883 ; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883.

(THIRD SESSION.)

DUBBO CATTLE SALE-YARDS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 18 October, 1883,—“*the Dubbo Cattle Sale-yards Bill,*”—beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose evidence See list, page will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

P. A. JENNINGS,
Chairman.

No. 3 Committee Room,
Sydney, 26th October, 1883.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 26 OCTOBER, 1883.

MEMBERS PRESENT :—

Sir Patrick Jennings,	Mr. Day,
Mr. Badgery,	Mr. White,
Mr. Dalton,	Mr. Cass.

Sir Patrick Jennings called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present :—Richard Benjamin Asher, Esq. (*Solicitor for the Bill.*)

Richard Benjamin Asher, Esq., sworn, and examined.

Witness *produced* a Deed of Grant to the Municipal Council of Dubbo, dated 30th October, 1876, of certain land as a site for a cattle-market, and *handed in* certified copy of the same.

Henry Septimus Badgery, Esq., M.P., a member of the Committee, sworn and examined in his place.

Richard Benjamin Asher, Esq., further examined.

George Edwin Cass, Esq., M.P., a member of the Committee, sworn and examined in his place.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clause 1 read, amended,* and agreed to.

Clauses 2 to 8 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

* Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 1, clause 1, line 19. *After* “foals” *insert* “mules.”
 „ 1, „ 1, „ 19. *After* “cows” *insert* “bullocks.”

LIST OF WITNESSES.

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Asher, Richard Benjamin, Esq.	5
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Cass, George Edwin, Esq., M.P.	6

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

DUBBO CATTLE SALE-YARDS BILL.

FRIDAY, 26 OCTOBER, 1883.

Present:—

MR. BADGERY,
MR. CASS,
MR. DALTON,MR. DAY,
SIR PATRICK JENNINGS, K.C.M.G.,
MR. WHITE.

SIR PATRICK JENNINGS IN THE CHAIR.

Richard Benjamin Asher, Esq., examined:—

1. *Chairman.*] You are solicitor in charge of this Bill? Yes, my firm is in charge of the Bill.
2. Your firm are acting on behalf of the Municipal Council of Dubbo? Yes.
3. Do you produce the deed of grant, from the Crown to the Municipal Council of Dubbo, of 10 acres of land as a site for a cattle-market? Yes. (*Deed of grant produced, and copy handed in.*)
4. The Municipal Council of Dubbo are desirous of building and establishing cattle sale-yards? Yes.
5. You are, I presume, of opinion that it is expedient that permission should be given to erect them? Yes.
6. Is the land mentioned in the Schedule the same as that included in the grant? Yes.
7. Have you any idea of the consumption of cattle weekly or monthly at Dubbo? I have not; I know there is a large quantity of stock consumed and sold there.
8. *Mr. Day.*] Do you live in Dubbo? No, I live in Sydney; I have a partner living in Dubbo.
9. Do you know anything about Dubbo? Yes, I have been there frequently. I know of my own knowledge that there is an extensive cattle trade done there.
10. Do you know whether the erection of cattle sale-yards is generally approved by the inhabitants? Yes, it is decidedly.
11. You never heard any objection? No.

R. B. Asher,
Esq.
26 Oct., 1883.

Henry Septimus Badgery, Esq., M.P., a Member of the Committee, examined in his place:—

12. *Chairman.*] You know Dubbo? Yes.
13. You are acquainted with the town and neighbourhood sufficiently to form an opinion as to whether cattle sale-yards are necessary there? Yes, I am perfectly satisfied they are much required.
14. Have you any idea of the local consumption of stock? I should think from 60 to 80 head of cattle in a week, but I am not positive about that; with the usual proportion of other stock. A large number of stock are sold there privately to the butchers at prices regulated by what the rest of the cattle in the mob fetch in Sydney; a few are run out and sold in this way; but if there were proper sale-yards they would be yarded and sold by the agents.
15. Then you think cattle sale-yards at Dubbo would be a convenience not only to purchasers but to producers? Yes, certainly. Dubbo is the centre of a very large producing district, and the yards would be largely used for sales of large drafts of store stock as well as fat stock.

H. S. Badgery,
Esq., M.P.
26 Oct., 1883.

- H. S. Badgery, Esq., M.P.
26 Oct., 1883.
16. *Mr. Day.*] I suppose it is more than likely that a large number of fat stock would be sold there even to come to Sydney? Yes.
17. *Chairman.*] You consider it a suitable centre for the stock trade? Yes, it is now a centre; a large business is done there, and the accommodation provided for by this Bill is necessary and much required.
18. *Mr. Day.*] Do you think £1,000—the sum mentioned in the Bill—is sufficient to build suitable sale-yards for Dubbo? Certainly not, because of the trade in store stock; they will have to provide more accommodation than can be got for £1,000.
19. *Mr. Dalton.*] To what amount would you extend it? I think it will require £3,000 at least.
20. As regards the distance within which the powers given in the Bill should operate, do you think 3 miles too much? No, I do not. If the distance was less people might establish a market outside, but I think 3 miles will just about catch them. If a man had a very large lot of store stock, and did not feel inclined to pay the dues, he would endeavour to sell them outside if the limit were less than 3 miles.
21. *Mr. Dalton.*] What would be the extent of the yards which would be required to carry on the cattle trade of Dubbo? I should think the yards should provide accommodation for 3,000 head of cattle at a time. That could be done without much expense, because small pens would not be required for store stock; they would only be necessary for fat stock. The accommodation for large drafts would be comparatively inexpensive.

R. B. Asher, Esq., further examined:—

- R. B. Asher, Esq.
26 Oct., 1883.
22. *Chairman.*] Have you had any communication with the Municipal Council of Dubbo with regard to the amount proposed to be borrowed for the erection of these sale-yards? Their instructions were to put down the amount at £1,000, but after hearing Mr. Badgery's evidence on the subject I am quite prepared to agree, on their behalf, to accept further power to borrow for this purpose.
23. Then on behalf of the Municipal Council of Dubbo you are willing that the amount should be increased? Yes, to such an extent as the Committee may think desirable.
24. Are you aware whether the Municipal Council of Dubbo have borrowed any money under the Municipalities Act? Yes, they have borrowed a large amount for other purposes, not for a cattle market.
25. How is it proposed then to give security if the rates are already mortgaged? Security would be given over the fees from the sale-yards as well.
26. The Bill says the money is to be borrowed on the general rates of the town? It mentions both.
27. The security upon the rates would be in the nature of a second mortgage? Yes.
28. Do you know the revenue of the Municipal Council of Dubbo? I do not.

George Edwin Cass, Esq., M.P., a Member of the Committee, examined in his place:—

- G. E. Cass, Esq., M.P.
26 Oct., 1883.
29. *Chairman.* You know Dubbo? Yes, for twenty years.
30. You have seen the Bill now before the Committee? Yes.
31. Are you of opinion that the erection of the sale-yards at Dubbo would be a convenience to the inhabitants of the town and the producers of the surrounding districts? Yes.
32. Do you think they are required for the facilitation of the stock trade? Yes, I believe it is almost the universal opinion of the inhabitants and persons interested.
33. *Mr. Dalton.*] Do you know anything about the site? I know it from my general knowledge of the place.
34. Do you think it is a suitable site for the purpose? Yes.
35. What extent of sales do you think will be carried on there—what number of cattle in a year? I could hardly say that, but I know for years past there have been very large transactions in stock, both fat cattle and sheep and store stock. It is a great centre for stock from all directions, and I dare say there is as much business done in Dubbo as in most country towns.
36. Then the revenue derived from the yards will be very great? Yes, I think so.
37. *Mr. Day.*] You are Member for Dubbo? Yes, I represent the Bogan, in conjunction with Sir Patrick Jennings.
38. Have you had any conversation with the people there about these proposed yards? I have heard conversations respecting them.
39. Did you ever hear anyone object to them? No, all that I have heard speaking of the matter have been in favour of them.
40. Do you think sale-yards that would meet the requirements of the place could be put up for £1,000? No.
41. What amount do you think would give ample accommodation? I dare say from two to three thousand pounds.
42. Do you know the population of Dubbo within 3 miles? I should think it is now about 5,000; when the railway stopped there it was about 8,000, but it has decreased since the line has been opened further on.
43. Dubbo is the centre of a very large and important district? Yes, there are many roads to Dubbo from the Castlereagh, the Talbragar, and from different parts of the Bogan.
44. Dubbo seems to be a great meeting place for stock coming for sale? Yes.
45. More especially for store stock? Yes, it is a great rendezvous for cattle-buyers.

1883

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

DUBBO GAS COMPANY'S INCORPORATION BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
25 *October*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 3. THURSDAY, 11 OCTOBER, 1883.

9. DUBBO GAS COMPANY'S INCORPORATION BILL (*Formal Motion*):—*Mr. Olliffe*, for *Mr. Cass*, moved, pursuant to Notice,—
- (1.) That the Dubbo Gas Company's Incorporation Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Burns*, *Mr. Coonan*, *Mr. Day*, *Mr. Fremlin*, *Mr. Humphery*, *Sir Patrick Jennings*, *Mr. Machattie*, *Mr. Poole*, *Mr. Slattery*, and *Mr. Cass*.
- Question put and passed.

VOTES No. 10. THURSDAY, 25 OCTOBER, 1883

3. DUBBO GAS COMPANY'S INCORPORATION BILL:—*Mr. Cass*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 16th October, 1883; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- * * * * *

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1883.

DUBBO GAS COMPANY'S INCORPORATION BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 16th October, 1883,—“*the Dubbo Gas Company's Incorporation Bill,*”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

GEORGE E. CASS,
Chairman.

No. 3 Committee Room,
Sydney, 24th October, 1883.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 24 OCTOBER, 1883.

MEMBERS PRESENT:—

Mr. Cass,
Mr. Day,Mr. Poole,
Sir Patrick Jennings.

Mr. Cass called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—Richard B. Asher, Esq. (*Solicitor for the Bill*).

Richard B. Asher, Esq., sworn and examined.

Witness *produced* the Deed of Settlement of the Dubbo Gas Company, and *handed in* a certified copy of the same.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 28 read and agreed to.

Clause 29 read, amended,* and agreed to.

Clauses 30 to 35 read and agreed to.

Clause 36 read, amended,* and agreed to.

Clause 37 read and agreed to.

Clause 38 39 read, amended,* and agreed to.

Schedule read and agreed to.

New clause,* to stand as clause 38, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

SCHEDULE OF AMENDMENTS.

- Page 10, clause 29, line 50. *Add* to the end of clause “or by the Inspector of Meters appointed from time to time by the said Municipal Council or other the person or persons who may hereafter be appointed by any Act or Acts of the Parliament of New South Wales or in pursuance thereof in that behalf to test and stamp gas-meters.”
- „ 11, clause 36, line 54. *Omit* “Provided that it shall be lawful for the Government at any time by proclamation in the Government Gazette to order that the meaning of the expression ‘last aforesaid’ may for the purposes of this Act be extended to include any such other place or places as in such proclamation may be named and defined.”
- „ 12. *Insert* the following new clause, to stand as clause 38:—
“38. Nothing contained in this Act shall prevent the said Company being brought under the provisions of any general Act which may be passed by the Parliament of New South Wales applying equally to Companies engaged in the manufacture of gas in the said Colony with reference to the manufacture and sale of gas nor entitle the said Company to compensation from the public revenue by reason of the provisions of such general Act for the purpose aforesaid being made applicable to and binding upon the said Company.
- „ 12, clause 38 39, line 19. *Omit* “deemed and taken to be a Public Act and shall be taken judicial notice of as such by the Judges of the Supreme Court of New South Wales and by all other Judges Justices and others within the Colony of New South Wales and its dependencies without being specially pleaded and the same whenever cited shall be sufficiently described” *insert* “styled and may be cited”

* See Schedule of Amendments

Company may be brought under General Act.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

DUBBO GAS COMPANY'S INCORPORATION BILL.

WEDNESDAY, 24 OCTOBER, 1883.

Present:—

MR. CASS,
MR. DAY,

SIR PATRICK JENNINGS,
MR. POOLE.

GEORGE EDWIN CASS, ESQ., IN THE CHAIR.

Richard Benjamin Asher, Esq., called in and examined:—

1. *Chairman.*] You reside in Sydney? Yes.
2. You practise professionally as a solicitor in Sydney and Dubbo? Yes. My firm is Shorter, Fitzgerald, and Asher.
3. You are Solicitor for this Bill? Yes.
4. Do you know whether the whole of the capital has been subscribed for this undertaking? Nearly the whole of it.
5. Is it a limited liability Company? No, it is not registered under the Companies Act, but is formed under a deed of settlement, which I produce, and an attested copy of which I put in. (*Handed in.*)
6. What is the capital? £6,000.
7. Do you know whether the whole of the shares have been subscribed for? I think there are a few that have not been taken up.
8. Who are the principal Promoters of the Company? James Samuels, William Moffitt, Joshua Gill, Edwin Davies, and Julius Caro are the Trustees and Directors.
9. Are they persons likely to carry out the designs of the Company if they obtain the powers asked for in this Bill? Yes; in fact the works have been already carried out, and the buildings have been erected.
10. What is the population of Dubbo? I think it is now about 3,000.
11. *Mr. Day.*] What do you mean by the Company being limited? It is limited as to the amount of the shares under the deed of settlement. It is not under the Companies' Act, but under the old form of a deed of settlement.
12. Then the whole of the shareholders would be liable for the debts contracted by the Company? Yes. It is called the Dubbo Gas Company (Limited), but it is not registered under the Limited Liability Act of 1874.
13. How many shareholders are there? Shares to the amount of £5,600 or £5,800 have been taken up.
14. How many persons hold them? I could not tell the number just now.
15. *Sir Patrick Jennings.*] How can it be limited if it is not under the Companies Act? The word "Limited" must have been put in in error.
16. Apparently there is no difference between the Company as at present existing and that which was spoken of in the evidence when the Bill was previously before a Select Committee? No.
17. *Mr. Day.*] Why do you call the Company limited? It is a mistake.
18. Then we understand that the shareholders are liable for every farthing of the debts due by the Company? Yes, undoubtedly.

R. B. Asher,
Esq.
24 Oct., 1883

- R. B. Asher, Esq.
24 Oct., 1883.
19. *Mr. Poole.*] I suppose there is nothing to prevent the Company from being at any time brought under the Companies Act? No.
20. *Chairman.*] The principal shareholders are men of means in Dubbo? Yes.
21. Old residents? Yes.
22. Practical men of business? Yes.
23. *Mr. Day.*] Are you aware whether the people of Dubbo generally are in favour of the Bill? I believe they are.
24. *Sir Patrick Jennings.*] The Company has been in operation for some time? Yes; the Municipality did not object to their laying down the mains.
25. *Chairman.*] Have the Municipal Council of Dubbo given their assent to the construction of the works? Yes. There was a consent, under the corporation seal, filed when the last Bill was introduced.
26. *Mr. Day.*] Is it intended to register the Company under the Limited Liability Act? No, I believe not. The Company is limited as between the parties to the deed, but not as between the Company and the outside public, who may be its creditors. The text-book from which this deed was copied gives this as the form. There are a number of Companies now formed in a similar way. I might mention the case of the Newtown Omnibus Company, which was called "limited," and which was wound up in the Insolvent Court, and each shareholder had to pay *pro rata* to meet the debts.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

ENGINEERING ASSOCIATION INCORPORATION BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
26 *February*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 61. FRIDAY, 22 FEBRUARY, 1884.

7. ENGINEERING ASSOCIATION INCORPORATION BILL (*Formal Motion*) :—Mr. Poole moved, pursuant to Notice,—
- (1.) That the Engineering Association Incorporation Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Day, Mr. Barbour, Mr. Vaughn, Mr. Murray, Mr. Fremlin, and the Mover.
- Question put and passed.
-

VOTES No. 62. TUESDAY, 26 FEBRUARY, 1884.

8. ENGINEERING ASSOCIATION INCORPORATION BILL :—Mr. Poole, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 22nd February, 1884; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

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1883-4.

ENGINEERING ASSOCIATION INCORPORATION BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 22nd February, 1884,—“*the Engineering Association Incorporation Bill*,”—beg to report to your Honorable House:—

That they examined the witnesses named in the List* (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

W. T. POOLE,
Chairman.

No. 3 Committee Room,
Sydney, 26th February, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 26 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Poole,	|	Mr. Fremlin,
Mr. Day,	|	Mr. Barbour.

Mr. Poole called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

John Trevor Jones, Esq. (*City Engineer*), called in, sworn, and examined.

Witness withdrew.

William Douglas Cruickshank, Esq. (*Mechanical Engineer*), called in, sworn, and examined.

Witness withdrew.

Owen Blacket, Esq. (*President of the Society*), called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 to 5 read and agreed to.

Clause 6 read, amended, * and agreed to.

Clauses 7 to 11 read and agreed to.

New * clause to stand clause 12, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

* See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 3, clause 6, line 9. *Omit* “or may borrow money without security provided that the amount so borrowed without security shall never exceed in the aggregate the amount of the income of the Corporation for the last preceding year and the Council may also settle and agree to the covenants powers and authorities to be contained in the securities aforesaid”

” *Insert* the following new clause to stand clause 12:—

“12. This Act may be cited as the Engineering Association Incorporation Act of 1884.”

LIST OF WITNESSES.

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Blacket, Owen, Esq	5
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1883-4.
 ———
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

ENGINEERING ASSOCIATION INCORPORATION BILL.

TUESDAY, 26 FEBRUARY, 1884.

Present:—

MR. POOLE,
 MR. FREMLIN,

MR. DAY,
 MR. BARBOUR.

WILLIAM THOMAS POOLE, ESQ., IN THE CHAIR.

John Trevor Jones, Esq., called in and examined:—

1. *Chairman.*] You are City Engineer? I am.
2. And a member of the Engineering Association of New South Wales? Yes.
3. As one of the members of the Association, you are here to-day to give evidence in support of the Bill to incorporate that body? Yes.
4. Will you explain to the Committee the reasons why you apply for this Bill? The reasons are, briefly, that we have a little property, not real property at present, but it may become real property at any moment, and we have also some cash in hand and property in the shape of books and furniture, and we have hired a room and are now in a position to start as a Society which may hold property, and having debts due may sue for them, and may be sued if we owe any money. This Bill is sought so that we may hold property as an incorporated body, and may sue and be sued.
5. *Mr. Day.*] Can you not do that without incorporation? I do not think so.
6. Can you not register the Association under the Friendly Society's Act? This is not a Friendly Society in that sense; it affords no assistance in sickness or otherwise to its members. I am not in a position to say whether it can be registered under that Act. I was under the impression that to come under that Act a Society must afford help to its members in time of need.
7. *Chairman.*] At the present moment I believe you have belonging to your Society valuable books, charts, and scientific instruments? Yes, I suppose I may say we have scientific instruments; we have models and the like.
8. The object you seek by this Bill of Incorporation is to make some one legally responsible both for the custody of the property of the Association, and also to sign leases and so on, and to be sued? Yes.
9. *Mr. Fremlin.*] I see the property of the Society is now vested in Trustees? Yes.
10. If these Trustees owed any money could they not be sued in your present position? There is reason to doubt whether they can. They are merely responsible to us at present. They are only Trustees in a friendly way.
11. If your Society owed any money to any one, who could be sued for it? I really do not know. There could be no individual selected, I think.
12. Are the Trustees who hold this property on behalf of the Society agreeable that this Bill should be passed? They are. Societies similar to ours are incorporated in England with the same object, I presume, as that which we seek to attain here.
13. What are the objects of your Society? To promote the interests of engineering generally, to confer with one another as to the best ways of carrying out engineering works, to read papers upon engineering subjects, and to diffuse engineering knowledge not only amongst ourselves but to the world by publications. The Royal Society and the Linnean Society here have similar objects with regard to matters coming within their province, and so have the Royal Society and the Society of Engineers in England; and these and other Societies similarly constituted are all incorporated. We discuss the merits of the views expressed in the papers read before us; we associate for that purpose, and to do that we require a library and property in various ways; we must also have an office and a place of meeting; and to hold these as a body I fancy we must be incorporated in some way.
14. The incorporation of the Association will tend to promote its general welfare? Yes.

J. T. Jones,
 Esq.
 26 Feb., 1884.

- J. T. Jones, Esq.
26 Feb., 1884.
15. Can you give me a rough estimate of the amount of property it now possesses? I think the value of the property cannot be less than £1,000, and we have between £600 and £700 in cash.
16. *Mr. Barbour.*] You carry out the objects you have mentioned at present. You meet and read papers? Yes.
17. In doing so have you found a difficulty in any way? No.
18. Nothing to restrain your prosecution of these objects? One little difficulty did crop up. One writer of a paper read to the Society complained that it had been made use of in the public prints without his consent. The Society could, I believe, if incorporated, enter its papers at Stationers' Hall, and so secure the copyright.
19. *Chairman.*] It might also involve patent rights? Yes, quite so.

Mr. William Douglas Cruickshank, called in and examined:—

- Mr. W. D. Cruickshank.
26 Feb., 1884.
20. *Chairman.*] What profession are you? A mechanical engineer.
21. You are one of the members of the Engineering Association of New South Wales? Yes.
22. Are you holding any office in connection with the Society? Not at present; I have held office a good many times.
23. The Society has certain property in the shape of books, charts, and so on? Yes.
24. You, as one of the Society, are a party to the application for a Bill of Incorporation? Yes.
25. Without a Bill do you conceive you will have any great difficulty in dealing with your property—in making some one legally responsible to the Association for the property? We have had some difficulty.
26. You ask for a Bill of Incorporation, so that some one may be legally responsible to the Society on the one hand, and to the general public on the other, to sue and be sued? Yes.
27. And to lease premises for and on behalf of the Society—in point of fact to have a corporate seal? Yes.
28. *Mr. Fremlin.*] How many members belong to the Society? About 120.
29. As far as you know they are anxious this Bill should pass? Yes.
30. There are no dissentients? No.
31. *Mr. Day.*] Have you a copy of the present rules and by-laws of the Association? Yes. (*Handed in.*)
32. *Chairman.*] What, in your estimation, is the value of the Society's property at the present time? I could not say. We have £800 or £900 in cash.
33. *Mr. Barbour.*] How is the Society maintained;—how do you raise funds at present? Each member pays a certain sum annually.
34. Is it contemplated to continue the same system? Yes.
35. Is it intended to issue certificates for degrees in any way? No.
36. I suppose the intention of incorporating the Society is that it may take up a legal position? That is the intention. We want to make it the same as the Society of Civil Engineers and the Society of Mechanical Engineers at home, of which I am a Member, and which are incorporated.
37. Is this Bill drawn up on the same lines as the Acts of those Societies? Yes; I believe it is, with such alterations as are required to suit the Colony. We do not grant degrees, or have anything to do with examinations, but we wish to put our affairs on a sound foundation, and to make all the members have an equal responsibility.
38. *Mr. Fremlin.*] I suppose you only admit members who have obtained degrees? No, they need not have obtained degrees. I was one of the founders of the Association in 1870, and the object then was simply to meet together for mutual information.
39. The advantages to be derived from the incorporation of the Society will be extended to all grades of engineers who obtain entrance to the Society? Yes.
40. There will be no exclusiveness? No exclusiveness whatever.
41. *Mr. Day.*] How does a mechanic become a member of the Society now? He may begin as an apprentice. Any apprentice in engineering works can be proposed as a junior member. All the advantages of the Society can be obtained, I think, for 10s. a year; then they become graduates, and then members, after they are out of their apprenticeships.
42. Would any practical engineer be able to get made a member? Yes, he makes application on a printed form which he has to fill up. He must be proposed and seconded by two gentlemen, and supported by five members names.
43. What is the mode of election? By ballot. The applications are sent round to each individual member, so that they may see who is proposed, what he has done, what he is working at, and the members return the ballot-papers, with yes or no endorsed upon them, without any signature.
44. And a preponderance of votes puts him in or out? Yes, a simple majority.

Owen Blacket, Esq., called in and examined:—

- O. Blacket, Esq.
26 Feb., 1884.
45. *Chairman.*] You are an architect and consulting engineer? I am an engineer, not an architect.
46. You are in practice in the city? Yes.
47. You are a member of the Engineering Association of New South Wales? Yes.
48. You are President of the Association? Yes.
49. You are aware that application has been made to Parliament for a Bill of incorporation? Yes.
50. Will you state briefly to the Committee your object in seeking this Bill? At the present time we have no power to incur any debts or expenditure without getting some of the Committee or members to stand as Trustees. For instance, when we rent our rooms three of us have to stand as Trustees for those rooms, because no single individual would be liable for the amount of debt; and before these three would stand as Trustees they had to get a certain amount of money put to their credit in the Bank before they would take the responsibility. If we were incorporated the Society as a body would be responsible for the rent.
51. Is there any property belonging to the Association? Yes, we have cash invested as a fixed deposit, and we have books and fixtures amounting in value, at a rough estimate, to about £1,000.
52. For the reasons you have given you wish to be incorporated, and to have a common seal, which, being attached to any document, may be binding upon the Association? Yes. If I sign an agreement now I have to sign in my own name and be personally responsible; what we wish is that we should be able to make the whole Society responsible.

53. *Mr. Day.*] I see that in clause 6 power is given to the Association to "borrow without security";— what is the meaning of that? That is put in so that when we go to the Bank—for instance, for an overdraft—the Society may be responsible without our being obliged to give personal security.

O. Blacket,
Esq.

54. Do you consider that if Parliament passes this Bill it will be a great benefit to the Engineering Association? Yes, I am certain of it. There are people who will never pay their subscriptions without you make them, and at present we have no power to sue, we can only strike them off the list of members, after they have enjoyed the advantages of the Society perhaps for two or three years; but if this Bill is passed we can sue them for arrears.

26 Feb., 1884.

55. If this Bill passes it will be not only an advantage to the Society but an advantage to the profession? Yes, it will make us a strong Society, every year advancing as an Association and improving the profession of engineering.

56. When papers are read before the Society the public get the benefit of them when published? Yes, they have so far; we have distributed many hundred copies of interesting papers on various subjects. It is proposed now to have a book published at the end of every year, containing the papers read during the year, and these books will be sold at the booksellers, so that we shall be able to realize some money for the benefit of the Society by the sale of these papers.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

FOREST LODGE, NEAR TARLO, ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE,

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
15 *February*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 46. TUESDAY, 29 JANUARY, 1884.

11. FOREST LODGE, NEAR TARLO, ESTATE BILL (*Formal Motion*):—Mr. Teece moved, pursuant to Notice,—
- (1.) That the Forest Lodge, near Tarlo, Estate Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Abigail, Mr. Holborow, Mr. De Salis, Mr. Sydney Smith, Mr. Targett, Mr. Barbour, Mr. Gannon, and the Mover.
 - (3.) That the Report from the Select Committee of Session 1882 on the same subject be referred to the Committee.
- Question put and passed.
-

VOTES No. 57. FRIDAY, 15 FEBRUARY, 1884.

7. FOREST LODGE, NEAR TARLO, ESTATE BILL:—Mr. Teece, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and Report this Bill was referred on 29th January, 1884, together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.
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1883-4.

FOREST LODGE, NEAR TARLO, ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred on 29th January, 1884,—“*the Forest Lodge, near Tarlo, Estate Bill,*” together with “*the Report from the Select Committee of Session 1882,*”—beg to report to your Honorable House:—

That they have examined the witness named in the margin (whose ^{Augustine} evidence will be found appended hereto); and that the Preamble having been ^{M. Betts, Esq.} satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

WM. TEBCE, JUN.,
Chairman.

No. 3 Committee Room,
Sydney, 14th February, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

FOREST LODGE, NEAR TARLO, ESTATE BILL.

THURSDAY, 14 FEBRUARY, 1884.

Present:—

MR. TEECE, | MR. BARBOUR,
MR. DE SALIS.

WILLIAM TEECE, ESQ., IN THE CHAIR.

Augustine Matthew Betts, Esq., Solicitor for the Bill, called in and examined.—

1. *Chairman.*] You are Solicitor for the Forest Lodge, near Tarlo, Estate Bill? I am.
2. You are aware that a Select Committee has already reported on this Bill, and their report has been laid before Parliament? Yes.
3. Is the Bill at present before the Committee identical with the Bill reported upon by that Committee? Yes, it is identical with the Bill as amended by the Select Committee.
4. Can you state whether all the parties interested in this Bill are of the same opinion now as when they gave their evidence before the Select Committee? Yes, I can state that they are, from my own personal knowledge.
5. And you believe they are willing and anxious that the Bill should become law? Yes, all the persons interested are anxious that the Bill should become law.
6. And you believe it is to their advantage that the Bill should become law? Yes.
7. Have any of the circumstances been altered since the Committee reported? None whatever; there have been no deaths and no alterations of any kind.

A. M. Betts,
Esq.

14 Feb, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE
ON THE
GOULBURN HOSPITAL SITE SALE BILL ;
TOGETHER WITH THE
PROCEEDINGS OF THE COMMITTEE,
MINUTES OF EVIDENCE,
AND
APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
9 October, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACT FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES, No. 139. WEDNESDAY, 30 JULY, 1884.

12. GOULBURN HOSPITAL SITE SALE BILL (*Formal Motion*):—Mr. Teece moved, pursuant to Notice,—
- (1.) That the Goulburn Hospital Site Sale Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Farnell, Mr. Holborow, Mr. De Salis, Mr. Sydney Smith, Mr. Gibbes, Mr. Harris, Mr. Barbour, and the Mover.
- Question put and passed.
-

VOTES No. 169. THURSDAY, 9 OCTOBER, 1884.

- GOULBURN HOSPITAL SITE SALE BILL:—Mr. Teece, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 30th July, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- * * * * *
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1883-4.

GOULBURN HOSPITAL SITE SALE BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 30th July, 1884,—“*the Goulburn Hospital Site Sale Bill*,”—beg to report to your Honorable House:—

That they have examined the witness named in the margin* (whose * Mr Thomas Marsden. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, to which it was deemed necessary to add a new clause.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

WILLIAM TEECE, JUN.,
Chairman.

*No. 3 Committee Room,
Sydney, 9th October, 1884.*

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 9 OCTOBER, 1884.

MEMBERS PRESENT:—

Mr. Teece,	|	Mr. De Salis,
Mr. Sydney Smith,	|	Mr. Holborow.

Mr. Teece called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Thomas Marsden, Esq. (*a Trustee of the Goulburn Hospital*), called in, sworn, and examined.

Witness handed in Certificates of the Medical Officers and the Trustees of the Hospital, to the effect that the present site is unsuitable, which were ordered to be appended. (*See Appendices A and B.*)

Witness withdrew.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 to 5 read and agreed to.

Schedule read and agreed to.

New Clause* to stand Clause 6, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

SCHEDULE OF AMENDMENT.

Page 2. *Insert* the following new Clause, to stand as Clause 6:—“This Act may be cited as the Goulburn Hospital Site Sale Act of 1884.”

* See Schedule of Amendment.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

GOULBURN HOSPITAL SITE SALE BILL.

THURSDAY, 9 OCTOBER, 1884.

Present:—

MR. TEECE,		MR. DE SALIS,
MR. SYDNEY SMITH,	|	MR. HOLBOROW.
WILLIAM TEECE, JUN., ESQ., IN THE CHAIR.		

Thomas Marsden, Esq., called in and examined:—

1. *Chairman.*] What are you, Mr. Marsden? A grazier.
2. And one of the Trustees of the Goulburn Hospital, I believe? Yes.
3. Have you been connected with the Goulburn Hospital for any lengthy period? Yes, for a few years since I have been living in Goulburn.
4. Are the present buildings inadequate and the means of accommodation insufficient for the patients? Yes; the buildings are not large enough, and the accommodation not sufficient for the proper classification of patients. The convalescent and very bad cases have to be treated in the same ward.
5. How long has the present building been used as a hospital? Since 1849.
6. And you consider the present site unsuitable? I do. The present railway line is only about 150 yards away, and the noise from the locomotives, the shunting of engines and the whistles are very prejudicial to the recovery of patients. I believe also that the present police building will be required shortly for railway purposes, when it will be impossible to treat patients properly owing to the increase of the noises I have described.
7. Do you think that a larger building on a better site ought to be erected? I do; one with the modern improvements.
8. Has the Government granted another site? They have.
9. What is the area of the present site, or what is the difference in the areas of the two sites? The difference is $2\frac{1}{2}$ acres—the new site being 5 acres, and the old one $2\frac{1}{2}$ acres.
10. What amount of money do you think the present hospital site, with the building on it, would produce if sold? About £3,000; property is somewhat lower than it has been.
11. Have the Trustees any funds in hand for the new hospital? Yes, from £1,700 to £1,800, and they receive a residuary legacy under the will of Mr. James Steer of about £1,400, which will make up £3,200.
12. What amount of money do you propose to expend in the way of building on the new site? About £6,000.
13. Has the present hospital building been overcrowded? I am informed that it has been overcrowded frequently.
14. Are you aware that the medical officers are of opinion that a new building ought to be erected? Yes; I have a certificate to that effect signed by the medical officers. (*Appendix A.*)
15. How far is the new site from the railway? About half a mile.
16. Your present hospital you say is near the railway and surrounded by buildings? Exactly, and in no way is the position suited to the purposes of a hospital.
17. What is the position of the new site—is it suitable? Yes; it is bounded by three streets; it has a reserve on the one side, and the Agricultural Grounds, which are about 5 acres in extent, on the other side.
18. Could it be objected to by the townspeople? I cannot see any possible objection.
19. Have you any other document you wish to produce? I have a certificate from the Trustees to the effect that the present site is not large enough for the proper classification and treatment of patients. (*Appendix B.*)

T. Marsden,
Esq.

9 Oct., 1884.

GOULBURN HOSPITAL SITE SALE BILL.

—
APPENDIX.
—

[*To the Evidence of Thomas Marsden, Esq., J.P., 9 October, 1884.*]

A.

Certificate from Medical Officers.

GOULBURN HOSPITAL.

WE, the undersigned, the medical officers of the Goulburn Hospital, hereby certify that in our opinion the present site occupied by the Goulburn Hospital buildings is so near to the railway works as to disturb the patients. That the present buildings are not, considering the increase of population, large enough for the proper convenience of the patients; and that it would be much to the advantage and benefit of patients to have a more elevated site, and a new hospital built with modern improvements.

P. H. GENTLE, M.D., M.R.C.S.E.,
ROBT. M'KILLOP, F.R.C.S. *et* L.R.C.P., Ed.,
HENRY BOND, M.D., Ch. M., L.R.C.P., L.R.C.S.E., Edin.

—
B.

Certificate from Trustees.

GOULBURN HOSPITAL.

WE, the Trustees and Committee of the Goulburn Hospital, hereby certify that in our opinion the present site of the Goulburn Hospital is not large enough for the proper classification and treatment of patients, and that the noise occasioned by the shunting of rolling stock at the railway, which is only a short distance away, very much disturbs the patients, and that a new site is required.

CHAS. GILLESPIE, Trustee.
THOMAS MARSDEN, Trustee.
G. M. D'ARCY IRVINE, M.A.
THOMAS WM. JACOB.
WILLIAM H. ORAM.
T. F. MEYER.
FRANCIS TAIT.
W. J. FOXALL.
JOHN THOS. GANNON, Trustee and President.

1883-4.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
REPORT FROM THE SELECT COMMITTEE

ON THE

GRAFTON LIGHTING COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
8 *February*, 1884, A.M.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES, No. 34. THURSDAY, 13 DECEMBER, 1883.

3. GRAFTON LIGHTING COMPANY'S BILL (*Formal Motion*):—Mr. Purves moved, pursuant to Notice,
(1.) That the Grafton Lighting Company (Limited) Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
(2.) That such Committee consist of Mr. Barbour, Mr. George Campbell, Mr. Day, Mr. Fremlin, Mr. Gibbes, Mr. Gray, Mr. Mackinnon, Mr. Moses, Mr. Targott, and the Mover.
Question put and passed.
-

VOTES, No. 52. THURSDAY, 7 FEBRUARY, 1884.

12. GRAFTON LIGHTING COMPANY'S BILL :—Mr. Purves, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 13th December, 1883 ; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
Ordered to be printed.

* * * * *

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1883-4.

GRAFTON LIGHTING COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 13 December, 1884,—“*the Grafton Lighting Company's Bill,*”—have agreed to the following Report :—

That they have examined the witnesses named in the List* (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedules to the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

JNO. M. PURVES,

Chairman.

No. 3 Committee Room,

Sydney, 7th February, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 5 FEBRUARY, 1884.

MEMBERS PRESENT :—

Mr. Purves, Mr. Day,		Mr. Gibbes, Mr. Targett.
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Mr. Purves called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present :—W. W. Tarleton, Esq., (*Counsel for the Bill*);

J. M. Curtis, Esq., (*Agent for the Solicitors for the Bill*).

John Henry Munro, Esq., (*Chairman of the Company*) called in, sworn, and examined.

Witness produced the Memorandum of Association, the Certificate of Registration, and the Articles of Association of the Company, and also handed in the consent to the Bill of the Municipal Council of Grafton, under the Corporate Seal, which was ordered to be appended. (*See Appendix A.*)

Witness withdrew.

Edward C. Cracknell, Esq. (*Superintendent of Telegraphs*) called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—That this Preamble stand part of the Bill,—put and passed.

Parties called in and informed.

Room cleared.

Committee deliberated.

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

WEDNESDAY, 6 FEBRUARY, 1884.

MEMBERS PRESENT :—

Mr. Purves in the Chair.

Mr. Gibbes, Mr. Moses,	|	Mr. Day, Mr. Barbour.
---------------------------	--	--------------------------

Present :—W. W. Tarleton, Esq.,

J. M. Curtis, Esq.

Clauses 1 to 12 read and agreed to.

Room cleared.

Committee deliberated.

The Committee deeming it desirable to obtain further information in reference to the clauses in the Bill which empower the Company to light the city of Grafton by electricity, it was decided to recall Mr. Cracknell to be re-examined on certain points.

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

THURSDAY, 7 FEBRUARY, 1884.

MEMBERS PRESENT :—

Mr. Purves in the Chair.

Mr. Gibbes, Mr. Barbour,	|	Mr. Mackinnon, Mr. Day, Mr. Targett.
-----------------------------	--	--

Committee deliberated.

Present :—W. W. Tarleton, Esq.,

J. M. Curtis, Esq.

Edward C. Cracknell, Esq., called in and further examined.

Witness handed in calculation showing difference in cost of lighting Eveleigh running sheds with gas and by electricity, which was ordered to be appended. (*See Appendix B.*)

Witness withdrew.

Clauses 13, 14, and 15, read and agreed to.

Clause 16 read, amended,* and agreed to.

Clauses 17, 18, and 19 read and agreed to.

Clause 20 read, amended,* and agreed to.

Clauses 21 to 25 read and agreed to.

Clause 26 read, amended,* and agreed to.

Clauses 27 to 36 read and agreed to.

Clause 37 read, amended,* and agreed to.

Clause 38 read, amended,* and agreed to.

Clause 39 read and agreed to.

Schedules read and agreed to.

New clause,* to stand clause 39, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

*See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

- Page 5, clause 16, line 54. *Insert* "to be approved of in writing by the Superintendent of Telegraphs" after "person"
- " 6, clause 20, line 18. *Omit* "unless the same shall have" *insert* "having"
- " 6, " 20, line 19. *Omit* "or of less" *insert* "more"
- " 6, " 20, line 20. *Omit* "unless the same shall have" *insert* "having"
- " 6, " 20, line 21. *Omit* "or of less" *insert* "more"
- " 6, " 20, line 35. *Insert* "For every breach of any of the provisions of this section the said Company shall be liable to a penalty not exceeding five hundred pounds and not less than two hundred pounds to be recovered in a summary manner before any two Justices of the Peace and every director manager and officer of the said Company who shall knowingly and wilfully authorize or permit the same to be done shall be liable to the like penalty to be recovered in the manner hereinbefore provided" after "volts"
- " 8, clause 26, line 39. *Insert* "subject to the approval in writing of the Superintendent of Telegraphs" after "and"
- " 11, clause 37, line 3. *Insert* "not otherwise provided for" after "Act"
- " 11, " 38, line 7. *Omit* "conferred upon the Postmaster-General of New South Wales by the Postage Act of 1867 or the privileges"
- " 11. *Insert* the following new clause, to stand clause 39:—
 "Nothing in this Act contained shall prevent the said Company being brought under the provisions of any Public Act which may be passed by the Parliament of New South Wales applying generally to Companies engaged in the manufacture or generating of gas or electricity or in the sale or supply of the same nor entitle the said Company to compensation from the public revenue by reason of the provisions of such Act being made applicable to and binding on the said Company."

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

GRAFTON LIGHTING COMPANY'S BILL.

TUESDAY, 5 FEBRUARY, 1884.

Present:—

MR. PURVES,
MR. DAY,MR. GIBBES,
MR. TARGETT.

J. M. PURVES, ESQ., IN THE CHAIR.

Mr. Tarleton, instructed by Mr. J. M. Curtis, for Meillon and Laman, of Grafton, appeared as Counsel for the Bill.

John Henry Munro, Esq., called in and examined:—

1. *Mr. Tarleton.*] You are Chairman of the Grafton Lighting Company? I am.
2. Which has been lately established? Yes.
3. You are resident in Grafton? I am.
4. Is it in your opinion desirable that the town of Grafton and its suburbs should be supplied and lighted with gas and with electricity? With one or the other, certainly.
5. Might it not be desirable to have it lighted with both? It may be.
6. Has the Company the means at its disposal to carry out the articles of association? Yes.
7. As far as gas is concerned? Yes.
8. Is it the intention of the Company to exercise its powers of electric lighting as soon as convenient? Yes.
9. Do you produce the memorandum of association? Yes. (*Produced.*)
10. And the certificate of registration? Yes. (*Produced.*)
11. And the articles of association? Yes. (*Produced.*)
12. Do you also produce the consent of the Municipality under seal? Yes. (*Handed in and ordered to be appended. See Appendix A.*)
13. What is the capital of the Company? £6,000, with power to increase to £10,000.
14. *Chairman.*] Do you know of any opposition by any of the inhabitants? None whatever.
15. You have heard of none? No.
16. *Mr. Day.*] What are the charges proposed? They are not fixed yet, but the charge for gas will not be over 15s. to begin with, and will probably be reduced according to the consumption.
17. What is the price of coal at Grafton? Delivered on the wharf it averages about 21s. per ton.
18. Is the whole of the capital paid up? No, not the whole of it. The fourth call is paid up, and the fifth is now being paid. 12s. 6d. per share is paid up. I am not including 1,500 shares taken by the contractor for the works as part payment.
19. Are the works in progress? Yes.
20. *Chairman.*] You expect to open on the 26th, do you not? We expect to light up in about three weeks. The contractor has to do that before we take the works over. We have contracted for the lighting of the street lamps—so many lamps, at per lamp.

J. H. Munro,
Esq.

5 Feb., 1884.

Edward

Edward Charles Cracknell, Esq., called in and examined:—

E. C.
Cracknell,
Esq.
5 Feb., 1884.

21. *Mr. Tarleton.*] You are Superintendent of Telegraphs? Yes.
22. Have you had an opportunity of examining this Bill? Yes, I have looked through the clauses relating to electricity.
23. Do you consider that the Bill sufficiently provides for the safety of the public? I think so, under clause 20.
24. You observe that there is no provision for the price of electricity: would it have been possible to have drawn a section limiting the price? It would have been a very difficult matter, because the cost varies with the machine you use, and the price will probably be very much reduced as inventors progress with the science. The machines will be made very much cheaper, and the production of electricity will be very much greater.
25. With reference to the use of the electric photometer, would it be desirable to mention the pattern to be used, or is it better to leave it open, subject to the approval of the Superintendent of Telegraphs? It is better to leave it open, because there are other means of measuring the force; for instance, the revolution of Crook's radiometer.
26. The 21st section makes it unlawful to prescribe any special form of lamp or burner—is it also desirable to leave that open? Yes; there is such a variety, and they are increasing in number almost daily.
27. With regard to testing the electro-motive force, does this Act give sufficient power to ascertain the amount of electricity used—the 15th and 16th clauses—would it have been possible to have fixed on any one meter? It would be very unsafe to do so. There are several in existence at present; some by deposition of metal, which shows the quantity of electricity which has passed through the meter, and there are others which can be worked by a galvanometer.
28. But whatever meter is used has to be approved by the Superintendent of Telegraphs? Yes.
29. That makes it perfectly safe for the public? Yes, if the officer charged with the duty performs it properly.
30. Will you look at the 38th clause—are there sufficient provisions there to protect the privileges of the Postmaster-General and your own privileges as Superintendent of Telegraphs? That should be altered to the Postage Act of 1884. I believe it is intended to introduce a new Postage Act this Session. The Postage Act of 1867 does not deal with the matter; it should be the Telegraphs Act.
31. *Chairman.*] Are sufficient powers given by the Bill to the Superintendent of Telegraphs, or the person who represents the Government, to examine all the works at any time? I think so; our own Act would of itself cover all that, when this clause is corrected.
32. Have you power to order any alterations you consider necessary? Yes, under our own Act we have.
33. You are quite satisfied with the provisions of this Bill, as far as the Government control and the safety of the public are concerned? Yes, as regards the electrical part of it.
34. *Mr. Day.*] Why should the Government undertake the supervision of the affairs of a private Company in this way? They must protect the public in some way; for instance, the wires would be highly dangerous to life if the machines were worked up to too great a tension. It is absolutely necessary that matters of this kind should come under the notice of the Government.
35. If the provisions of this Bill are carried out you think there will be no danger? It will be the duty of the superintending officer to see that dangerous machines are not used, and that the wires are properly coated. The machines, for instance, used for lighting these Houses are not dangerous.
36. Do you think there is any danger in lighting a town by means of the electric light? Not if the work is properly arranged; in that case it is perfectly safe.
37. If due care is taken it will not be dangerous? No.
38. What would the danger be? Coming in contact with the wires if they were not properly arranged and coated.
39. What would be the effect of that? The discharge of electricity through a man's body would kill him. A wire not properly suspended, coming down on a person walking in the street, more particularly on a moist or wet day, would cause instant death.
40. Would you advise the passing of a Bill like this? Certainly. There would be no danger at all so long as these conditions are carried out. Clause 20 provides that only a certain strength of current should be used. It says the electro-motive force shall be of less than 200 volts; that means an electric measurement which is understood by electricians, and is not dangerous to life. The machine we use here is not dangerous to life, because we only work it up to a certain number of volts.
41. *Chairman.*] How many volts are dangerous to life? 200 volts are not dangerous—under or up to that.
42. *Mr. Day.*] Anything beyond that would be dangerous? Yes, because then you use a machine which runs at too high a tension.
43. *Mr. Targett.*] Have you power under this Bill to prevent the use of a dangerous machine? Yes, under clause 20.
44. Does this Bill provide that in no case shall the Company make use of a system without submitting it to the Government? Yes; according to this Act it must be submitted to the Government.
45. *Mr. Day.*] Would you recommend the imposition of a penalty for any breach of the Act? I think that should be provided for; the Telegraph Act does not provide for it.
46. I suppose you would fix the penalty pretty high? Yes, decidedly.
47. *Chairman.*] I suppose a great deal depends upon the size of the conducting wire? Yes. The Company would be guided by the experience of electricians in matters of that kind.
48. Is it safer to use a wire of such a size that the current would fuse it if it were too strong? That is the usual way of doing it—using fusible metal plugs.
49. So that when they get over a certain power the connection is destroyed and the current stopped? Yes; all that will have to be looked after by the electrician.
50. Can you state any good grounds for granting this power to the Company, so as to encourage the use of electric lighting power in the towns of the Colony? Yes; I may mention that I have just made a calculation for the Government with regard to the cost of lighting the Eveleigh running sheds for the railway, and I find that to provide 2,000 jets of gas, at the ordinary price charged by the Company, the cost would come to £14,235 per annum, and taking it at 5s. per thousand feet it would come to £8,760 per annum; while the cost of lighting by electricity would amount to £2,700, including 5 per cent. on the whole of the plant.

- 51. What quantity of gas do you reckon these jets of gas to burn per hour? I think they are set down at 5 cubic feet. I calculated on a consumption of 5 cubic feet per hour.
- 52. For how many hours? Twelve hours a day.
- 53. *Mr. Day.*] What is the ordinary price of gas now? 6s. 6d. per thousand.

E. C.
Cracknell,
Esq.
5 Feb., 1884.

THURSDAY, 7 FEBRUARY, 1884.

Present:—

MR. DAY,	|	MR. TARGETT,
MR. BARBOUR,	|	MR. MACKINNON,
	MR. GIBBES.	

J. M. PURVES, Esq., IN THE CHAIR.

Mr. Tarleton appeared as Counsel for the Bill.

Edward Charles Cracknell, Esq., called in and further examined:—

- 54. *Mr. Day.*] Have you carefully read over the provisions of this Bill respecting the supply of electricity? I have.
- 55. Have you noticed that in the 13th clause there is this paragraph:—"And also for all such purposes to open and break up the soil and pavement of the streets and bridges within the limits of the town and suburbs aforesaid and to open and break up any sewers drains or tunnels within or under such streets and bridges and to erect posts poles pillars lamps globes or other apparatus in or upon the said streets and bridges or against any wall or walls"—and so on. Do you consider it safe, in the public interest, to pass these wires above ground? Certainly, if they are properly protected.
- 56. What is proper protection for these wires? If they use a machine that does not go beyond 200 volts, and if they coat the wires with a sufficient insulating medium, there will be no danger.
- 57. Is there any danger of this insulating medium being displaced? It does not matter if it is displaced, if the machine does not go beyond 200 volts.
- 58. Supposing it does go beyond 200 volts? It will be the duty of the inspecting officer under the Act to see that it does not. If the insulating medium is destroyed, and the machine goes beyond 200 volts, there is a possibility of endangering life and limb; but the inspecting officer must see that the Act is carried out, and clause 20 says the electro-motive force shall not be more than 200 volts. The Company would not be allowed to use a machine which would generate a dangerous degree of electricity.
- 59. The machine could not be of greater power than the limit? No.
- 60. So that whatever the person in charge of it might do it could not go beyond the limit? No.
- 61. And that limit would be perfectly safe? Yes; it is laid down by men who have paid great attention to the subject—Sir William Thomson, for instance—that 200 volts is a safe limit.
- 62. Have you read or had any experience with regard to the lighting of different towns in Prussia with electricity? I have read the accounts of it in different papers, but I have not actually been present.
- 63. Have you heard of any persons being killed by the use of electricity? Yes.
- 64. Will you explain to the Committee the cause of that? Running machines at too high a tension. I explained in my previous evidence that if you run a machine at too great a tension you endanger life, but this Bill provides that that shall not be done.
- 65. The Bills that were brought into existence in Prussia did the same thing? I do not think there were any such Bills in those days. It was the occurrence of these accidents which caused such Acts to be passed in England and on the Continent, to restrict the dangers of electricity.
- 66. Do you know whether the wires are overground or underground in Prussia—in Berlin, for instance? Some of them are overground, some underground.
- 67. Are you quite sure? I am not quite sure, of course; but either would be perfectly safe under proper conditions.
- 68. They would be perfectly safe above ground? Yes, if a machine is used of no greater tension than is allowed by this Bill.
- 69. Is there no possibility of the person in charge of the machine putting a greater power on? No; the machine will not give the power—it has not the power to give.
- 70. *Chairman.*] It will not generate more electricity? No, only to a certain tension.
- 71. *Mr. Day.*] You understand that the passing of this Bill depends entirely upon your evidence? No, I am not aware of that.
- 72. The Committee, not being thoroughly acquainted with the power of electricity, are depending upon your evidence now? The evidence I am giving is perfectly correct.
- 73. You think the powers granted under this Bill will be perfectly safe, whether the wires be above ground or under ground? Yes; otherwise I would not have recommended electricity for lighting the Houses of Parliament.
- 74. Can you give any information with regard to the electric lighting already in existence in several places in Sydney? The lighting of the Circular Quay is under the control of the Government now, but it was not when the apparatus was first put up—it was done by a Company.
- 75. The Arcade? That is not under the Government.
- 76. The Theatre Royal? That is not under the Government.
- 77. What guarantee have the public as regards the electricity supplied in these places? None whatever—there is no Act to protect them in any way. Those lights have been fixed by the parties interested on their own private property. The Arcade belongs to a Company, the Theatre Royal to a private proprietor, and they can do as they like on their own property.
- 78. They can use any kind of machine they like? I presume so; there is no Act to regulate the matter at present, but there ought to be.

E. C.
Cracknell,
Esq.
7 Feb., 1884.

E. C.
Cracknell,
Esq.
7 Feb., 1884.

79. Would it be necessary, supposing this Bill is passed, for the Superintendent of Telegraphs—yourself—to go down to Grafton to inspect the works? The Government could send an officer under my directions; but there must be some head of this particular branch of duty.

80. You think it will be perfectly safe, as far as the public are concerned, to pass this Bill, if it is made imperatively necessary for the Company to give you notice to inspect their machinery? I am quite certain of that.

81. There will not be the slightest danger in any way? No, not in any way whatever.

82. Will the cost of lighting a town like Grafton by electricity be less, in your opinion, than the cost of lighting it by gas? Yes. I stated in my previous evidence that I had made a calculation for the Government of the cost of lighting the running sheds at Eveleigh. I find the yards are not included. They will require at least 2,000 gas-burners, and, reducing the number to 1,500 electric lamps, we get a much larger quantity of light, and the difference in price is enormous. With the permission of the Committee, I will put in the calculation as an Appendix to my evidence. [*Read and handed in. See Appendix B.*]

83. *Chairman.*] I suppose it is provided by this Bill that the Superintendent of Telegraphs shall approve of any kind of machine that is used? Yes, I think that is pretty well covered by clause 20. He will not approve of any machine that will generate a dangerous degree of electricity.

APPENDIX.

[*To the Evidence of John Henry Munro, Esq., 5 February, 1884.*]

A.

Consent of the Municipality.

In the matter of the application of the Grafton Lighting Company (Limited) to the Legislature of the Colony of New South Wales for a Bill to enable the said Company to construct Gas-works and Electric-works within the town and suburbs of Grafton.

I, SAMUEL LEE, Mayor of the Borough of Grafton, do hereby certify that the Municipal Council of the Borough of Grafton have, at the request of the said Grafton Lighting Company (Limited), and in consideration of the benefits to arise from the establishment of Gas-works and Electric-works within the town and suburbs of Grafton, consented to the vesting in the said Company of all necessary powers and authorities, so far as the right and interest of the said Municipal Council are concerned.

Given under my hand and seal of office, at Grafton aforesaid, this twenty-third day of January, in the year of our Lord one thousand eight hundred and eighty-four.

THOMAS PAGE, Council Clerk.

SAMUEL LEE,
Mayor of Grafton.

[*To the Evidence of E. C. Cracknell, Esq., 7 February, 1884.*]

B.

Eveleigh Running Sheds—Gas and Electric Light.

TAKING winter and summer, the light will be required on an average twelve hours per day.

Burners.	Cub. ft.	Hours.	Days.	Total cub. ft.	
2,000	x 5	x 12	x 365	= 43,800,000,	at 6s. 6d. per 1,000 = £14,235 per annum.

This amount would probably be reduced by making a special arrangement to 5s. per 1,000.

Burners.	Cub. ft.	Hours.	Days.	Total cub. ft.	
2,000	x 4	x 12	x 365	= 35,040,000,	at 5s. per 1,000 = £8,760 per annum.

This is without interest on £2,000 necessary for fixtures.

The cost for a generating station for 1,500 incandescent lamps would amount to £7,000 to £8,000.

Expenses per annum.

Labour	1 man	at £200	
	3 engine-drivers	£150	450
	2 youths	75	150
			= £800

Coal, $\frac{1}{2}$ lb. per lamp, per hour :—
 $1,500 \times 12 \times 365 \div 2 = 3,285,000$ lbs. = 1,467 tons, say 1,700 tons at 10s. 850

Oil, waste, and water 100

Renewals and repairs 250

Interest and depreciation of plant 700

Total £2,700

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

GREAT COBAR COPPER-MINING COMPANY
TRAMWAY BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
19 *February*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 43. WEDNESDAY, 23 JANUARY, 1884.

7. GREAT COBAR COPPER-MINING COMPANY TRAMWAY BILL (*Formal Motion*):—Mr. Hutchinson moved, pursuant to Notice,—
- (1.) That the Great Cobar Copper-mining Company Tramway Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Abbott, Mr. Poole, Mr. Fletcher, Mr. Dalton, Mr. Machattie, Mr. Garrard, and the Mover.
- Question put and passed.
-

VOTES No. 58. TUESDAY, 19 FEBRUARY, 1884.

5. GREAT COBAR COPPER-MINING COMPANY TRAMWAY BILL:—Mr. Hutchinson, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 23rd January, 1884; together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.
- * * * * *
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1883-4.

GREAT COBAR COPPER-MINING COMPANY TRAMWAY BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 23rd January, 1884,—“*the Great Cobar Copper-mining Company Tramway Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence ^{* See List, page 4.} will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

W. A. HUTCHINSON,
Chairman.

No. 3 Committee Room,
Sydney, 15th February, 1884.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 15 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Hutchinson,	|	Mr. Poole,
Mr. Machattie,		Mr. Garrard,
	Mr. Dalton.	

Mr. Hutchinson called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present,—T. B. Rolin, Esq. (*Solicitor for the Bill*),

George Hardie, Esq. (*Secretary to the Company*), called in, sworn, and examined.

Witness produced the Articles of Association and the Certificate of Registration of the Company, also a plan of the Proposed Tramway.

Witness withdrew.

The Honorable J. S. Farnell, M.P. (*Secretary for Lands*), called in, sworn, and examined.

Witness withdrew.

Russell Barton, Esq., M.P. (*Chairman of the Company*), called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 3 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

LIST OF WITNESSES.

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

GREAT COBAR COPPER-MINING COMPANY
TRAMWAY BILL.

FRIDAY, 15 FEBRUARY, 1884.

Present:—

MR. HUTCHINSON,	|	MR. MACHATTIE,
MR. POOLE,	|	MR. GARRARD,
	MR. DALTON.	

WILLIAM ALSTON HUTCHINSON, Esq., IN THE CHAIR.

T. B. Rolin, Esq., appeared as Solicitor for the Bill.

George Hardie, Esq., called in and examined:—

1. *Mr. Rolin.*] You are Secretary to the Great Cobar Copper-mining Company (Limited)? I am.
2. Do you produce the Memorandum of Articles of Association and the Certificate of Registration of the Company? I do. The Certificate of Registration, dated 10th January, 1876, is endorsed upon the Articles of Association, according to the practice that was followed at that time in the Registrar-General's Office. This Company was one of the first to be registered under the Company's Act. (*Originals produced and printed copy handed in.*)
3. The land and works of the Company are situated at Cobar? Yes.
4. The Company has already constructed a tramway for the purpose of conveying firewood from the Government reserve for firewood to the Company's Smelting Works? Yes.
5. The reserve has been notified in the Government Gazette? Yes. The tramway only traverses land belonging to the Company and Crown land.
6. Crown land and Government reserves? Yes.
7. Does this plan (*produced*) show the direction in which the tramway goes? Yes.
8. The tramway is constructed along the course indicated by the description in the Schedule to the Bill? It is.
9. *Chairman.*] What is the length of the tramway already constructed? Altogether, about 10 miles.
10. What amount of money has been expended in the construction of the tramway? About £30,000.
11. *Mr. Poole.*] Does that include the plant? Yes; plant, earth-works, and so on.
12. *Chairman.*] Could you get this firewood any nearer the smelting works? We cannot.
13. What quantity do you use in the course of the year? If we were to keep all the furnaces we have in full fling we should require about 90,000 tons a year.
14. What number of persons are employed by the Company? I estimate that we find employment in connection with the mine, smelting works, wood cutting, and other matters, for about 1,500 people.

G. Hardie,
Esq.
15 Feb., 1884.

G. Hardie, Esq.
15 Feb., 1884.

15. What steps did the Company take to obtain the permission of the Government to lay down the 10 miles of tramway at present constructed? We came to this position that if we did not construct a firewood tramway the stoppage of the mine would be a matter of absolute necessity. We then interviewed Dr. Renwick, then Minister for Mines, and he told us the best way would be to get special leases of the land on which we wished to construct the tramway. We had several interviews with Dr. Renwick about this, and these leases would, I believe, have been granted had Dr. Renwick continued to be Minister for Mines; but he went out of office and Mr. Abbott came in. The question of these special leases was brought under Mr. Abbott's notice by Mr. Russell Barton and myself, and he gave his opinion, in which we concurred for the reasons he gave, that these special leases could not be legally granted for the purpose. We then asked Mr. Abbott what was the best thing to do, and he said it would be better to have a strip of ground specially reserved for the purpose of constructing the tramway upon it. We then saw the Minister for Lands, and this special reserve was made, and within the lines of the special reserve our tramway has been constructed.

16. The existence of the tramway is no disadvantage to the general public or injury to the Crown lands? Very strongly the reverse. This tramway runs, as you will see by the plan, for a long distance through our own ground, and immediately strikes into a large belar scrub; as we cut down this belar scrub it dies; and the effect of what we are doing is to clear the Crown land from timber that is perfectly useless, except as fuel.

17. The object of constructing this tramway is to bring firewood from the reserve the Government have made for the purpose to the smelting works? Yes. The Government made that reserve at our earnest representation.

The Honorable James Squire Farnell, M.P., Minister for Lands, examined:—

J. S. Farnell, Esq.
15 Feb., 1884.

18. *Chairman.*] As Minister for Lands do you see any objection to this Bill for the continuance of the tramway constructed by the Great Cobar Copper Mining Company? No objection whatever. I think the Government should give every facility to this or any other Company in matters of this kind.

19. Are there any suggestions you can make for the improvement of the Bill? No; I have read the Bill carefully, and I see no objection to it whatever. It simply empowers the Company to run a tramway over the Crown Lands, and over any reserve that may be made for firewood. It is a Bill of only a temporary character.

20. *Mr. Garrard.*] Is any of the land leased? Yes, this land is under pastoral lease, but, as has been stated by Mr. Hardie in his evidence, the Government made a reserve, and withdrew this reserve from lease; therefore it is Crown Land now, not under lease at all; the Company has been allowed to occupy it, and if the law would have permitted, a lease would have been granted to them to enable them to construct the tramway; but there is no power under the 38th section of the Land Act to grant leases of this character.

21. *Mr. Poole.*] If a lease had been granted, I presume something in the shape of rent would have been charged? A nominal rent in a case of this kind.

22. Do you see anything in the Bill that will enable the Company to acquire a vested permanent interest in this strip of land? No, they acquire no interest in the land whatever. All that this Bill empowers them to do is to run the tramway over Crown Lands and the reserve.

23. I would ask you whether, in your opinion, this two-chain strip through the Government reserve is not permanently taken out of the hands of the Government during the operation of this Bill? No, it is not taken; it is still Crown Land. All this Company have got power to do is to run the tramway over it; there is nothing to take it out of the control of the Government. I take it this Bill gives just the same powers to the Company to make a tramway through this reserve as has been given to make a tramway through the streets of Parramatta for instance.

24. *Mr. Machattie.*] Will they have any power to fence in the line? No; I do not see that they take any such power under this Bill. It seems to be just a temporary convenience while the wood lasts; when the wood is gone the tramway will be quite useless.

Russell Barton, Esquire, M.P., examined:—

R. Barton, Esq., M.P.
15 Feb., 1884.

25. *Chairman.*] You are Chairman of the Great Cobar Copper Mining Company? I am.

26. There is a Bill now before this Committee to legalize the running of a tramway already constructed, and to authorize its extension. Can you give us any reasons to show the necessity for this tramway? For some years past it has been found that the production of the country had out-stripped its carrying capacity. Wool had been lying for years in the back blocks because it was impossible to bring it in. In consequence of this people were offering very high prices to carriers to bring their wool away, and we found it impossible to compete with them in carting our firewood. We had found from time to time that we had to let as many as seven, eight, and nine furnaces go out, and to discharge a large number of men, from the impossibility of keeping up a supply of firewood. To remedy this, in the first instance, we bought from two to three hundred draught horses, and waggons in proportion, and started to cart our own wood. After a time we sold these teams to drivers and tried to work it that way, but the plan utterly failed. After serious consideration we arrived at the conclusion that this industry would have to stop unless some other means of securing a supply of firewood for the furnaces could be hit upon. This would have been not only a great loss to us but a great drawback to the country, as the export of copper from our mine alone was worth £200,000. We employ directly and indirectly at least 1,500 people, and apart from that there is a large and thriving township of three or four thousand inhabitants growing up at Cobar. This industry has, besides, been the means of settling the country. At the time the Company started the Cobar county was simply a *terra incognita*; but in consequence of its operations many thousands of persons have settled in the district. The fact of the mine being there has drawn the people together. We have brought down carriage from Sydney from £30 or £40 a ton to £4 or £5. Millions of sheep have been placed upon country where, when we started, there was not a hoof and not a drop of water. All this industry we found must be stopped unless we could provide carriage for our firewood. You can easily understand that the profit per ton on our produce is not sufficient to allow of a high price being paid for firewood, when, it takes 15 or 16 tons of firewood to 1 ton of copper produced. So that it is a matter of calculation that with firewood beyond a certain price you cannot go on. Mr. Hardie and

and I were therefore appointed to make inquiries as to the cheapest and most effective tramway to be got. We visited Melbourne and saw the tramways in use in Victoria, and put ourselves in communication with the patentees of different kinds of tramway, and finally decided to adopt the one we have now. We then visited the Minister of Mines and put the case before him, with the result stated by Mr. Hardie in his evidence.

R. Barton,
Esq., M.P.
15 Feb. 1884.

27. *Mr. Poole.*] It all comes to this, that without the tramway the mine must stop? Yes.

28. It is provided for here that you may occupy 2 chains in width in the reserve;—will you be good enough to give your reasons for asking for that width? The tramway passes through the thickest timbered country we can lay it through, and the wood carters bring the wood to the nearest point on the tramway, where it is necessary to stack it until it can be brought in to the mine; it may be months before it can be brought away; and it is necessary to have sufficient space provided on each side of the line to stack it upon.

29. *Mr. Dalton.*] Is the country thickly wooded along the whole length? It is thickly wooded for that part of the country. People living on the coast would call it thinly wooded.

30. *Chairman.*] I presume the country along the line of the tramway has been pretty well denuded of timber, and you have gone to the reserve? Not all of it. When we were carting wood by the ton we stipulated that we would only take certain wood, such as belar and mulga; the box and gum are left; now we are getting that in on the tramway.

31. *Mr. Dalton.*] Have not some portions of the land along the line, portions 151, 152, and 153, for instance, been alienated from the Crown? The line goes through no alienated land at present; but some of the blocks have been surveyed for sale, I believe.

32. *Mr. Machattie.*] These blocks are now within the population reserve and cannot be taken up? I was not aware of that.

1883.

(THIRD SESSION.)

—
LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

HUTCHINSON ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
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SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 10. THURSDAY, 25 OCTOBER, 1883.

7. HUTCHINSON ESTATE BILL (*Formal Motion*) :—Mr. Burns moved, pursuant to Notice,—
 (1.) That the Hutchinson Estate Bill be referred to a Select Committee for inquiry and report.
 (2.) That such Committee consist of Sir John Robertson, Mr. Poole, Mr. Wisdom, Mr. Day, Mr. Gray, Mr. Dangar, Mr. Moses, Mr. Humphery, Mr. Barbour, and the Mover.
 Question put and passed.

VOTES No. 19. FRIDAY, 16 NOVEMBER, 1883.

6. HUTCHINSON ESTATE BILL :—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 25th October, 1883 ; together with a copy of the Bill as agreed to by the Committee.
 Ordered to be printed.

* * * * *

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1883.

(THIRD SESSION.)

HUTCHINSON ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 25 October, 1883,—“*the Hutchinson's Estate Bill*,”—beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose evidence *See List, page 4. will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

J. F. BURNS,
Chairman.

No. 3 Committee Room,
Sydney, 16th November, 1883.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 16 NOVEMBER, 1883.

MEMBERS PRESENT:—

Mr. Burns,	|	Mr. Humphery,
Mr. Wisdom,	|	Mr. Dangar,
	Mr. Day.	

Mr. Burns called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—A. H. Simpson, Esq. (*Counsel for the Bill*).

Alfred John Pope, Esq. (*Solicitor*), called in, sworn, and examined.

Witness *produced* Probate of the Will of William Hutchinson, together with the various Deeds referred to in the Preamble, and supplied a copy of the Probate of the Will of William Hutchinson.

Witness withdrew.

Thomas Salter, Esq. (*Solicitor*), called in, sworn, and examined.

Witness withdrew.

Mrs. Martha Lackey called in, sworn, and examined.

Witness withdrew.

William Henry Binsted, Esq., called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Counsel called in and informed.

Clauses 1 to 6 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

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1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

HUTCHINSON ESTATE BILL.

THURSDAY, 15 NOVEMBER, 1883.

Present:—

MR. BURNS,	|	MR. DAY,
MR. DANGAR,	|	MR. HUMPHERY,
	MR. WISDOM.	

J. F. BURNS, Esq., IN THE CHAIR.

Mr. A. H. Simpson appeared as Counsel for the Bill.

Alfred John Pope, Esq., called in and examined:—

1. *Chairman.*] What is your profession? I am a solicitor.
2. Are you in business on your own account? Yes; in partnership with Mr. M'Culloch—M'Culloch and Pope.
3. *Mr. Simpson.*] Do you produce probate of the will of William Hutchinson? I do. (*Produced.*)
4. *Chairman.*] Have you read the petition referred to this Committee? I have. The petition is in terms of the will; I have examined it myself this morning.
5. Have you an attested copy? I can supply one.
6. *Mr. Simpson.*] Do you produce an indenture of the 16th November, 1846, mentioned in the preamble to this Bill? I do; George Allen and John Henry Black to John Rose Holden, being a renunciation by the first-named parties of the trusts of the will of William Hutchinson. (*Produced.*)
7. That is a disclaimer by two of the executors and trustees named in the will? Yes.
8. Do you produce a deed of nomination of new trustees? Yes, dated 21st February, 1849; John Rose Holden, of the first part, Samuel Worthington Mansfield, of the second part, and Arthur Huffington and Richard Thomas Hutchinson, of the third part. (*Produced.*) I also produce a further deed, dated 26th February, 1849; John Rose Holden, Arthur Huffington, and Richard Thomas Hutchinson, of the first part; Samuel Worthington Mansfield, of the second part; and John Rose Holden, the Reverend Frederick Wilkinson, and William Russell, of the third part, being also nomination of new trustees, and conveyance and assignment of real and personal estate under the will. (*Produced.*) I also produce a deed, dated 15th January, 1855, made between John Rose Holden, the Reverend Frederick Wilkinson, and William Russell, of the first part; Richard Windeyer Thomson, of the second part; and John Rose Holden, Arthur Huffington, and George Robert Nichols, of the third part; a nomination of new trustees, and conveyance of the real estate and assignment of the personal estate of William Hutchinson. (*Produced.*) I also produce an attested copy of a deed, the original of which has been either mislaid or lost, dated 5th April, 1871, made between Arthur Huffington, of the first part, Andrew Hardie M'Culloch, of the second part, and Arthur Huffington, William Matthew Hutchinson Gibbons, and Richard Hutchinson Roberts, of the third part; being an appointment of new trustees, and a conveyance and assignment of the real and personal

A. J. Pope,
Esq.

15 Nov., 1883.

- A. J. Pope, Esq.
15 Nov., 1883.
- personal estate. (*Produced.*) I produce also the original Crown grant of the property to William Hutchinson, dated 23rd September, 1839. (*Produced.*) I also produce an indenture, mentioned in the preamble, dated 30th June, 1873, a conveyance from Thomas Bately Rolin and Thomas Salter, of the one part, to Andrew Hardie M'Culloch, the younger, of the other part, of all the right, title, and interest of James Joseph Roberts and Joseph James Roberts in the premises. (*Produced.*) I also produce an indenture of mortgage, dated 14th September, 1876, made between Andrew Hardie M'Culloch, the younger, of the one part, and the Australian Mutual Provident Society, of the other part, to secure the sum of £5,000 and interest. (*Produced.*)
9. Is there any fund provided in the will for the repair of this property? No.
10. Is there any power to sell? No.
11. Or any power to let on building or repairing lease? No.

Thomas Salter, Esq., called in and examined:—

- T. Salter, Esq.
15 Nov., 1883.
12. *Mr. Simpson.*] You are a solicitor? I am.
13. And have been so for many years? Yes.
14. Did you act as solicitor for Mrs. Lackey when she was Mrs. Roberts? Yes.
15. At the time Mrs. Neich was married were you not her solicitor? No, not at the time of her marriage.
16. Do you know whether or not there was a settlement or agreement for a settlement at the time of Mrs. Neich's marriage? As a matter of business, and from having made searches, I know there was not.
17. Is the share of Mrs. Neich charged with certain sums in your favour? Yes.
18. Is it also subject to a subsidiary charge in favour of Charles Henry Myles? Yes.
19. To the amount of £2,600? Yes; the amount was settled by the deed at £2,600.
20. Is not the same amount also charged on the share of Mary Elizabeth Love? Yes. The sum of £2,600 is charged upon the share of Mrs. Neich, but there is a further charge upon the share of Mrs. Love.
21. Do you produce an indenture of the 25th July, 1878, made between Alexander Houison, of the first part; Fanny Eliza Houison, his wife, of the second part; and Joseph James Roberts and John George Lackey, of the third part? I do. (*Deed produced.*)
22. Is that a settlement of the share of Mrs. Houison? That is a settlement of the share of Mrs. Houison, under the will of William Hutchinson.
23. Can you state whether there was any settlement or agreement for a settlement on the marriage of Mr. and Mrs. Love? There was not.
24. Is the share of Mary Elizabeth Love charged with considerable sums in favour of Charles Henry Myles and yourself? It is.
25. Do you produce an indenture, of 9th October, 1880, made between James Graham Love and Mary Elizabeth Love, of the first part; Martha Lackey, wife of the Honorable John Lackey, of the second part; Augustus Neich and Jane Neich, his wife, of the third part; and Charles Henry Myles and Thomas Salter, of the fourth part? Yes. (*Deed produced.*)
26. By that deed some charges upon the share of Mrs. Love are settled at the sum of £2,600? Yes.
27. Are you able to say whether or not there was a settlement or agreement for a settlement on the marriage of John George Roberts and Martha Roberts? There was no settlement, as far as I know; and I was acting for Mrs. Martha Roberts at the time of their marriage, and should have known of it had there been a settlement.
28. Is the share of Martha Roberts charged with certain sums in favour of Charles Henry Myles? Yes.
29. Are the mortgagees whom you represent contented with this Bill? Yes, we are satisfied with the Bill as presented to the Committee. I merely represent Mr. Myles and myself; but there are other mortgagees—for instance, the Australian Mutual Provident Society.
30. Have you read the Bill? Yes.

Mrs. Martha Lackey called in and examined:—

- Mrs. M. Lackey.
15 Nov., 1883.
31. *Mr. Simpson.*] You are the wife of the Honorable John Lackey? Yes.
32. You were formerly married to the late Mr. Joseph Roberts? Yes.
33. He died in 1849? Yes.
34. There were seven children of that marriage, and no more? Yes.
35. Their names are—Jane Neich, Richard Hutchinson Roberts, Fanny Eliza Houison, Mary Elizabeth Love, James Joseph Roberts, Joseph James Roberts, and Martha Roberts? Yes.
36. Mrs. Neich is the wife of Augustus Neich, Mrs. Houison of Alexander Houison, Mrs. Love of James Graham Love, and Mrs. Roberts of John George Roberts? Yes.
37. Was there any settlement, or agreement for a settlement, on the marriage of any of your daughters, except Mrs. Houison? No.
38. You are tenant for life of the property with which this Bill proposes to deal? Yes.
39. Are you desirous of releasing your life interest in the proceeds of the sale of this property? Yes.
40. In order that the same may be divided among your children according to their interests? Yes.
41. Are you desirous that this property should be sold? Yes.
42. *Chairman.*] It is purely a voluntary matter on your part, your proposing to make this arrangement for the benefit of your children? Yes.
43. I presume you are amply provided for, and can afford to release this property? Yes.
44. And you think it is for the benefit of your children that this Bill should pass? Yes, solely for their benefit.
45. You think it better for them to have their separate interests now settled than to wait until your decease? Yes, so that they may have the property while I am living.
46. *Mr. Day.*] They will be entitled to the property at your death? Yes.

ON THE HUTCHINSON ESTATE BILL.

William Henry Binsted, Esq., called in and examined :—

47. *Chairman.*] You are a licensed surveyor? Yes.
48. *Mr. Simpson.*] Are you acquainted with the property referred to in this Bill? Yes.
49. Have you made a survey of it? I have.
50. Is the description in the Schedule to the Bill a correct description of the property? It is.
51. Does the passage spoken of in the Bill lead from Clarence-street to the back of the two houses in Clarence-street proposed to be dealt with by this Bill? Yes, and to the other house in York-street as well.
52. Which is also part of this property? Yes.
53. Will you tell the Committee what is the condition of the houses and buildings as to repair? There are considerable dilapidations; the walls are stayed up by timbers, and are in an almost dangerous condition—it is a wonder they do not fall; the roofs are out of order, and the plastering in bad repair.
54. Would it be possible to let the property as it stands at present at a fair rent? Not at a fair rent.
55. In your opinion, would it be for the benefit of all parties interested in the property that it should be sold? Undoubtedly so.

W. H.
Binsted, Esq.
15 Nov., 1883.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

MANLY GASLIGHT AND COKE
COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
11 *March*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 52. THURSDAY, 7 FEBRUARY, 1884.

7. MANLY GASLIGHT AND COKE COMPANY'S BILL (*Formal Motion*):—Mr. Dibbs moved, pursuant to Notice,—
- (1.) That the Manly Gaslight and Coke Company's Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Holtermann, Mr. Moses, Mr. Hutchinson, Mr. Russell Barton, and the Mover.
- Question put and passed.
-

VOTES NO. 68. TUESDAY, 11 MARCH, 1884.

6. MANLY GASLIGHT AND COKE COMPANY'S BILL:—Mr. Dibbs, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 7th February, 1884; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

MANLY GASLIGHT AND COKE COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 7th February, 1884,—“*the Manly Gaslight and Coke Company's Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule to the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

GEORGE R. DIBBS,
Chairman.

No. 3 Committee Room,
Sydney, 6th March, 1884.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 22 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Dibbs,	|	Mr. Hutchinson,
Mr. Moses,	|	Mr. Holtermann.

Mr. Dibbs called to the Chair.

Entry from the Votes and Proceedings, appointing the Committee, read by the Clerk.
Present,—W. J. Foster, Esq. (*Counsel for the Bill*).Charles H. Hayes, Esq. (*Mayor of Manly*), called in, sworn, and examined.

Witness produced the Draft Agreement between the Municipal Council of Manly and the Company.

Witness withdrew.

William Shenstone, Esq. (*Secretary to the Company*), called in, sworn, and examined.

Witness produced Memorandum and Articles of Association and Certificate of Registration of the Company.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Counsel called in and informed.

Clauses 1 to 4 read and agreed to.

Clause 5 read, amended,* and agreed to.

Clauses 6 to 25 read and agreed to.

Schedule read and agreed to.

Committee deliberated.

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

TUESDAY, 26 FEBRUARY, 1884.

MEMBER PRESENT:—

Mr. Dibbs.

In the absence of a quorum the meeting called for this day lapsed.

THURSDAY, 6 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Dibbs,	|	Mr. Hutchinson,
	|	Mr. Moses.

New* clause, to stand as clause 25, read and agreed to.

Chairman to report the Bill, with amendments, to the House.

SCHEDULE OF AMENDMENTS.

Page 4, clause 5, line 43. Omit “twelve” insert “ten”

” 4, ” 5, line 44. Omit “and sixpence”

” 8. Insert the following new clause, to stand as clause 25:—

“25. In case the Borough Council shall at the expiration of ten years from the passing of this Act be desirous to purchase the works property and effects of the said Company it shall be lawful for it so to do upon giving to the said Company or by leaving at its office or works six months notice of such wish or desire and the price or consideration to be paid for the said works property and effects shall be ascertained and fixed by two disinterested persons to be chosen within one month before the expiration of such notice one of such persons being chosen by the said Company and the other of them by the Council And in case such two referees shall differ in opinion as to the value of the said works property and effects then such value shall be ascertained and fixed by such one person as the two referees shall for that purpose previously to their entering on the business of the said valuation nominate and appoint And the said Company will upon payment of the sum of money to be fixed and ascertained as aforesaid as the price for the purchase of the said works property and effects upon the request and at the costs and charges of the Council convey assign and assure the same unto the said Council or otherwise as it shall direct.”

LIST OF WITNESSES.

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Hayes, Charles H., Esq.	5
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* See Schedule of Amendments.

* See Schedule of Amendments.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

MANLY GASLIGHT AND COKE COMPANY'S BILL.

FRIDAY, 22 FEBRUARY, 1884.

Present:—

MR. DIBBS,
MR. HUTCHINSON,

MR. MOSES,
MR. HOLTERMANN.

THE HON. GEORGE R. DIBBS, ESQ., IN THE CHAIR.

W. J. Foster, Esq., appeared as Counsel for the Bill.

Charles H. Hayes, Esq., called in and examined:—

1. *Mr. Foster.*] You are Mayor of Manly? I am.
2. What is the extent of the Borough of Manly now, in regard to population? I think the resident population is about 1,000 souls.
3. Is it a borough that requires to be lighted with gas? Yes.
4. That can be carried out conveniently? Yes.
5. Have the Municipal Council agreed with any Company to carry out the lighting, if this Bill be passed? Yes, we have agreed with the Manly Gaslight and Coke Company to light the borough. A draft agreement has been drawn up and is ready for execution by the Municipal Council, and will probably be executed at their next meeting.
6. Have the Municipal Council consented to vest in that Company "all necessary powers and authorities, so far as the rights and interests of the said Municipal Council are concerned"? Yes.
7. *Mr. Hutchinson.*] What is to be the capital of the Company? I cannot say; I believe it is £10,000.
8. *Mr. Holtermann.*] Has the Council ever considered the subject of their purchasing these gas-works from the Company? Yes, we have stipulated with the Company for a right to purchase the works and all the interests of the Company. Though it may not be included in the Bill, we have stipulated for it in the agreement.
9. *Mr. Foster.*] Do you produce the draft agreement which is intended to be executed between the Council and the Company? Yes. (*Produced, and paragraph respecting the purchase of the works read.*)
10. How long is that agreement to last? It is for ten years: at any time after ten years we have the right to purchase the works.
11. *Mr. Holtermann.*] What is to be the price of the gas? Our agreement is for 10s.; in the Bill it is 12s. 6d., but that is a mistake. It was thought by the Council that we should be able to protect the public interest if we had the power to step in and purchase the works, rather than be compelled, for want of such a power, to submit to exorbitant charges. We had no desire to prevent the Company from reaping the fruits of their enterprise, but we thought it right to guard the public interest to this extent.

C. H. Hayes,
Esq.
22 Feb., 1884.

William Shenstone, Esq., called in and examined:—

- W. Shenstone, Esq.,
Feb., 1884.
12. *Mr. Foster.*] Do you produce the memorandum and articles of association of the Manly Gaslight and Coke Company? Yes. (*Produced, and copy handed in.*)
13. You are Secretary to the Company? I am.
14. Do you produce the Certificate of Registration under the Companies Act? Yes. (*Produced, and certified copy handed in.*)
15. *Mr. Hutchinson.*] What is the capital of the Company? £10,000, divided into 10,000 shares of £1 each.
16. Are you prepared to go on with the construction of the works as soon as this Bill passes? Yes; the contracts are in a very forward state now for the construction of the works.
17. You have made an agreement with the Municipal Council of Manly to supply them with gas, and to sell the property to them at any period after the lapse of ten years, at an amount to be agreed upon or arrived at by arbitration? Yes. The agreement made is absolutely for ten years: at the expiration of ten years the whole thing lapses, and we shall either have to make a new agreement or the Municipal Council must purchase our plant and take over the works—at any time after ten years—by giving a certain notice.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MITTAGONG COAL-MINING COMPANY'S RAILWAY BILL.

(PETITION AGAINST—CHAIRMAN OF MITTAGONG LAND COMPANY.)

Received by the Legislative Assembly, 31 July, 1884.

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

The humble Petition of George Alexander Murray, of Sydney, in the Colony of New South Wales, Esquire, Chairman of the Board of Directors of the Mittagong Land Company, Limited,—

RESPECTFULLY SHOWETH:—

1. That your Petitioner is the Chairman of the Board of Directors of the Mittagong Land Company, Limited, a Company duly registered and incorporated under and in accordance with the provisions of "The Companies Act of 1874."
2. That the said Mittagong Land Company, Limited, own extensive freehold estates in and around Mittagong, and are subdividing certain portions of such estates for sale by auction.
3. That, by the "Joadja Creek Railway Act of 1880," a Company called "The Australian Kerosene Oil and Mineral Company, Limited," was authorized and empowered to construct and maintain a railway to connect the Joadja Creek Tramway with the Great Southern Railway, and such railway was thereupon constructed, and has since been and now is worked by the said last-mentioned Company.
4. That the said Joadja Creek Railway passes through the estate of your Petitioner's Company for about fifty-two chains.
5. That a Bill to authorize the construction and maintenance of a line of railway by a Company called "The Mittagong Coal Company, Limited," from their mine called "The Mittagong Coal Mine," situated about five miles north-west from the town of Mittagong, to the Great Southern Railway, has been introduced into and is now under consideration of your Honorable House, and many of the provisions of such Bill seriously prejudice the rights and interests of your Petitioner's Company, and in one respect, hereinafter mentioned, as your Petitioner submits, conflict with the spirit of and with the provisions of the Joadja Creek Railway Act of 1880.
6. That the direction of the said railway, as proposed by the Bill before your Honorable House, in part of its line, enters into and passes through sections 61 and 67, the property of your Petitioner's Company, between the Joadja Creek Railway and the Great Southern Railway.
7. That Clause 1 of the said Bill erroneously describes the lands of your Petitioner's Company through which such proposed line of railway is to pass as belonging to the "Fitzroy Bessemer Steel Hematite Iron and Coal Company, Limited."
8. That the two blocks of land through which it is proposed to take such line of railway are of very great value to your Petitioner's Company, being close to the township of Mittagong, and being readily saleable for building purposes.
9. That the construction and maintenance of the said proposed railway will render the said two last-mentioned blocks of land comparatively valueless for the purposes for which your Petitioner's Company intend them.
10. That your Petitioner claims, on behalf of the Company which he represents, that the said Mittagong Coal-mining Company's Railway should not be a separate line after its first intersection with the said Joadja Creek Railway, but that it should be a branch line, uniting with the Joadja Railway at the first point of intersection, in the manner provided by section 4 of the Joadja Creek Railway Act of 1880.
11. That the proposed line of railway, although not parallel to the Joadja Creek Railway, is so nearly parallel thereto as to conflict with the spirit of the provisions contained in Section 4 of the Joadja Creek Railway Act of 1880.
12. That if the arrangement mentioned in the 10th paragraph hereof cannot be made, your Petitioner believes that it might be easily arranged to construct the proposed railway from its first point of intersection with the Joadja Creek Railway, exactly parallel to and immediately adjoining the Joadja Creek Railway, either on the land already taken for the purposes of that railway, or on other land immediately adjoining thereto, by which means the injury done to the lands of your Petitioner's Company will be reduced to a minimum.
13. That the Bill contains no provision for settling the exact route through which the proposed line is to pass.

14. That the Bill does not show with sufficient accuracy what lands are to be taken by the said Mittagong Coal-mining Company, Limited, for a siding at the point where the said proposed line joins the Great Southern Railway.

15. That Clause 18 of the said Bill does not provide for the case of a reference to arbitration by Corporations, but only by private persons.

16. That Clause 27 of the said Bill is defective, and in its present form unintelligible.

17. That the provisions for fixing compensation for resumption and compensation for damages by severance and otherwise, and as to appeals, are not sufficient for the purposes.

18. That the term of five years as allowed by Clause 2 of the said Bill for the construction of the proposed railway is excessive.

19. That the transfer to your Petitioner's Company of the said lands through which such proposed railway would pass was not registered until after the Select Committee appointed by the Honorable Legislative Council had reported on the said Bill; and when your Petitioner's Company did subsequently become the registered proprietors of such lands, and were in a position to assert their rights, your Petitioner's Company endeavoured to come to some understanding with the said Mittagong Coal-mining Company, Limited, but without success.

20. That the passing of the said Bill in its present form will very seriously prejudice the interests of your Petitioner's Company.

Your Petitioner therefore humbly prays that the said Bill may not pass into law as it now stands, and that your Petitioner's Company may be heard by their Counsel against such of the clauses and provisions of the said Bill as affect their rights and interests, and in support of the insertion therein of such other clauses and provisions as may be requisite for the protection of your Petitioner's Company; and that your Honorable House will be pleased to grant your Petitioner such further and other relief in the premises as to your Honorable House shall seem meet.

And your Petitioner will ever pray, &c.

Dated at Sydney, this thirty-first day of July, in the year
one thousand eight hundred and eighty-four.

G. A. MURRAY.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MITTAGONG COAL-MINING COMPANY'S RAILWAY BILL.

(PETITION AGAINST—CHAIRMAN OF AUSTRALIAN KEROSENE OIL AND MINERAL COMPANY.)

Received by the Legislative Assembly, 22 July, 1884.

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

The humble Petition of Thomas Forster Knox, of Sydney, in the Colony of New South Wales, Esquire, Chairman of the Board of Directors of the Australian Kerosene Oil and Mineral Company (Limited).

SHOWETH:—

That your Petitioner is the Chairman of the Board of Directors of the Australian Kerosene Oil and Mineral Company (Limited), being a Company duly registered and incorporated under and in accordance with the provisions of the Companies Act, and that such Company is now carrying on business at Joadja, near Mittagong, where extensive works and machinery have been constructed and executed for the purpose of working the deposits of coal and kerosene shale and mineral there found, and extracting oil and other products therefrom.

That under the authority conferred upon your Petitioner's Company by an Act passed in the forty-third year of Her present Majesty, known as the "Joadja Creek Railway Act of 1880," such Company was empowered to construct a railway to connect the Joadja Creek Tramway with the Great Southern Railway, and such railway was thereupon constructed, and has since been and is now worked by such Company.

That your Petitioner's Company are possessed of or entitled to certain lands through parts of which their railway passes, while other parts abut or are in the vicinity of such railway, having been acquired for the purposes of and to facilitate the business and operations of the Company.

That a Bill to authorize the construction and maintenance of a line of railway by the Mittagong Coal-mining Company (Limited) from their lands, situate at Mittagong, called the Mittagong Coal Mine, to the Great Southern Railway, is now under the consideration of your Honorable House, and many of the provisions of such Bill seriously affect the rights and interests of the Company that your Petitioner represents, and in some respects, as your Petitioner believes, conflict with the provisions of the Joadja Creek Railway Act of 1880.

That the Bill contains no provision for regulating the distance between the proposed line and the line of your Petitioner's Company.

That upon reference to the first section of such Bill it would appear that the Mittagong Coal-mining Company seek power to take and occupy three acres of land which, as your Petitioner believes, would, in part, include the land resumed by and now vested in your Petitioner's Company, and used as their junction with the Great Southern Railway, and as their siding, and which land is also used by them as a depôt for their engines, rolling stock, shale, and other property, and is absolutely necessary for the purposes of the Company, so that if the present Bill passes into law your Petitioner's Company will be very seriously damaged in this respect.

That the rights and concessions afforded to the public and others affected by the said proposed railway by the Bill now under consideration of your Honorable House are inadequate for the purposes.

That the provisions for fixing compensation for resumption and as to appeals and for obtaining and keeping possession of lands are in many respects very summary.

That the time allowed for the construction of the railway, as provided by Clause 2, and the time allowed for payment of compensation, as provided by Clause 32, being, under certain circumstances, five years, is, as your Petitioner submits, excessive.

That Clause 15 does not, as your Petitioner submits it should, provide for the maintenance of proper watering-places for the locomotives of your Petitioner's Company, where access to former watering-places has been taken away.

That Clause 34 does not provide, as your Petitioner submits it should, for notice to your Petitioner's Company of any by-laws specially affecting their line or crossing, or otherwise.

That your Petitioner's Company is largely affected by the Bill, and the Directors thereof are not satisfied, nor have they expressed themselves satisfied, with its provisions. Your Petitioner's Company had not any notice of the sitting of the Select Committee on such Bill, nor any opportunity of being present and giving evidence thereat.

Your Petitioner, therefore, most humbly prays that the said Bill may not pass into law as it now stands, and that your Petitioner's Company may be heard by their Counsel against such of the clauses and provisions of the said Bill as affect their rights, interest, or property, and in support of the insertion therein, in case the same shall pass into a law, of such other clauses and provisions as may be requisite for the protection of your Petitioner's Company; and that your Honorable House will be pleased to grant your Petitioner such further and other relief in the premises as to your Honorable House shall seem meet.

And your Petitioner will ever pray.

T. F. KNOX.

Sydney, July 22nd, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

 REPORT FROM THE SELECT COMMITTEE

ON THE

MONK-WEARMOUTH COLLIERY RAILWAY BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

 ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
 15 *February*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES, NO. 35. TUESDAY, 18 DECEMBER, 1883.

8. MONK-WEARMOUTH COLLIERY RAILWAY BILL (*Formal Motion*):—Mr. Burns moved, pursuant to Notice,—
- (1.) That the Monk-Wearmouth Colliery Railway Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Wright, Mr. Tighe, Mr. Barbour, Mr. Poole, Mr. Loughnan, Mr. Lync, Mr. De Salis, Mr. Murray, Mr. Day, and the Mover.
- Question put and passed.
-

VOTES, NO. 57. FRIDAY, 15 FEBRUARY, 1884.

6. MONK-WEARMOUTH COLLIERY RAILWAY BILL:—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 18th December, 1883; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

MONK-WEARMOUTH COLLIERY RAILWAY BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on the 18th December, 1883,—“*the Monk-Wearmouth Colliery Railway Bill,*”—beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose evidence *See List, page 4 will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

J. F. BURNS,
Chairman.

*No. 3 Committee Room,
Sydney, 15th February, 1884.*

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 25 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns, | Mr. De Salis.

In the absence of a Quorum the meeting called for this day lapsed.

WEDNESDAY, 30 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns,	|	Mr. Loughnan,
Mr. De Salis,	|	Mr. Murray,
Mr. Barbour,	|	Mr. Poole,
	Mr. Day.	

Mr. Burns called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Mr. Henry John Withers called in, sworn, and examined.

Witness produced Plan and Sections of the proposed Railway.

Witness withdrew.

Mr. Frederick Drury Mitcalfe called in, sworn, and examined.

Witness withdrew.

Thomas Samuel Parrott, Esq., called in, sworn, and examined.

Witness withdrew.

James M'Donald, Esq., called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Committee deliberated.

Adjourned to Tuesday next at Three o'clock.

TUESDAY, 5 FEBRUARY, 1884.

MEMBERS PRESENT:—

None.

In the absence of a Quorum the meeting called for this day lapsed.

FRIDAY, 15 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns in the Chair.

Mr. Day,	|	Mr. Tighe,
	Mr. Poole.	

The Chairman submitted a letter from Henry J. Corden, objecting to certain provisions in the Bill, which was ordered to be appended. (*See Appendix.*)

Clauses 1 and 2 read and agreed to.

Clause 3 read, amended,* and agreed to.

Clause 4 read, amended,* and agreed to.

Clauses 5 to 40 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

SCHEDULE OF AMENDMENTS.

Page 3, clause 3, line 13.	<i>Omit “three” insert “two.”</i>
” ” line 19.	<i>Omit “one hundred” insert “fifty.”</i>
” ” line 23.	<i>Omit “two pence” insert “one penny.”</i>
” ” 4, line 51.	<i>Omit “No such Railway shall run parallel to the said Railway”</i>
” ” line 55.	<i>Omit “inclined plane or.”</i>

LIST OF WITNESSES.

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M'Donald, James M., Esq.	6
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* See Schedule of Amendments.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

MONK-WEARMOUTH COLLIERY RAILWAY BILL.

WEDNESDAY, 30 JANUARY, 1884.

Present:—

MR. BURNS,
MR. BARBOUR,
MR. DAY,MR. DE SALIS,
MR. LOUGHNAN,
MR. MURRAY,

MR. POOLE.

J. F. BURNS, ESQ., IN THE CHAIR.

Mr. Henry John Withers sworn and examined:—

1. *Chairman.*] Are you one of the parties concerned in the promotion of the Bill to enable a Company called the Monk-Wearmouth Colliery Company of Australia to construct a railway from the Monk-Wearmouth Coal-mines to the Sydney and Waratah Railway? I am.
2. Will you explain to the Committee what is proposed to be done by this Bill? It is to enable certain persons to construct a line of railway from the Monk-Wearmouth Estate to the Sydney and Waratah Railway.
3. How many acres of land does this estate consist of? 4,620 acres.
4. Has coal been discovered on the estate? Yes, two seams have been opened.
5. Have they been tested? At the present time the Duckenfield colliery is worked at our eastern boundary.
6. What is the distance between where you have opened your seams and the railway? Five and a half miles.
7. Through whose lands would this railway pass? Through the lands of the Crown, and of Messrs. Notley, Williams, Holmes, Johnson, Cherry, Corden, Lochhead, and Black.
8. And if this Bill should be sanctioned by the Legislature, would you be prepared at once to proceed with the undertaking? Yes, at once; that is, we should allow time for the Government line to be made; we must wait for that.
9. You would be prepared to go on as soon as the Government line is actually constructed? Yes.
10. Has the coal been tested by any authority? Yes.
11. By whom? By Mr. Dixon, who was employed by the Government at the time, at the School of Arts.
12. Who is Mr. Dixon? He was employed by the Government before they employed Mr. Watt.
13. And what was the effect of his report? That the coal was equal to the coal worked by the other collieries.
14. And there can be no doubt that coal is of great commercial value, and that you would have a fair demand for it if you had this line constructed? There is no doubt.
15. For export, by way of Newcastle? Yes.
16. You put a plan before the Committee showing the proposed route of this railway? Yes, plan and sections.

Mr.
H. J. Withers.
30 Jan., 1884.

Mr.

Mr. Frederick Drury Mitcalfe sworn and examined :—

- Mr. F. D. Mitcalfe.
30 Jan., 1884.
17. *Chairman.*] What is your profession? I am a mining engineer.
18. Have you visited the Monk-Wearmouth Estate? Yes.
19. Can you tell the Committee what is the probable area of the coal land upon this estate? The property known as the Monk-Wearmouth Estate, which comprises an area, more or less, of 4,620 acres, is favoured with six distinct seams of coal, and which are numbered consecutively for convenience of reference. Seam No. 1 lies at an elevation above sea-level of 130 feet, and is known as the "Minmi seam," and is 5 feet thick. Seam No. 2 is 30 feet above No. 1, or 160 feet above sea-level; thickness, 6 feet. Seam No. 3 is 90 feet above No. 1, or 220 feet above sea-level; thickness, not known. Seam No. 4 is 180 feet above No. 1, or 310 feet above level of sea; thickness, not known. Seam No. 5 is 290 feet above No. 1, or 420 feet above the sea; thickness, 9 feet. Seam No. 6 is 330 feet above No. 1, or 460 feet above level of sea; thickness, 16 feet. Seam No. 1 will give a total tonnage of marketable coal of 24,000,000 tons; seam No. 2 will give 28,000,000 tons; seam No. 3, thickness not known; seam No. 4, thickness not known; seam No. 5 will give a total tonnage of 18,000,000 tons, and seam No. 6 will give 32,000,000 tons. This makes a total 102,000,000 tons, which, at an output of 1,000 tons per diem, and 300 working days in the year, will take 340 years to work out all the coal. Seams Nos. 5 and 6 not underlying the whole property, in estimating their quantities, I have taken the area as only 2,000 acres, instead of 4,620 acres.
20. Have you tested the coal? No, I have not. I have seen the coal.
21. Judging from what you saw of it, what is your impression? It is the best coal I have seen in this Colony. I have seen no property so favoured for coal, both in the number of seams and in the quality.
22. Is it necessary for this undertaking to connect this estate with the Government railway? Yes; I see no other mode of getting out of it.
23. I suppose you were some time in the locality? Yes, I was there a week altogether, riding all over the ground and camping on it, and examining the seams on behalf of the Monk-Wearmouth Company.
24. Do you know what the capital of the Company is? No, all I know is in my professional capacity.
25. *Mr. Poole.*] I suppose you have given these seams in geological order, commencing with the bottom seam? Yes.
26. Explain how it is that you give the thickness of all the seams but the two middle ones? The Minmi seam is being worked within a short distance of the property, by the Messrs. Brown. No. 2 has been opened out in the creek by a miner, and shows its full face. 3 and 4 have not been opened out, but you can see them cropping out. The other seams have all been opened out.

Thomas Samuel Parrott, Esq., sworn and examined.

- T. S. Parrott, Esq.
30 Jan., 1884.
27. *Chairman.*] You are a licensed surveyor, I believe? Yes.
28. Have you been engaged in connection with the Monk-Wearmouth Company? Yes.
29. Recently? Yes, to survey the proposed railway.
30. Did you survey the line for the Company? Yes.
31. These are the plans and sections now on the table? Yes, these are copies of them.
32. Is the line which you have prepared for the consideration of the Committee here in your opinion the nearest and most convenient line for the purposes of the Company? Yes, undoubtedly. After several trial lines I fixed upon this one as the best.
33. Have you heard any objection from any person? No; none have come under my observation.
34. Have you seen any of the coal? I have not seen much; I have seen a little.
35. When you were there? Yes, on the property. I think I saw two seams.
36. Did you see any of the coal tested or used? No. I saw one seam in the creek, which was exposed to the action of the water. I did not take any particular notice of it.
37. It was not your business as a professional gentleman to do so? No.
38. Did you form any opinion as to the value of the coal? No, I did not take much notice of it.
39. You have no doubt that there is coal there? None.
40. And that this railway is necessary to enable the proprietors of this estate to work the coal? Yes, it is necessary. To join on to the Government railway.
41. *Mr. Murray.*] Will you show on the plan what position you saw this coal in? It is not shown on this plan. This only shows the line of railway, and does not show the whole of the estate.
42. *Chairman.*] This plan is prepared to show only the line? Yes, the line we want authority to construct.
43. *Mr. Poole.*] The seams rise to the west? Yes, as a rule they do.

Henry John Withers, Esq., recalled :—

- H. J. Withers, Esq.
30 Jan., 1884.
44. *Chairman.*] Who are the owners of the Monk-Wearmouth Estate? Myself, Mr. D. Wilson, of Mason Brothers, and Mrs. Lane, the widow of the late Under Secretary for Finance and Trade.
45. You propose to work this colliery with a capital of how much? If formed into a public Company the proposed capital will be £150,000, but it will probably be worked as a private Company by the present owners and others.
46. Your object is simply to get the power to construct this railway line so as to be able to work this coal land? Yes, that is the object.
47. *Mr. Poole.*] Is there any capital subscribed up: have you the means of working it? Mr. McDonald, who represents Mr. Wilson, will be here immediately, and he will give evidence as to that. The property as it stands, without the line, is worth nothing.
48. If you get permission, are you then prepared to make the line? Yes, we are.
49. *Mr. Murray.*] Who has gone to the preliminary expense? Mrs. Lane and myself.
50. *Mr. Poole.*] Have you made any estimate of what it will cost? About £13,000 or £14,000.

ON THE MONK-WEARMOUTH COLLIERY RAILWAY BILL.

James McDonald, Esq., sworn and examined :—

51. *Chairman.*] Are you acquainted with the proprietors of the Monk-Wearmouth Estate? Yes.
52. Have they made any arrangement or entered into any negotiations with your firm with respect to the construction of a railway for the working of the estate as a colliery? Not with the firm, but with Mr. Wilson; I am his attorney; he is a member of the firm of Mason Brothers; he is my brother-in-law.
53. Can you tell us whether it is the intention of your brother-in-law to supply the capital to enable them to construct this line? Yes, I have full power from him, in his absence, to go on with the matter.
54. Have you formed an estimate of what it will take to do it? I have gone into the matter with some of the others who are interested in it, and I am prepared to supply capital to construct the line to the extent of Mr. Wilson's liability with the others.
55. Will there be sufficient capital? I am satisfied of that.
56. You state that as a commercial man? Yes, and as his representative.
57. What amount do you suppose will be required? We are asking for tenders.
58. Whatever the cost may be, you will have capital forthcoming to carry out this undertaking? Yes.
59. *Mr. Poole.*] I would like to ask if they have made any estimate of what the cost of this work will be? Yes.
60. And with the full knowledge of that, you state here, as a commercial man, that the person you represent (Mr. David Wilson) is prepared to finance this thing through? Yes.
61. *Mr. Day.*] Was the estimate made by a practical and professional man? Yes.
62. The estimate is a reliable one? Yes.
63. *Chairman.*] In view of all probabilities you say you are confident the whole thing will be carried through satisfactorily? Yes.
64. *Mr. Murray.*] Is Mr. Wilson so satisfied that the funds will be forthcoming, and that the matter will be carried out, that he is prepared to risk the very considerable interest he has in it himself? Yes, he is; in fact I have power from him to carry the matter through.

James
McDonald,
Esq.
30 Jan., 1884.

APPENDIX.

[*Handed in by the Chairman, 15 February, 1884.*]

Mr. H. J. Corden to J. F. Burns, Esq., M.P.

Dear Sir,

Australian Joint Stock Bank, Newcastle, 6 February, 1884.

I am informed that you have in charge the private Bill of the Monk-Wearmouth Colliery, near Wallsend. I have spoken to Mr. J. C. Ellis, one of our city Members, and he has referred me to you.

I own some land near which the proposed railway passes; and I think there are two clauses in the Bill that are unjust and prejudicial, not alone to my own interests, but also to all who own land near.

I have handed Mr. Ellis a copy of the Bill, and duly marked the objections; they are that no railway is to be made running parallel to theirs, which really means that a man cannot make a railway on his own land; and secondly, the minimum amount of coal to be carried for others is set down as at 100 tons per day, and it should be (say) 30 tons.

Will you be so good as to see if you can get this altered in the Bill, and see Mr. Ellis on the subject.

I thank you in anticipation, and remain,—

Yours, &c.,

HENRY J. CORDEN.

1883-4.

—

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MONK-WEARMOUTH COLLIERY RAILWAY BILL.

(PETITION AGAINST—OWNER AND LESSEES OF SCOTT'S GRANT, TERALBA.)

Received by the Legislative Assembly, 22 February, 1884.

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

The humble Petition of the undersigned,—

RESPECTFULLY SHOWETH:—

That their interests in the development of coal land upon Scott's grant of two thousand five hundred and sixty acres, situated in the parish of Teralba and county of Northumberland, will severely suffer by the passing into law of that part of a Bill now under the consideration of your Honorable House, intituled, "A Bill to enable the Monk-Wearmouth Colliery Company of Australia to construct a Railway from the Monk-Wearmouth Coal-mines to the Sydney and Waratah Railway," embraced in first clause of such Bill, commencing with the word "and" in the twenty-sixth line, concluding with the words "Cockle Creek."

That they are respectively owner and the royalty lessees of the said Scott's grant, and are spending considerable sums in boring operations for coal, with a view to developing a trade both by the waters of Cockle Creek, Lake Macquarie, and the Homebush-Waratah Railway.

That in the event of that portion of the clause indicated becoming law, the most important site of their property for the shipment of coal may be taken from out of their power, and thus severely damage their prospects of developing trade by shipment on the waters of the lake, as may be seen by annexed sketch of the position.

That they desire to draw the attention of your Honorable House to the fact that the words in the said first clause propose to give a power and a right not in any way provided for either in the title to or the preamble to the Bill, and to pray that your Honorable House will consider the wisdom of excising such part of the first section of the Bill as will limit the meaning of the Bill to the strict meaning of the title and preamble.

Your Petitioners therefore humbly pray that your Honorable House will take the circumstances into its consideration, and in its wisdom see that your Petitioners are not rendered liable to be treated with injustice.

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

[Here follow 4 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MONK-WEARMOUTH COLLIERY RAILWAY BILL.
(PETITION AGAINST—JOHN BLACK.)

Received by the Legislative Assembly, 5 March, 1884.

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

The humble Petition of the undersigned, the owner of land proposed to be affected by a Bill now before your Honorable House,—

SHOWETH AS FOLLOWS:—

Your Petitioner is the owner of a block of land situate at Lake Macquarie, containing two thousand five hundred and sixty acres.

A Bill has been introduced into your Honorable House entitled, "A Bill to enable a Company called the Monk-Wearmouth Colliery Company of Australia to construct a Railway from the Monk-Wearmouth Coal-mines to the Sydney and Waratah Railway."

Your Petitioner and Messieurs Armstrong, Coghlan, and Mort, royalty lessees of the said land, have already presented a Petition to your Honorable House on the subject of the said Bill.

Your Petitioner prays that your Petitioner may be at liberty to appear at the Bar of your Honorable House, and to be heard in opposition to the said Bill.

And your Petitioner will ever pray, &c.

JOHN BLACK.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

MORT BAY IMPROVEMENT BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
5 February, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 21. WEDNESDAY, 21 NOVEMBER, 1883.

7. MORT BAY IMPROVEMENT BILL (*Formal Motion*):—Mr. Cameron moved, pursuant to Notice,—
 (1.) That the Mort Bay Improvement Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Copeland, Mr. Burns, Mr. Fletcher, Mr. Roberts, Mr. Sydney Smith, Mr. Badgery, Mr. Teece, Mr. Young, and the Mover.
 Question put and passed.

VOTES No. 38. TUESDAY, 15 JANUARY, 1884.

8. MORT BAY IMPROVEMENT BILL:—Mr. Cameron (*by consent*), moved, without Notice, That the Report and Minutes of Evidence presented to this House on 6th April, 1883, from the Select Committee on Mort Bay Improvement Bill, be referred to the Committee now sitting on the said Bill.
 Question put and passed.

VOTES No. 50. TUESDAY, 5 FEBRUARY, 1884.

18. MORT BAY IMPROVEMENT BILL:—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 Bill was referred on 21st November, 1883; together with Appendix and a copy of the Bill as agreed to by the Committee.
 Ordered to be printed.

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1883-4.

MORT BAY IMPROVEMENT BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 21st November, 1883, to consider and report upon—" *Mort Bay Improvement Bill*," and to whom was referred, on 15 January, 1884, " *the Report from the Select Committee of Session 1883*,"—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence *See List, page 5. will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedules to the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

ANGUS CAMERON,

Chairman.

No. 3 Committee Room,

Sydney, 5th February, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 4 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Burns, | Mr. Teece.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 6 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Fletcher, | Mr. Burns,
Mr. Teece, | Mr. Sydney Smith.

Mr. Fletcher called to the Chair *pro tem*.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Motion made (*Mr. Burns*), and Question,—That Mr. Cameron be Chairman of this Committee,—put and passed.

Present,—Patrick W. Creagh, Esq. (*Solicitor for the Bill*).

Room cleared.

Committee deliberated.

Ordered,—That James P. Franki, Esq., be summoned, and Jacob Garrard, Esq., M.P., and W. A. Hutchinson, Esq., M.P., be requested to give evidence next meeting.

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

WEDNESDAY, 12 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. Sydney Smith.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 17 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Fletcher, | Mr. Burns,
Mr. Sydney Smith.

Entry from Votes and Proceedings, referring Report of the Select Committee of Session 1883, read by the Clerk.

Printed copies of the Report and Evidence before the Committee.

Present,—Patrick W. Creagh, Esq. (*Solicitor for the Bill*).

Patrick W. Creagh, Esq., sworn, and examined.

Witness *handed in* letter from the Municipal Council of Balmain,—assenting to the alterations of the streets as proposed by the Bill,—which was ordered to be appended. (*See Appendix*.)

Jacob Garrard, Esq., M.P., called in, sworn, and examined.

Witness withdrew.

James Macdonald, Esq., called in, sworn, and examined.

Witness *produced* Plan of the proposed alterations in the streets.

Witness withdrew.

William Alston Hutchinson, Esq., M.P., called in, sworn, and examined.

Witness withdrew.

James P. Franki, Esq., called in, sworn, and examined.

Room cleared.

Committee deliberated.

Ordered,—That E. H. Buchanan, Esq., and Mr. C. Vanderberg be summoned to give evidence next meeting.

[Adjourned to Tuesday, at *Two* o'clock.]

TUESDAY, 22 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns, | Mr. Cameron.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY, 23 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. Fletcher.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 24 JANUARY, 1884.

MEMBERS PRESENT :—

Mr. Fletcher, | Mr. Teece.

In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 25 JANUARY, 1884.

MEMBER PRESENT :—

Mr. Teece.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY, 30 JANUARY, 1884.

MEMBERS PRESENT :—

Mr. Cameron, | Mr. Teece.

In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 1 FEBRUARY, 1884.

MEMBERS PRESENT :—

Mr. Burns, | Mr. Teece.

In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY, 5 FEBRUARY, 1884.

MEMBERS PRESENT :—

Mr. Cameron, | Mr. Burns,
Mr. Fletcher.

Present,—Villeneuve Smith, Esq., (*for the Solicitor for the Bill*).

E. H. Buchanan, Esq., called in, sworn, and examined.

Witness withdrew.

Mr. Charles Vanderberg called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 6 read and agreed to.

Schedules read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

MORT BAY IMPROVEMENT BILL.

THURSDAY, 17 JANUARY, 1884.

Present:—

MR. CAMERON,
MR. FLETCHER,

MR. SYDNEY SMITH,
MR. BURNS.

ANGUS CAMERON, Esq., IN THE CHAIR.

P. W. Creagh, Esq., appeared as Solicitor for the Bill.

Patrick William Creagh, Esq., Solicitor for the Bill, examined:—

1. *Chairman.*] Do you produce a letter from the Municipal Council of Balmain assenting to the alteration of the streets as now proposed in this Bill? I produce a copy of a letter from the Council Clerk, addressed "Mort's Dock and Engineering Company," which was sent to me with a letter addressed to my firm. *(Original letter produced, and copies handed in. See Appendix.)*

P. W. Creagh,
Esq.
17 Jan., 1884.

Jacob Garrard, Esq., M.P., examined:—

2. *Chairman.*] You are one of the Members for Balmain? Yes.
3. You have been resident at Balmain for many years? Yes, for fifteen years.
4. And you are tolerably well acquainted with the requirements of the borough? Yes, probably no man better.
5. You have occupied for some time the position of Alderman there? Yes, for the last four years.
6. You are aware of what is sought by the promoters of Mort's Bay Improvement Bill now before this Committee? Yes, perfectly.
7. May I ask whether the object of the Bill meets your approval? Yes.
8. Will you briefly state to the Committee what advantages you conceive would accrue to the inhabitants of the Borough of Balmain or Mort's Dock Company if this Bill were passed into law? To the inhabitants of Balmain, especially those persons using the ferries on that side, very great advantage would accrue, inasmuch as the present position of the ferry wharves is very inconvenient, owing to the traffic in the bay.
9. Have you ever noticed instances where the general public have been put to inconvenience through the existing state of affairs? I have undoubtedly.
10. Are these inconveniences of frequent occurrence? Yes, I may say they are of frequent occurrence.
11. In fact they have occurred so often as to become somewhat marked? Yes; I do not as a rule use that extreme end of the ferry, but on several occasions I have been delayed myself.
12. The subject matter of the Bill has, I believe, for some considerable time past been rather freely discussed, one way and the other, by the inhabitants of Balmain? Yes, there has been an unusual amount of discussion about it.
13. Will you kindly tell the Committee what the general impression is amongst those particularly affected? With the exception of a very few property-holders, they all agree that it would be a benefit to the borough.

J. Garrard,
Esq., M.P.
17 Jan., 1884.

14.

- J. Garrard, Esq., M.P.
17 Jan., 1884.
14. There was a public meeting called, was there not, some little time back, to consider the provisions of this Bill? Yes.
15. Is it true that at that meeting a proposition condemning the provisions of the Bill was negatived? Yes.
16. While there was a large majority in favour of the Bill? There was an overwhelming majority of the meeting in favour of the Bill: out of from 150 to 200 persons there were only eight votes against the proposals contained in this Bill.
17. *Mr. Fletcher.*] Is it a fact that the public meeting you refer to was called by the opponents of the Bill? Yes, on requisition to the Mayor.
18. *Chairman.*] And an amendment was carried against them? Yes.
19. You are decidedly of opinion that the carrying out of the proposals in this Bill will be for the advantage of the people of Balmain? Yes; the new proposal as contained in the Bill now before the Committee.
20. Is there any other statement you would like to make to the Committee? No, excepting that I think the original agitation against the Bill has been done away with owing to the amended proposals, and also to the fact of the majority of the persons who signed the petition against the original Bill not knowing what was really proposed to be done.

James Macdonald, Esq., called in and examined:—

- J. Macdonald, Esq.
17 Jan., 1884.
21. *Mr. Creagh.*] You are a surveyor practising at Balmain? Yes.
22. You are also a member of the Municipal Council? Yes.
23. Do you know the portions of land which are mentioned in the Schedules to this Bill? Yes.
24. I believe the portions mentioned in Schedules A and B at present form portions of the land belonging to Mort's Dock and Engineering Company? Yes.
25. And Schedules C and D show the portions proposed to be closed? Yes.
26. These Schedules correctly describe the portions of land referred to? Yes.
27. *Chairman.*] Do you produce a plan showing the proposed alterations? Yes, this is a plan of the proposed alterations. (*Plan produced.*) The proposed new streets are tinted pink, and the streets proposed to be closed are left white.
28. Have you read the preamble of the Bill? Yes.
29. Are the statements in the preamble, in your opinion, correct? They are, in my opinion, quite correct.
30. Do you think the closing of portion of Mort-street shown on the plan, and the substitution of the proposed new street, will in any way injuriously affect the interests of the inhabitants? No; there are no owners of property, except the Dock Company, on either side of that portion of Mort-street.
31. Will the proposed alteration take away the traffic from Mort-street? No, but it will give a better street than the one now in use.
32. An easier gradient? A much easier gradient.
33. As to the north side—Yeend-street—do you think the proposed alteration there will be for the public convenience? Yes.
34. Is it not a fact that the traffic of the steamers is very often interrupted, from the existing state of things? Yes, very often the steamers are not able to get in to the ferry wharf.
35. Are you aware that a resolution was passed by the Municipal Council approving of this Bill in its present shape? Yes.
36. You are aware that there was some opposition to the former Bill? Yes, there was a good deal of opposition to the first plan.
37. The opposition was to the original proposal? Yes.
38. And the bulk of the evidence in support of that opposition was given before this amended plan was proposed? Yes.
39. I believe you are aware that there was a public meeting which was largely and influentially attended, and that that meeting was almost unanimous in sanctioning the present proposal? Yes.
40. Was that meeting called by some gentlemen who were opposed to the proposal? Yes.
41. *Mr. Sydney Smith.*] Was any opposition offered to the proposal in the Borough Council, when it was submitted to that body? At first there was.
42. On the last occasion, I mean? I do not think there was, but I could not exactly say; I do not think there was any opposition to the amended plan.
43. The resolution was carried unanimously by the Council? Yes, I think so.
44. *Mr. Creagh.*] Was Mr. Buchanan present? I am not certain whether he was there or not. If he were there he probably opposed it.
45. *Mr. Smith.*] What leads you to think that Mr. Buchanan would oppose this proposal? Because he had taken part in calling the public meeting against it.
46. Do you know his reason? His general reason was that he objected to taking away what he called the people's streets.

William Alston Hutchinson, Esq., M.P., examined:—

- W. A. Hutchinson, Esq., M.P.
17 Jan., 1884.
47. *Chairman.*] You are one of the Members for Balmain? Yes.
48. You have been resident at Balmain for some time? For ten or twelve years.
49. You are a member of the Borough Council? Yes, for six years.
50. And you have also occupied the position of Mayor? Yes, for two years.
51. You are aware of the objects of this Bill? Yes.
52. And have had good opportunities of observing how it is regarded by the majority of the people of Balmain? Yes.
53. Will you kindly tell the Committee what in your opinion is the public feeling with regard to this proposition? I think the feeling generally is favourable; I am quite aware that there are a few who oppose the Bill, but I fail to see their reason for doing so. I am quite sure that the carrying out of the proposition now made by Mort's Dock Company would be an advantage to the community generally. The matter has been approved by the Borough Council, after very long and careful discussion.
54. This Bill has formed the subject of a public meeting at Balmain? Yes. 55.

ON MORT BAY IMPROVEMENT BILL.

55. Both since the present Bill was introduced and before? Yes, I was present at one meeting, but not at the last.

56. You have heard, I presume, on reliable authority, how that meeting was conducted and terminated? Only by hearsay.

57. Have you witnessed any inconvenience to the general public from the existing state of affairs which this Bill proposes to remedy? Yes; the slight divergence of the streets and the erection of the wharves where the Company proposes to erect them will be a convenience to the travelling public, inasmuch as there will be no detention, as there is at present in consequence of the buoys and warps used to regulate the introduction of vessels into the dock. By this new plan the delay which now often occurs will be obviated.

58. Have these interruptions been of frequent occurrence? I am not a traveller by that way myself, but I believe they have been of frequent occurrence.

59. To sum up the matter, you believe the proposition in the Bill and the amended plan before the Committee will be a public advantage to the people of Balmain, as well as having a tendency to develop a local industry? I am quite sure of that; and I am further persuaded that it will cause no serious injury to the property of the parties who are at present opposing the Bill. I do not think it will cause any diminution in the rental value of their property, but rather an increase.

60. *Mr. Smith.*] In regard to the question when it was submitted to the Borough Council, was the resolution passed unanimously by the Council? I was Chairman at that meeting, and if it was not passed unanimously it was passed by a very large majority; I am not quite sure whether it was passed unanimously or not.

61. You mentioned that it was well discussed: did any one speak against it and give any reasons? One or two spoke against it, but I did not think at the time that they gave tangible reasons. I supported the matter myself.

62. Were there other occasions when it was submitted to the Council? Only that once.

63. Do you remember who spoke against it? I do not at this moment. I am not sure whether Mr. Buchanan was in the Council at the time.

64. *Chairman.*] Are you aware that the alterations of the streets as shown on this plan were approved by the Borough Council, at a meeting held on the 9th October, 1883? I am referring to the time when it was first discussed.

65. There was another on the 9th October last, at which the amended plan was approved—were you present then? I do not think I was present at that meeting.

66. If you had been you would have voted for the proposition? Yes, certainly, because if anything it deals more liberally with the Borough Council and people of Balmain than the original proposal did.

67. *Mr. O'neagh.*] You are aware that there was some opposition to the plans originally put forward in the former Bill? Yes, by people outside the Council.

68. By inhabitants? Yes.

69. You are aware that evidence was given before a Committee on that Bill? Yes.

70. Was not the bulk of that evidence and the bulk of the opposition directed against the plan then put forward—is it not a fact that this new plan was brought in at a later stage? Yes. I know that the modified plan now submitted has done away with a considerable amount of the opposition urged against the former plan.

71. That is your opinion—that it has answered the objections that were raised against the original plan? Yes; but I am not prepared to say that it has done away with all opposition.

72. *Chairman.*] You are of opinion then, that if the voices of all the people of Balmain could be taken, a very small minority would be found objecting to the Bill as it now stands? I believe that if the views of the people within a circuit of a quarter of a mile from the ferry wharves were taken, a very large majority would be in favour of the proposition. The opposition arises, I believe, from a very few property-holders in the neighbourhood, and I fail to see the reason for their opposition.

73. You think the alteration would not injure their property in any way? No.

74. *Mr. Smith.*] Do they think the value of their property will be deteriorated? A few who have houses allege that it will; but I feel quite sure their rents will not be diminished in consequence of this proposal.

75. Could you give us the names of these parties? I may say, of my own knowledge, that in the case of several of those who opposed the Bill, and gave evidence against it, their opposition has been done away with by the concessions which have been made by Mort's Dock Company. I know that some of them are satisfied with the changes now proposed.

James Peter Franki, Esq., called in and examined:—

76. *Chairman.*] You are Manager of Mort's Dock and Engineering Company? Yes.

77. You are aware of the objects sought to be brought about by the Bill now before this Committee? Yes.

78. Have you read the preamble of the Bill? Yes.

79. Are the statements in it, to the best of your knowledge and belief, true? Yes.

80. You are an alderman of Balmain? Yes.

81. And have been long resident there? For eighteen years.

82. You are aware that the subject matter of this Bill has been discussed at public meetings of the inhabitants? Yes.

83. One was held at Balmain only a few weeks ago, called by one or two persons who objected to the Bill? More than one or two: it was called by the opponents of the Bill.

84. What was the result of that meeting? The first resolution was put to the meeting; and after the Chairman had given his view of the case, I rose and explained to the ratepayers thoroughly the circumstances, about which they were altogether in the dark, as to what the Company sought to obtain; and after everything was explained they were all thoroughly satisfied that what the Dock Company wished to have was an improvement.

85. A resolution was carried, was it not, in favour of the Company's proposition? Yes. There were about 200 persons present, and only the few sitting at the table, that called the meeting, were against it; it was carried unanimously by everybody else.

86. How many men do you employ at Mort's Dock when full-handed? 800.

87.

W. A.
Hutchinson,
Esq., M.P.

17 Jan., 1884.

J. P. Franki,
Esq.

17 Jan., 1884.

- J. P. Franki, Esq.
17 Jan., 1884.
87. If the present proposition is carried out it will increase your facilities for the employment of more labour? Yes.
88. To what extent? Almost double; in fact there would be hardly a limit.
89. You see the plan lying before you, showing the proposed alterations? Yes.
90. That is an amended plan, differing in some respects from the one originally submitted? Yes.
91. Do you know whether that plan, as amended, has had the effect of considerably disarming opposition? Yes, very much so. Some of the principal opponents of the former plan have told me distinctly that in its present shape they have no objection, but the objection was to its original form.
92. Those concessions have been made by the Company to those who in the first instance thought themselves aggrieved? Yes.
93. *Mr. Sydney Smith.*] Can you inform the Committee what were the numbers on both sides when the plan was submitted to the Borough Council? There was only one against it, Mr. Buchanan; the whole of the others are for the plan. The division that was taken was simply on a letter from the Dock Company to get the Council to approve of the plan, and there were four for its going into a Committee and eight for giving their approval to it; but those who voted to send it to the Committee were in favour of approving it. Mr. Hutchinson and Mr. Garrard voted for it to go to a Committee, along with Mr. Buchanan and one other gentleman, although they were totally in favour of the passing of the Bill. We wanted an answer that evening, and they simply wanted to defer it for a fortnight, or that in the meantime it might go before the Committee of Works. The Committee of Works had approved of it on a former occasion, and it was simply that Mr. Buchanan was wanting some information, which was supplied on Tuesday, and after that information was supplied, four said it had better go back to the Committee of Works, and Mr. Hutchinson and Mr. Garrard were two of the four; three out of the four were in favour of the Bill.
94. *Mr. Fletcher.*] Notwithstanding their desire to refer this particular matter to the Committee of Works? Yes, it was a mere matter of routine. They were all in favour of it except one. Even for the original proposal there were nine against three.
95. *Mr. Smith.*] Is it true that a number of property-owners are against the proposed alteration? Those who are opposed to it appeared at the public meeting—eight or nine altogether.
96. Do you know their names? Mr. Vandenberg was one; he has a butcher's shop and public-house at the corner; he objected to the original proposition because he thought the trade would be diverted, but now it will not.
97. Is Mr. Vandenberg now in favour of this alteration? I have not seen him; he was one that was there to oppose it that night; he was only one of the eight out of some 200. Mr. Mackay was one of the greatest opponents of the original proposal, but I have asked him since, and he says he does not see any objection to it now as amended. He is bound to go with the others, but he sees no objection to the present plan. The whole of this objection was got up by about a dozen out of 17,000 inhabitants of Balmain. It is only about a dozen that felt aggrieved, but it will be to the injury of about 10,000 people if this Bill is not allowed to pass, because the interference with the ferry traffic at present causes great inconvenience to them.

TUESDAY, 5 FEBRUARY, 1884.

Present:—

MR. BURNS, | MR. FLETCHER.

ANGUS CAMERON, ESQ., IN THE CHAIR.

Villeneuve Smith, Esq., for Messrs. Creagh and Williams, appeared on behalf of the Promoters of the Bill.

Mr. Edward H. Buchanan sworn and examined:—

- Mr. E. H. Buchanan.
5 Feb., 1884.
98. *Chairman.*] You gave evidence before a Select Committee of this House with reference to the Bill then before Parliament, and now again submitted, called the Mort's Bay Improvement Bill? Yes.
99. Have you read that evidence? Yes.
100. Have you anything you wish to add to it? Not that I know of. I have not read it since last year.
101. There is nothing you wish to add to it just now? No.
102. *Mr. Villeneuve Smith.*] Do you remember that special meeting called at Balmain the other day on this Bill—I think you and two or three others called it? Yes.
103. Do you remember what was the result, whether the resolution that this Bill should be annulled was carried or not? No, it was not carried.
104. Was it lost by a great majority? I believe it was.
105. Have you had a meeting since then? There have been committee meetings of those interested in the matter.
106. Was there not a special meeting called by yourself, in which it was discussed whether a sewer should go through Mort's Dock Slip or not? No.
107. Are you sure? I know nothing at all about it.
108. Were there not several meetings held by your committee? Not public meetings. There were two or three at the most, and the result of them was that a requisition was presented to the Mayor to call this public meeting. But seeing how the room was filled by the Mort's Dock people, after that meeting I have heard nothing and done nothing.
109. *Mr. Fletcher.*] At the last inquiry, if I recollect rightly, you were opposed to granting the permission to the Company to construct these particular approaches? Yes.
110. Since then there has been some alteration of the plans? Yes.
111. If the plans which are now sought to become law had been adopted at the time, would you have been opposed to the Bill? Not as regards the Snail's Bay side. I made that suggestion myself in that evidence. I said if Ycond-street were taken more to the eastward it would not be objected to, and I believe the alteration emanated from that. The only thing is that the street should be 50 feet wide, and it has been narrowed to 30. I decidedly object to any alteration in Mort-street, on the other side of the bay.

ON MORT BAY IMPROVEMENT BILL.

112. Mort-street went right straight down to the wharf? Yes.
 113. And now? It still goes on it.
 114. Do you object to the alteration now? Yes, I object to Mort-street being touched at all.
 115. As a matter of fact there is no private property on either side of Mort-street, from the corner of John-street to the wharf? No, only Mort's property.
 116. So far as the property is concerned the public would not be affected in any way by that deviation? Oh yes, that is my main objection.

Mr. E. H.
Buchanan.

5 Feb., 1884.

Mr. Charles Vanderberg sworn and examined:—

117. *Chairman.*] You gave evidence before a Select Committee of the House in reference to the Mort's Bay Improvement Bill last year? Yes.
 118. You read that evidence, did you not? Yes.
 119. Have you anything you wish to add to it? No. I have been asked by the property-owners to protest against this Bill. I saw some of them to-day before I came over.

Mr. C.
Vanderberg.

5 Feb., 1884.

APPENDIX.

[*To the Evidence of Patrick W. Creagh, Esq., Thursday, 17 January, 1884.*]

The Council Clerk, Balmain, to Messrs. Creagh & Williams.

Gentlemen,

I have the honor by direction of the Mayor to furnish you, as requested, with a copy of my letter of 20th October last, to Mort's Dock and Engineering Company, *re* alterations to Yeend and Mort Streets, with their wharfs, in this Borough.

I have, &c.,

H. B. MACINTOSH,
Council Clerk.

N.B.—Copy referred to attached hereto.—H.B.M.

[*Enclosure.*]

The Council Clerk, Balmain, to Mort's Dock and Engineering Company, Balmain.

Gentlemen,

In reply to your letter of 8th instant, *re* alterations to Mort and Yeend Streets, with their wharfs, &c., I have the honor, by direction of the Mayor, to state that this Council at its last meeting considered and approved of the proposed alterations to these streets.

I have, &c.,

H. B. MACINTOSH,
Council Clerk.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

NEWCASTLE STREETS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

7 October, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 157. WEDNESDAY, 17 SEPTEMBER, 1884.

8. NEWCASTLE STREETS BILL. (*Formal Motion*):—Mr. Fletcher moved, pursuant to Notice,—
- (1.) That the Newcastle Streets Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Ellis, Mr. Cameron, Mr. Teece, Mr. Melville, Mr. Luscombe, Mr. Hutchinson, Mr. Targett, and the Mover.
- Question put and passed.
-

VOTES No. 167. TUESDAY, 7 OCTOBER, 1884.

2. NEWCASTLE STREETS BILL:—Mr. Fletcher, as Chairman, brought up the Report from, and laid upon the Table, the Minutes of Proceedings of, and Evidence taken before the Select Committee for whose consideration and report this Bill was referred on 17th September, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

 NEWCASTLE STREETS BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 17th September, 1884,—“*The Newcastle Streets Bill*,”—beg to report to your Honorable House:—

That they have examined the *witness named in the margin (whose ^{* Joseph Greer, Esq.} evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, to which it was found necessary to add a new Clause.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

JAMES FLETCHER,
Chairman.

No. 1 Committee Room,
Sydney, 2nd October, 1884.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 2 OCTOBER, 1884.

MEMBERS PRESENT:—

Mr. Fletcher,	|	Mr. Cameron,
Mr. Melville,	|	Mr. Teece,
Mr. Ellis,	|	Mr. Luscombe,
Mr. Hutchinson.		

Mr. Fletcher called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—William Baker, Esq. (*Solicitor for the Bill*).

Joseph Creer, Esq. (*Alderman, Newcastle*) called in, sworn, and examined.

Witness handed in a copy of the Mayor's report, on an injunction against the Newcastle Borough Council restraining them from altering the level of a street, which was ordered to be appended (*See Appendix*), and produced a plan showing the alterations proposed to be made to connect Perkins-street with Church-street.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 and 2 read and agreed to.

New clause* to stand as clause 3 read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

SCHEDULE OF AMENDMENT.

Page 1. *Insert* the following new clause to stand as clause 3,—“This Act may be cited as the “Newcastle Streets Act of 1884.””

* See Schedule of Amendment.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

NEWCASTLE STREETS BILL.

THURSDAY, 2 OCTOBER, 1884.

Present:—

MR. CAMERON,
MR. LUSCOMBE,
MR. TEECE,

MR. MELVILLE,
MR. ELLIS,
MR. HUTCHINSON.

J. FLETCHER, Esq., IN THE CHAIR.

William Baker, Esq., appeared as Solicitor for the Bill.

Joseph Creer, Esq., called in and examined:—

1. *Mr. Baker.*] Your name is Joseph Creer? Yes.
2. You are an Alderman of the Borough of Newcastle? Yes.
3. Have you read the preamble of this Bill? I have.
4. What is the object of passing this Bill? It is for the purpose of enabling the Council to alter the streets—to make a high and low level for the convenience of the vehicular traffic.
5. In the case of the Newcastle streets there are very steep gradients? Yes.
6. Some time ago an injunction was obtained against the Council, restraining them from altering the level of a street? Yes; I hand in a copy of the Mayor's report of the case. (*Vide Appendix.*)
7. The Council deem it desirable that this enabling Bill should be passed? Yes.
8. It is absolutely necessary in the interests of the inhabitants that this Bill should be passed? It is.
9. And for the traffic? Yes; vehicular traffic cannot pass in some cases from one street to another unless the Council have this power.
10. At the present time the Council have no power to make the necessary alterations? No power whatever. I produce a plan showing the alterations which it is proposed to make to connect Perkins-street with Church-street.
11. The alterations will be made without the infliction of any injury upon private individuals? Yes.
12. And there will be no interference with the safe and convenient use of the street by the public? No.
13. *Chairman.*] Have the citizens of Newcastle raised any objection to the Bill? I do not know of any.
14. Have the Council received no petitions or protests against the passing of the Bill? None that I know of.
15. The carrying out of the alteration you propose will permit of vehicular traffic passing over the high and low levels? Yes.
16. Is it a fact that at the present time the only way of getting from Perkins-street to Church-street is by mounting a flight of steps? Yes.
17. *Mr. Melville.*] What do you propose to do with the steps now existing? They will be used as a foot-walk. The alterations which we propose to make will permit vehicles to run from Perkins-street to Church-street. The value of the property will be considerably improved.
18. From your business experience you know that that will be so? I do. I know that property in streets in which there is no vehicular traffic is not so saleable as property in streets in which that traffic is carried on.

J. Creer, Esq.
2 Oct., 1884.

- J. Creer, Esq. 19. How will the alteration affect Perkins-street above the curve therein on the plan? There will be a width of 25 feet, leaving a width of 30 feet for Church-street.
20. *Mr. Ellis.*] This Bill is being passed specially to enable you to deal with that difficulty? Yes.
21. Would it give the Council power to at any time alter any other street? Yes.
22. *Mr. Melville.*] I see the Bill provides for a footpath 6 feet in width? Yes; in this case the footpath is by way of the steps which are marked upon the plan. We had either to place a row of steps across the street or to form high and low level roads. The steps would at once put a stop to vehicular traffic, and it was therefore thought advisable to adopt the high and low level roads in the manner proposed by the plan.

APPENDIX.

[To the Evidence of Joseph Creer, 2 October, 1884.]

A.

October 4th, 1869.

THE Mayor also reported that the recent appeal to the Full Court to reverse the order for an injunction made by His Honor Judge Hargraves to restrain the Council from continuing the works in King- and Wolfe-streets on the present plan was argued before the Supreme Court on the 13th, 14th, 15th, and 16th ultimo, and was, with expression of deep regret on the part of the Judges, dismissed with costs; His Honor the Chief Justice stating most emphatically that, from his own personal knowledge of the locality, and from the information derived from a careful consideration of the affidavits and plans filed on both sides, he had no doubt whatever the Council had pursued the very best course that could have been adopted in the interest of the public, and for the residents in King- and Wolfe-streets in particular; and that no plans appeared so good as that of the Council, and advised that the Council should apply to Parliament for authority to construct the streets according to the present design. Judge Faucett fully concurred in the Chief Justice's opinion, and considered that, taking into consideration the extraordinary difficulties the Council had to overcome, they had pursued the best course for the general interests of the ratepayers; and in granting the injunction His Honor Judge Hargraves gave expression to his opinion that the Council had done what they believed to be the very best for the interests of the public, but in his opinion the common law gave them no power or authority to act in the manner they were doing.

The Mayor further stated that also, as the relators had also applied to the Court for an order against the Council to compel it to remove the present wall at the intersection of King- and Wolfe-streets, but which had not yet been granted, he should strongly recommend the Council to resist no further, but cheerfully comply with any such order when served upon the Council.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

O'DOUD'S ESTATE LEASING BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

6 *June*, 1884, A.M.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

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1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 96. THURSDAY, 8 MAY, 1884.

3. O'DOUD'S ESTATE LEASING BILL (*Formal Motion*):—*Mr. Lyne*, for *Mr. Day*, moved, pursuant to Notice,—
- (1.) That O'Doud's Estate Leasing Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Burns*, *Mr. Copeland*, *Mr. Barbour*, *Mr. Targett*, *Mr. Loughnan*, *Mr. Hammond*, *Mr. Teece*, *Dr. Ross*, *Mr. Lyne*, and *Mr. Day*.
- Question put and passed.
-

VOTES No. 111. FRIDAY, 6 JUNE, 1884, A.M.

11. O'DOUD'S ESTATE LEASING BILL:—*Mr. Day*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 8th May, 1884; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
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O'DOUD'S ESTATE LEASING BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 8th May, 1884,—“ *O' Doud's Estate Leasing Bill*,”—beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose evidence will be found appended hereto), and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, to which it was found necessary to add a new clause. See List, page 4.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

GEORGE DAY,
Chairman.

No. 3 Committee Room,
Sydney, 3rd June, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 3 JUNE, 1884.

MEMBERS PRESENT:—

Mr. Day,	|	Mr. Hammond,
Mr. Burns,	|	Dr. Ross,
	Mr. Lyne.	

Mr. Day called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—Henry M. Makinson, Esq. (*Solicitor for the Bill*.)

Henry M. Makinson, Esq., sworn and examined.

Witness *produced* the original Deeds referred to in the Preamble, and supplied copies of the same.

Mr. Patrick O'Doud called in, sworn, and examined.

Witness *produced* a lease to George Barr of the property described in the Schedule, and a notice from the Municipal Council of the City of Sydney, under the City of Sydney Improvement Act, condemning the buildings thereon.

Witness withdrew.

Mr. George Barr called in, sworn, and examined.

Room cleared.

Preamble considered.

Question—"That this Preamble stand part of the Bill,"—put and passed.

Solicitor called in and informed.

Clause 1 read and agreed to.

Schedule read and agreed to.

New Clause, to stand as clause 2, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

See Schedule f
Amendment.

SCHEDULE OF AMENDMENT.

Page 3. *Insert* the following new clause, to stand as clause 2:—

"This Act may be cited as the 'O'Doud's Estate Leasing Act of 1884.'"

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LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

O'DOUD'S ESTATE LEASING BILL.

TUESDAY, 3 JUNE, 1884.

Present:—

MR. BURNS,
MR. DAY,

DR. ROSS.

MR. HAMMOND,
MR. LYNE,

GEORGE DAY, Esq., IN THE CHAIR.

Mr. H. M. Makinson appeared as Solicitor for the Bill.

Henry Massey Makinson, Esq., sworn and examined:—

1. *Chairman.*] You are Solicitor for the O'Doud estate? Yes.
2. Do you produce any documents in connection with this Bill? Yes, I produce an indenture dated the 6th October, 1866, mentioned in the preamble of the Bill.
3. What settlement is that? The settlement mentioned in the Schedule, between Mary Morris of the first part, Patrick O'Doud of the second part, and Thomas Edward Barry of the third part. Mary Morris afterwards intermarried with and became the wife of Patrick O'Doud, and died on the 10th November, 1880, leaving a will by which she appointed and devised all the land described in the Schedule to Patrick O'Doud and Thomas Barry, in trust. I produce the probate of the will, dated 15 December, 1877. She devised it to the use and benefit of her daughters—Florence Maria Morris, and Charlotte O'Doud—of her son by a former marriage, William Henry Allen—and her brother, Thomas Edward Barry.
4. Are both the trustees living? Patrick O'Doud is living. Thomas Edward Barry is superseded by Robert Butcher. The property is left to the two daughters absolutely between them with remainder, and in the event of both dying without issue the property goes to Mr. Allen and Mr. Butcher in equal shares.
5. What age are these two daughters? I believe one is about twenty, and the other about sixteen or seventeen.
6. The trustees were empowered to grant leases of this estate? By this will the trustees are empowered to grant leases for any term not exceeding seven years.
7. Are there any buildings upon the land? Yes. I produce another document, dated 26 July, 1882. By that document Mr. Barry retires, and Mr. Butcher is appointed a trustee in his place. Mr. O'Doud and Mr. Butcher are the present trustees, and the petitioners for this Bill.
8. Are there any houses or stores on the land? This is more in the knowledge of the other witnesses than in mine.

H. M.
Makinson,
Esq.

3 June, 1884.

Mr. Patrick O'Doud called in, sworn, and examined :—

- Mr. P. O'Doud.
3 June, 1884.
9. *Chairman.*] You are one of the trustees in the O'Doud estate, and one of the petitioners for this Bill? I am.
10. *Mr. Makinson.*] You are the Patrick O'Doud mentioned in this settlement of the 6th October, 1866? I am.
11. Shortly after that settlement you were married to Mrs. Morris? I was.
12. Mrs. Morris, afterwards Mrs. O'Doud, died on the 10th November, 1880? Yes.
13. Having made a will that has been proved in the Supreme Court? Yes.
14. Florence Maria Morris is Mrs. O'Doud's daughter? Yes.
15. She and Charlotte O'Doud, her daughter by you, are now living? They are.
16. What ages are they? One is about twenty-three, and the other about sixteen or seventeen.
17. You know the piece of land mentioned in the Schedule of this Bill? I do.
18. On it there a couple of houses? Yes.
19. These houses are old, and in a ruinous state? They are.
20. The tenant of those houses was Mr. George Barr? Yes.
21. I believe this lease of the 10th March, 1881, is a lease from the trustees to him of these houses, from the 1st May, 1881, for five years, at the rental of £8 per week? Yes. (*Lease produced.*)
22. Lately the Mayor and the City authorities have surveyed these houses, and notified that they are unfit for occupation, and must be pulled down? Yes.
23. I believe this is the notice? Yes. (*Notice produced.*)
24. This notice of the 5th November, 1883, is signed by the Mayor of Sydney, the City Surveyor, the City Health Officer, and the Inspector of Nuisances? Yes. That notice was served on Mr. Barr.
25. Under section 31 of the City Improvement Act? Yes, condemning the buildings.
26. I believe the trustees have no funds belonging to the estate to enable them to rebuild these houses? No.
27. So that unless this Bill is passed you would not be in a position to make any rent at all out of the property? No.
28. And you are now in a position to let the land on a building lease to the present tenant, Mr. Barr? Yes.
29. He has made you an offer? Yes.
30. To spend, I believe, £4,000 in building? Yes.
31. And, besides that, to pay a rent of £12 a week with a long lease? Yes. He pays £8 at present, but he is willing to pay £12 a week for a long lease.
32. *Mr. Burns.*] There is no power in this Bill to take a fine for the lease? No.
33. *Chairman.*] Do you consider that this would be a great advantage for the persons entitled to this property if you can let it now for twenty-one years? I do.
34. At what time does this property fall into the hands of Miss Morris and Miss O'Doud? I believe it is to be kept in trust for them, for the benefit of their families.
35. I suppose all the necessary advertisements have been published? Yes.
36. Have any objections been taken to this Bill by any of the persons beneficially interested in the estate? I am not aware, unless the stepson has, but I do not think he has.
37. *Mr. Burns.*] Your opinion as trustee and beneficially interested in the property is that it is for the advantage of all persons interested to give an extended lease, and the power to the new tenant to erect these valuable buildings where now you have buildings that have been condemned by the Corporation? Yes, I am certain of it.
38. And of course all the parties concerned have received notice, by the advertisements in the papers and otherwise by hearing of the matter, of the fact that you were applying for this Bill? They have; in fact Mr. Barry, who has given up his trusteeship, suggested to me to get this Bill.
39. It is for the benefit of all interested in this property that this Bill should pass? It is.
40. *Dr. Ross.*] Are there any minors interested in this property? My daughter.
41. What age is she? Between sixteen and seventeen.
42. Would this affect the validity of the lease? No, she has nothing to do with it; the property is vested altogether in the trustees for their benefit.

Mr. George Barr called in, sworn, and examined :—

- Mr. G. Barr.
3 June, 1884.
43. *Chairman.*] Your name is George Barr, and you live in Sydney? Yes.
44. *Mr. Makinson.*] A lease has been produced before this Committee, dated the 10th March, 1881, from Patrick O'Doud to George Barr: you are the George Barr mentioned in that lease? Yes.
45. The rental is £8 per week? Yes.
46. You are aware that the premises have been condemned by the Corporation? Yes, and one portion has actually fallen down.
47. You have made an offer to the trustees to take a lease for twenty-one years? Yes.
48. At a rental of £12? Yes.
49. On the condition that you erect a substantial building? Yes, that is the estimate; it might cost a little more.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

SAYWELL'S TRAMWAY BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

A P P E N D I X.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
18 *January*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 21. THURSDAY, 22 NOVEMBER, 1883, A.M.

11. SAYWELL'S TRAMWAY BILL:—*Mr. Melville*, for Mr. Stephen, moved, pursuant to Notice,—
- (1.) That Saywell's Tramway Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Burns, Mr. White, Mr. Griffiths, Mr. Moses, Mr. Gibbes, Mr. Chapman, Mr. Badgery, and the Mover.
- And Mr. Wisdom requiring that the Committee be appointed by Ballot,—
- Question,—That Saywell's Tramway Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers,—put and passed.
- Whereupon the House proceeded to the Ballot, and Mr. Speaker declared the following to be the Committee duly appointed:—Mr. Stephen, Mr. Burns, Mr. Badgery, Mr. Chapman, Mr. Moses, Mr. Griffiths, Mr. White, and Mr. Gibbes.
-

VOTES NO. 41. FRIDAY, 18 JANUARY, 1884.

4. SAYWELL'S TRAMWAY BILL:—Mr. Stephen, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 22nd November, 1883, A.M.; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
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 SAYWELL'S TRAMWAY BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 22nd November, 1883, A.M.,—“*Saywell's Tramway Bill,*”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence *See list, page 4. will be found appended hereto); and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them, with an amended Preamble.

S. A. STEPHEN,
Chairman.

*No. 3 Committee Room,
Sydney, 20th December, 1883.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 18 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Stephen,	|	Mr. White,
Mr. Moses,	|	Mr. Chapman,
Mr. Gibbes,	|	Mr. Burns.

Mr. Stephen called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present,—E. Digby, Esq. (*Counsel for the Promoter of the Bill*).Thomas Saywell, Esq. (*the Promoter*), called in, sworn, and examined.

Witness produced Plan of the proposed Tramway, and the Title Deeds of Sandridge Park.

Witness withdrew.

Mr. Joseph Waltz called in, sworn, and examined.

Witness withdrew.

Mr. Thomas King Leeder (*Council Clerk, West Botany*), called in, sworn, and examined.Witness handed in a copy of a letter to Mr. T. S. Huntley,—notifying the consent of the Municipal Council of West Botany to the construction of the Tramway, subject to certain provisions being inserted in the Bill,—which was ordered to be appended. (*See Appendix A.*)

Room cleared.

Committee deliberated.

Ordered,—That the Honorable James Squire Farnell, M.P., Charles A. Goodchap, Esq., and John Whitton, Esq., be summoned to give evidence next meeting.

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

THURSDAY, 20 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Stephen,	|	Mr. Burns,
	|	Mr. Gibbes.

Charles A. Goodchap, Esq. (*Commissioner for Railways and Tramways*), called in, sworn, and examined.

Witness withdrew.

Thomas Saywell, Esq., called in, sworn, and further examined.

Witness handed in a certified copy of a report of the Municipal Council of West Botany, sanctioning the proposed line of steam Tramway, which was ordered to be appended. (*See Appendix B.*)

Witness withdrew.

The Hon. James Squire Farnell, Esq., M.P. (*Secretary for Lands*), called in, sworn, and examined.

Room cleared.

Preamble considered and amended.*

Question,—“That this Preamble, as amended, stand part of the Bill”—put and passed.

Clause 1 read, amended,* and agreed to.

Clauses 2, 3, and 4 read and agreed to.

Clause 5 read, amended,* and agreed to.

Clause 6 read, amended,* and agreed to.

Clauses 7, 8, 9, and 10 read and agreed to.

Clause 11 read, amended,* and agreed to.

Clauses 12, 13, and 14 read and agreed to.

Schedule read, amended,* and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House, with an amended Preamble.

* See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 1, Preamble, line 8.	Omit “safe easy and pleasant” insert “better”
“ 1, “ “ “ 18.	Omit “so far as the same extends from the Rocky Point Road aforesaid to” insert “is”
“ 1, Preamble, line 24.	Omit “and the comforts and benefits afforded to excursionists and others”
“ 1, “ “ “ 26.	Omit “and otherwise”
“ 2, clause 1, line 24.	Insert “Provided further that this authority shall not extend beyond thirty years from the passing of this Act” after “manner”
“ 2, clause 5, line 51.	Omit “but this is not to include any” insert “exclusive of the”
“ 2, “ 6, “ 55.	Insert “and furthermore shall erect and maintain all necessary causeways in connection with the said Tramway” after “rails”
“ 3, clause 11, line 58.	Insert “Provided always that the said Thomas Saywell his heirs executors administrators or assigns or his or their employees or servants shall when using or when upon the premises of the said railway be liable and subject to the Railway By-laws” after “being”
“ 4, Schedule, line 50.	Omit “Messieurs” insert “Mr.”; also omit “and Goeves”
“ 4, “ “ “ 51.	Insert “a point” after “street to”
“ 4, “ “ “ 53.	Omit “forty chains fifty links to a Government reservation of one hundred feet from high-water mark thence through that reserve north-easterly nineteen chains”
“ 4, Schedule, line 55.	Insert “provided that no part of such line shall be less than one hundred feet distant from high-water-mark.”

LIST OF WITNESSES.

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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

SAYWELL'S TRAMWAY BILL.

TUESDAY, 18 DECEMBER, 1883.

Present:—

MR. STEPHEN,	|	MR. CHAPMAN,
MR. WHITE,	|	MR. GIBBES,
MR. MOSES,	|	MR. BURNS.

S. A. STEPHEN, ESQ., IN THE CHAIR.

Mr. Digby appeared as Counsel for the promoter of the Bill.

Thomas Saywell, Esq., called in and examined:—

1. *Mr. Digby.*] You are the party interested in the proposed construction of a tramway from the Bay-street Station on the Illawarra Railway, to and along Lady Robinson's Beach? Yes.
2. Do you produce a plan of the proposed tramway? Yes. (*Plan produced.*)
3. The line of the proposed tramway according to that plan is the same as that described in the Schedule to the Bill? Yes.
4. Is the park called Sandridge Park your property? Yes.
5. Have you the title deeds of this land? I have. (*Deeds produced.*)
6. *Chairman.*] How much land is there altogether? There are three blocks of 47 acres, 40 acres, and 9 acres respectively.
7. *Mr. Digby.*] Have you obtained the consent of Mr. Waltz, through whose property the line runs, to make the tramway through his land? Yes.
8. And also the consent of the Municipality of West Botany? Yes.
9. Have you also obtained the consent of the trustees or the Minister to continue the tramway through the reserve? I cannot say I have.
10. Do you know of any opposition to the extension of the tramway through the Government reserve? I am not aware of any.
11. The reserve spoken of is a reserve of 100 feet from high-water-mark? Yes.
12. Do you consider that it will be for the public benefit to have this tramway going down to the beach? Yes; very greatly to the public benefit.
13. *Mr. White.*] The Government have not refused permission? No.
14. *Chairman.*] You take it through your own land up to the reserve and then continue it through the reserve? Yes. The reserve being in front of my land I have made application to the Government to be allowed to purchase it.
15. Why do you not take the tramway altogether through your own land and leave the reserve untouched? It would cause a curve in the tramway and make it unsightly.
16. *Mr. White.*] Would the tramway going through the reserve interfere with the public in any way? Not in the slightest.
17. *Mr. Digby.*] Do you consider it would be for the benefit of the public that the tramway should go through that reserve? I think so decidedly; it will not interfere with them in the least.
18. *Mr. Moses.*] Have you obtained permission to go through this reserve? I have not applied for permission.

T. Saywell,
Esq.

18 Dec., 1883.

- T. Saywell, Esq.
18 Dec., 1883.
19. In reference to the owner of the land through which you go, have you his permission? Yes.
20. Have you it in writing? No, but he is here as a witness to say so.
21. *Mr. Chapman.*] Does the whole of this property (*pointing to the plan*) belong to Mr. Waltz? No; only this small curve (*pointing to the plan*).
22. Whose is this property (*pointing to the plan*)? That belongs to the Municipality.
23. Then you come on to your own property? Yes.

Mr. Joseph Waltz called in and examined:—

- Mr. J. Waltz.
18 Dec., 1883.
24. *Mr. Digby.*] Are you the owner of a portion of land near the Illawarra Railway line through which Mr. Saywell proposes to run a tramway? Yes.
25. *Chairman.*] Have you given any permission to Mr. Saywell to run this tramway through your land? Yes; I sold him a piece of land with the condition that there should be a roadway alongside.
26. Have you conveyed it to him yet? No, not yet; it will be conveyed if this Bill passes.
27. It is conditional on the passing of this Bill? Yes.
28. You are satisfied that this tramway should be built through your land? Yes, that is the condition on which I sold it.
29. And you wish this Act to pass? Yes.

Mr. Thomas King Leeder called in and examined:—

- Mr. T. K. Leeder.
18 Dec., 1883.
30. *Mr. Digby.*] You are Council Clerk of the Municipality of West Botany? I am.
31. Have you any minutes relating to permission to Mr. Saywell to run a tramway from the railway down to the beach? I furnished a certified extract from my minute-book to Mr. Saywell some time ago.
32. Is this a copy of it? This purports to be a copy of my certified copy. (*Produced. Certified copy to be handed in by Mr. Saywell. See Appendix B.*)
33. *Chairman.*] The Municipal Council have considered this proposal? Yes.
34. And have consented to the making of the tramway? Yes, subject to certain conditions stated in the minute. When the Bill in its present shape was submitted to the Council it was discovered that there were two omissions in the Bill which are stated in a letter addressed by me to Mr. Saywell. (*Letter read. See Appendix A.*) One was limiting the right to thirty years, and the other the construction and maintenance of the necessary bridges over the watercourses. The Council have approved of the Bill subject to these amendments, which, it was stated, would be made in the Bill in Committee.
35. Are you of opinion that the increased facilities of communication and traffic, which would be the result of the construction of this tramway, would be for the public convenience and benefit? Yes, most decidedly.
36. A benefit to the whole locality? Yes.
37. You are acting as conveyancer for Mr. Waltz? Yes.
38. He has a certificate of title to the land mentioned in the Bill as belonging to him? Yes, which is at present in the hands of the Crown Solicitor.
39. You consider it is desirable that a safe, easy, and pleasant mode of access should be provided between the railway and the beach? I do.
40. *Mr. Chapman.*] The whole of this block, colored yellow on the plan, belongs to your Municipality? Yes.
41. Is this reserve within your Municipality? Yes, we are bounded by the waters of Botany Bay on that side.
42. Did your Council take into consideration the cutting up of this reserve by the tramway? No, I do not think they did; it was only the streets that the Council had to do with; they have no control over the reserve; that is a matter which Mr. Saywell will have to arrange with the Government.
43. They have not taken that into consideration? No, it was not referred to.

THURSDAY, 20 DECEMBER, 1883.

Present:—

MR. BURNS, | MR. GIBBES.

S. A. STEPHEN, ESQ., IN THE CHAIR.

Charles A. Goodchap, Esq., called in and examined:—

- C. A. Goodchap, Esq.
20 Dec., 1883.
44. *Chairman.*] You are Commissioner for Railways? Yes, and also Commissioner for Tramways.
45. Have you read the Bill that has been referred to this Committee? Yes.
46. Is it in accordance with what you, as Commissioner, would approve of? I think I should make one or two alterations in it if it concerned a tramway to be constructed by the Government.
47. In what way? In so far as making the proposed tramway a double line instead of a single one, I should be an advocate for a double line of tramway from Sandridge Park. It is evidently intended for an excursion line, and probably a large number of people will be carried by it. I have only just received the Bill, and have not had time to make myself acquainted with the width of the streets; but I should certainly say that, if the streets would admit of it, the tramway should be a double line. At any rate power should be given by the Bill for the construction of a double line, if even at first but a single line is laid down.
48. Would you suggest any alteration in the Bill in other respects? In other respects I see no objection to the Bill, except that I think it should contain a provision subjecting the drivers of the motors and other employés to the railway by-laws and regulations.
49. *Mr. Gibbes.*] Employés in connection with the tramway? Yes, it is contemplated by the Bill to extend the tramway on to railway premises, which no doubt is a desirable thing; in that case provision should be made that any servant of the Company should be subject to the railway by-laws and regulations.
50. *Chairman.*] The objection you have to the tramway being a single line is in view of the public convenience? Yes.
51. And not in view of the working of the tramway? Of course, if a larger amount of traffic was created than could be borne by a single line the public would be inconvenienced.

52. *Mr. Burns.*] You think a single line at first would be sufficient? I should put down a single line at first; but power should be given to lay down a double line should the necessity for it arise.

C. A.
Goodchap,
Esq.

53. In view of any possible plan of tramways to be formed by the Government, do you think that this private tramway would work disadvantageously with any such scheme? There was some time ago a proposition made by the Government to construct a tramway from the Illawarra railway line to Koggarah and Scarborough Park, which is a public reserve facing Lady Robinson Beach, and to Sandridge through Sans Souci. The late Minister for Works said he would give his favourable consideration to that scheme; but the present Government have not in any way been consulted in the matter. For my own part I do not think it is a line that would pay, and I should not recommend the adoption of any such tramway line.

20 Dec., 1883.

54. *Mr. Gibbes.*] Therefore the construction of the proposed line would not interfere with any line likely to be constructed by the Government? In my opinion it would not—it should not interfere.

55. *Mr. Burns.*] Do you think the line proposed by the Bill under consideration would supersede any proposed line from Koggarah to Lady Robinson Beach? I think it will in a great measure. It will give the public facilities to get to Lady Robinson Beach, which is a large reserve.

56. But having regard to the public convenience only, do you think the line proposed by the Bill would be sufficient for all ordinary purposes? I think it would. I do not know exactly how Scarborough is situated with regard to the proposed line; but I should think that if it be determined hereafter to carry a tramway in that direction, the power given by the Bill to purchase this land would probably be sufficient to enable the line to be extended.

57. *Chairman.*] Your evidence generally is to the effect that you do not see any objection, as Commissioner for Railways and Tramways, to the proposed tramway? I do not.

Mr. Thomas Saywell called in and further examined:—

58. *Chairman.*] In connection with the tramway proposed to be constructed under the Bill before the Committee is it intended to have stoppages at cross-streets? I shall be under the control, I think, of the Municipal Council of West Botany.

Mr.
T. Saywell.

20 Dec., 1883.

59. And you are prepared to take the Bill and stop at such streets as the Municipal Council may direct? Yes.

60. You produce a certified copy of a report of the meeting of the Municipal Council of West Botany, held 17th April, 1883, at which the Council adopted a report giving its sanction to your laying down the proposed line of steam tramway? Yes. (*Document handed in, and marked Appendix B.*)

61. Is there any reason why the tramway should not be constructed within 50 feet of the edge of the reserve above high-water-mark? I do not see any objection.

62. The land all about is the same; there is no engineering difficulty? The land is all about the same. I may say that I have levelled the Government land at great expense, expecting to get the resumption of a portion.

The Hon. James Squire Farnell, Esq., called in and examined:—

63. *Chairman.*] You are Minister for Lands? Yes.

64. You understand the object of the Bill before this Committee? Yes.

65. On the plan of the proposed tramway lying on the table there is a reserve of the land 100 feet above high-water-mark—it is proposed to run the tramway through it? Yes, I am aware there is a proposal to run a tramway from the Illawarra railway to Lady Robinson Beach.

Hon. J. S.
Farnell, Esq.

20 Dec., 1883.

66. And it is proposed to run the tramway through the reserve of 100 feet from high-water-mark? Yes. I may inform the Committee what I have done in respect to this matter. I gave instructions sometime ago for an elaborate survey of the whole of Lady Robinson Beach with the view of making a reserve on it, or at least of dedicating a reserve on it, of 100 feet, and resuming such portions that have been taken by people up to high-water-mark, and compensating them. My object was to secure to the people a continuous reserve of several miles, and of uniform width.

67. *Mr. Gibbes.*] For the whole length of the beach? The plan on the table does not show the whole of the reserve. There are only a few alienations that go to high-water-mark; and we intend to have a continuous reserve for the whole distance. I think the proposed tramway will be of advantage in offering people facilities of getting to the recreation ground when dedicated. It would be better for the tramway to pass through private property than through the reserve. I think it would be better to preserve the whole of the reserve to the public. It would rather interfere with the reserve itself if you took a tramway through it or through any part of it. If the engineering difficulties in the way of carrying it through private property are insuperable it would, I suppose, have to be taken through the reserve. But it would be better not to take it through.

68. *Chairman.*] You think the tramway ought to be constructed outside the reserve, if possible? Yes.

69. You have no objection to the tramway itself? I think it would be an advantage in helping to make the reserve more useful to the people as a recreation ground.

SAYWELL'S TRAMWAY BILL.

—
APPENDIX.
—

[*To the Evidence of Mr. Thomas King Leeder, 18 December, 1883.*]

A.

The Council Clerk, West Botany, to T. S. Huntley, Esq.
Re Saywell's Tramway Bill.

Dear Sir,

I am directed by the Mayor to acknowledge receipt of your letter of 21st ultimo, covering several copies of the above Bill, and in reply I am to inform you that the Council see no objection thereto, subject to the necessary provisions being inserted therein, limiting the right to thirty years, as already arranged with the Council, and also providing for the construction and maintenance of the bridges over the water-courses or channels, and which you say will be inserted in the Bill before the Committee.

Council Chambers, West Botany, 7 December, 1883.

Yours, &c.,

THOS. LEEDER,
Council Clerk.

—
[*To the Evidence of Mr. Thomas Saywell, 20 December, 1883.*]

B.

MEETING of the Municipal Council of West Botany, held 17 April, 1883.

Present:—The Mayor (Mr. John Bowmer), and a full Council. (*Inter alia*) :—

The matter of Mr. T. S. Huntley's letter was then taken into consideration.

Mr. Huntley was in attendance, and addressed the Council on the subject matter thereof, after which the Council resolved itself into a Committee of the Whole to deal with the matter, and on resuming, the Mayor submitted the following report:—

“That your Committee, having duly considered Mr. Thomas Saywell's letter, requesting this Council to give its sanction to his laying down a line of steam tramway to connect at or near the proposed Bay-street Station, along Bay-street to Lady Robinson's Beach, upon conditions stated in his letter, dated 2nd April instant, recommend unanimously that such sanction be given, subject to the following conditions, viz. :—

1. That the Bill to be submitted to Parliament be first referred to this Council for its approval.
2. That Mr. Saywell enter into a bond to this Council with sufficient sureties in a sufficient amount to be approved by this Council, for the due performance by him of the conditions stated in his letter.
3. That any legal or other expenses that may be incurred by the Council in respect to the matter be borne by Mr. Saywell.”

On the motion of Alderman Godfrey, seconded by Alderman Cook, the foregoing report was received and adopted. The above is a true extract from the Minute Book of the Municipal Council of West Botany.

THOS. LEEDER,
Council Clerk.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

SERISIER'S ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
18 *September*, 1884, A.M.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

.1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 155. FRIDAY, 5 SEPTEMBER, 1884.

7. SERISIER'S ESTATE BILL (*Formal Motion*):—Mr. Burdekin moved, pursuant to notice,—
- (1.) That Serisier's Estate Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Sir Patrick Jennings, Mr. Burns, Mr. Day, Mr. McQuade, Mr. Moses, Mr. Chapman, Mr. Poole, Dr. Ross, Mr. Cass, and the Mover.
- Question put and passed.

VOTES No. 157. THURSDAY, 18 SEPTEMBER, 1884, A.M.

17. SERISIER'S ESTATE BILL:—Mr. Burdekin, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 5th September, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

SERISIER'S ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 5th September, 1884,—“*Serisier's Estate Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose * See List, page 4. evidence will be found appended hereto); and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and Schedules of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them, with an amended Title and Preamble.

S. BURDEKIN,
Chairman.

*No. 3 Committee Room,
Sydney, 17 September, 1884.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 17 SEPTEMBER, 1884

MEMBERS PRESENT:—

Mr. Burdekin,	|	Mr. Burns,
Mr. Moses,	|	Dr. Ross.

Mr. Burdekin called to the Chair.
 Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.
 Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—William Andrews, Esq. (*Solicitor for the Bill*).

William Andrews, Esq., sworn and examined.

Mr. Frederick Randolph Barlee called in, sworn, and examined.

Witness produced the Will of the late Jean Emile Serisier, and handed in an attested copy of the same, which was ordered to be appended. (*See Appendix.*)

Witness withdrew.

Mr. Jean De Bouillion Emile Serisier called in, sworn, and examined.

Witness withdrew.

Madame Margaret Bertaux called in, sworn, and examined.

Witness withdrew.

Mr. Narcisse Muller called in, sworn, and examined.

Witness withdrew.

Room cleared.

Preamble considered and amended*.

Question,—“That this Preamble, as amended, stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clause 1 read, amended*, and agreed to.

Clause 2 read, amended*, and agreed to.

Clauses 3, 4, and 5 read and agreed to.

Schedules read and agreed to.

Title read, amended*, and agreed to.

Chairman to report the Bill, with amendments, to the House, with an amended Title and Preamble.

* See Schedule of Amendments

SCHEDULE OF AMENDMENTS.

Page 1. Title, line 1. *Omit* “sale”

Page 2. Preamble, line 32. *Omit* “after the marriage of the said Margaret Bertaux”

Page 3, clause 1, line 2. *Insert* “not exceeding the period of the youngest child arriving at the age of twenty-one years” after “years”

Page 3, clause 2, line 14. *Insert* “the period of the youngest child arriving at the age of twenty-one years” after “exceeding”

Page 3, clause 2, line 16. *Omit* “And also from time to time by deed to demise and lease any part of the said lands and hereditaments to any person or persons who shall covenant to improve the same by repairing any building or buildings now standing or which shall hereafter be standing on any part of the land thereby leased or by erecting and building any house or houses building or buildings on such land or any part thereof or by otherwise expending in improvement such moneys as shall be deemed by the said Trustees or Trustee adequate to the interest to be parted with but so that every lease under this last-mentioned power shall be for a term not exceeding fifty years to take effect in possession or within one year from the date thereof and shall be at such rent as the said Trustees or Trustee shall having regard to the terms and conditions of such lease think reasonable and proper so however that nothing be taken by way of fine premium or foregift”

LIST OF WITNESSES.

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

SERISIER'S ESTATE BILL.

WEDNESDAY, 17 SEPTEMBER, 1884.

Present:—

MR. BURDEKIN,	|	MR. MOSES,
MR. BURNS,	|	DR. ROSS.

SYDNEY BURDEKIN, Esq., IN THE CHAIR.

William Andrews, Esq., Solicitor for the Bill, examined:—

1. *Chairman.*] The object of this Bill is to obtain power to mortgage or lease certain lands devised by the W. Andrews, Esq. will of the late Jean Emile Serisier? Yes.
2. These powers have not been given in the will? They have not.
3. Under the will, as it is, no improvement of the property can take place? No, no improvements can be made. 17 Sept., 1884.
4. I understand that the buildings which have been on this land have been burnt down? Yes.
5. And it is for the interest of the family that buildings should be erected on this land, to produce an income for their support? Yes. There is no income derived from it now.
6. A good deal of this land is town land? Yes, it is nearly all situated in the town of Dubbo.
7. Are the different parties interested in the will agreeable to the Bill now before the Committee? Yes.
8. *Mr. Burns.*] I see that the title of the Bill speaks of sale as well as mortgaging and leasing—do I understand that you are now going to abandon the application for power to sell? Yes; I think you will find that is only in the title, not in the body of the Bill; it was a mistake in printing.
9. What has necessitated the application to Parliament for this Bill? At the time of Mr. Serisier's death there was a large store and other buildings on part of the property in Dubbo, which produced an income, I believe, of about £900 a year. That property was mortgaged at the time to the Commercial Bank, and the Bank held a policy of insurance of about £3,500, the amount of their mortgage money. The property was destroyed by fire, and the Insurance Company then paid to the Bank the £3,500. The income was thus reduced from £900 to £208.
10. Has the whole of the claim of the Bank been discharged? Yes, the insurance just covered the claim of the Bank.
11. What buildings do you now propose to erect? We propose to re-erect the buildings that were destroyed by fire.
12. At what cost? From £2,000 to £2,500.
13. What additional income will be obtained from the erection of the buildings? An additional income of £600 a year is expected from rent, upon which there will be a charge of about £175 a year for interest, leaving a net income of about £400 additional.
14. For the benefit of the widow and children? Yes.
15. What family did Mr. Serisier leave? Five children.
16. What is the age of the eldest? About twenty-two.
17. Does he concur in this application? Yes, he has signed the petition.
18. What is the age of the youngest child? Eleven.
19. To carry out the arrangement proposed by this Bill,—to mortgage the property and re-erect these buildings—will be for the benefit of the whole estate? Yes.
20. Is the land upon which the buildings have been erected suitable for stores? Yes, it is the best position in Dubbo, I believe.
- 21.

- W. Andrews, Esq. 21. There will be no difficulty in letting the property when the buildings are erected? No.
 22. At the present time the estate is getting no income from the land on which the buildings formerly stood? No income at all.
 17 Sept., 1884. 23. Are there any other means of support for the children except those provided under the will? No. The value of the whole property is over £15,000.
 24. *Mr. Moses.*] Is Mr. Holmes a consenting party to this Bill? Mr. Holmes, being a Bank Manager, has renounced the trust.
 25. He has not acted at all? No. I produce a disclaimer by Mr. Holmes. (*Produced.*)
 26. *Chairman.*] From what source is the income of £208 you mentioned derived? From some of the properties which have buildings on them and are let—properties outside those destroyed by fire. There are seven or eight properties in different parts of the town.
 27. *Mr. Moses.*] Is the land you talk of building on in a good business position? Yes, in the centre of Dubbo.

Mr. Frederick Rudolph Barlee examined:—

- Mr. F. R. Barlee. 28. *Chairman.*] Do you produce the will of the late Mr. Serisier? Yes. (*Will produced, and attested copy handed in. See Appendix.*)
 17 Sept., 1884. 29. What is the date of the will? 4th June, 1879.
 30. When was it proved? Probate was granted on 14th September, 1880, and dated the same day.
 31. Does the will give any power of leasing or mortgaging this property? No.

Mr. Jean de Bouillion Emile Serisier examined:—

- Mr. J. de B. E. Serisier. 32. *Chairman.*] You are the eldest son of the late Mr. Jean Emile Serisier? Yes.
 17 Sept., 1884. 33. You are twenty-two years of age? Yes.
 34. You understand the purpose for which this Bill is being introduced? Yes.
 35. You concur in it? Yes.
 36. And you desire that the powers asked for should be granted to the trustees? Yes.
 37. You think it will be for the benefit of the estate that the power of leasing and mortgage should be granted? Yes.
 38. You signed the petition praying for leave to introduce the Bill? Yes.
 39. *Mr. Burns.*] You have heard Mr. Andrews' evidence—do you agree with the statements he makes with regard to the desirability of granting power to mortgage and lease? Yes.

Madame Margaret Bertaux examined:—

- Madame M. Bertaux. 40. *Chairman.*] You are the widow of the deceased Jean Emile Serisier? Yes.
 17 Sept., 1884. 41. You have heard the evidence of Mr. Andrews and your son? Yes.
 42. Do you concur entirely with them that it will be for the benefit of the estate that the proposed powers of mortgaging and leasing should be granted to the trustees of the estate? Yes.
 43. It will be for the benefit of yourself and family that these powers should be granted? Yes.
 44. You require a greater income from the estate to enable you to support your children in the way you desire to do? Yes; at present I have no income to educate them.
 45. The statements made by Mr. Andrews are correct? Yes.
 46. *Mr. Moses.*] Do you consider the site on which you want to borrow money is a good one? Yes; it has always been a good business position; there was not the least difficulty in letting the buildings.
 47. They were always tenanted? Yes.

Mr. Narcisse Muller examined:—

- Mr. N. Muller. 48. *Chairman.*] You are one of the trustees of the late Mr. Serisier's will? Yes.
 17 Sept., 1884. 49. You are therefore well acquainted with everything concerning the estate? Yes.
 50. And the advantages to accrue if the Parliament gives these increased powers? Yes.
 51. Do you consider that it is necessary you should have increased powers in order to raise the best possible income from the estate? Yes.
 52. At present you have power neither to mortgage or lease? No.
 53. These powers are necessary for the benefit of the children interested in the estate? Yes.
 54. You concur entirely in the application to Parliament for this Bill? Yes.
 55. You have heard what Mr. Andrews has said about the likelihood of the properties being let at a good rental? Yes.
 56. And you think there will be no danger to the estate in raising money on mortgage? No.
 57. *Mr. Burns.*] Do you reside in Dubbo? Yes, I have resided there for about twenty years.
 58. You have no doubt you will be able to obtain tenants for these buildings when erected? There are tenants waiting for them now.
 59. *Chairman.*] At present you can do nothing with the property on which the buildings were burnt down? No.
 60. There are no funds belonging to the estate available for the purpose? No; we cannot sell or do anything if we do not get this Bill.
 61. There seems to be some portion of the estate outside of the town of Dubbo? Yes, a large vineyard.
 62. You have no power to lease that for a term? No.
 63. It is absolutely necessary for the benefit of the family and the estate that you should have these powers? Yes.

APPENDIX.

[To the Evidence of Mr. F. R. Barlee, 17th September, 1884.]

THIS is the last will and testament of me, Jean Emile Serisier, formerly of Dubbo, but now of Sydney, in the Colony of New South Wales, general storekeeper: I give, devise, and bequeath to my trustees hereinafter named, the whole of my real and personal estate upon trust to pay to my wife, Margaret Serisier, one-quarter of the rents and profits of my real and personal estate for her lifetime should she remain my widow, but in the event of my said wife contracting marriage within eighteen months after my decease then I direct my trustees to pay to my said wife only one-sixth of the rents and profits of my said estate for her life, free from the debts, control, or engagements of any husband she may intermarry. I direct my said trustees to invest all my personal estate, and also the benefits of my business, and also the rents and profits of my real estate, in either real, bank, or Government securities, and pay so much as they may think proper to my said wife, to be decided by majority of votes in writing, for the education and maintenance of my children until the youngest child shall attain the age of twenty-one years; and on the youngest of my said children attaining the age of twenty-one years then I direct the whole of my estate to be divided between my wife, if living, and the whole of my children, or their heirs, share and share alike, the heirs of any of my said children to be entitled to their parents share only. And I hereby authorize and direct that my wife shall have power and authority, if she shall think proper during her widowhood, to sell, dispose, or convey any part or portion of any real and personal estate. And that she and my said trustees have power to (*sic*) sign and convey the same to any purchaser, and give receipts and discharges for the same. And I hereby declare that if any of my said trustees hereinafter named shall die or become unwilling or unable to act as trustee of this my will, it shall be lawful for the surviving or continuing trustee or trustees, with the consent in writing of my two eldest children, to appoint any fit person or persons to be a trustee or trustees in the place and stead of such trustee so dying or becoming unwilling or unable to act. And that every new trustee or trustees so appointed may have the same powers as if he had been originally appointed under this my will. And I appoint my said wife, Margaret Serisier, guardian of my said children, and sole executrix of this my will, and my said wife; Narcisse Muller, of Dubbo, in the Colony aforesaid, publican (J. E. Serisier—witnesses, John Williamson, Patk. Fras. Slattery), and James Holmes, also of Dubbo, Bank manager, trustees of this my will. And I hereby revoke all other wills at any time heretofore made by me, and declare this to be my last will and testament.

In witness whereof I the said Jean Emile Serisier have to this and the preceding page of my will set my hand at Sydney, this fourth day of June, in the year of our Lord one thousand eight hundred and seventy-nine.

J. E. SERISIER.

Signed by the said testator, Jean Emile Serisier, as and for his last will and testament (*sic*) who in the presence of us present at the same time in his presence and at his request and in the presence of each other have hereto subscribed our names as witnesses.

JOHN WILLIAMSON,
Solicitor, Sydney.

PATK. FRAS. SLATTERY,
Articled Clerk to Mr. John Williamson, Solicitor, Sydney.

14th September, 1880.—This day by act of Court probate of the last will and testament of Jean Emile Serisier, late of Paris, formerly of Dubbo, storekeeper, deceased, was granted to Margaret Serisier, the executrix named in the said will. Testator died 10th February, 1880. Goods sworn under £2,370. Probate dated 14th September, 1880.

For the Prothonotary,
THEO. POWELL,
Ecclesiastical Clerk.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

SINGLETON GAS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
21 *February*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 53. FRIDAY, 8 FEBRUARY, 1884.

6. SINGLETON GAS BILL (*Formal Motion*):—Mr. Burns moved, pursuant to Notice,—
 (1.) That the Singleton Gas Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Wisdom, Mr. Chapman, Mr. DeSalis, Mr. Barbour, Mr. Day, Mr. Dangar, Mr. Poole, Mr. Teece, Mr. Holtermann, and the Mover.
 Question put and passed.
-

VOTES NO. 58. TUESDAY, 19 FEBRUARY, 1884.

8. SINGLETON GAS BILL:—Mr. Burns (*by consent*) moved, without Notice, That the Report from, and Minutes of Evidence taken before the Select Committee of Session 1881, on the Singleton Gas Bill, be referred to the Select Committee now sitting on the Bill.
 Question put and passed.
-

VOTES NO. 60. THURSDAY, 21 FEBRUARY, 1884.

4. SINGLETON GAS BILL:—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of proceedings of, and Evidence taken before the Select Committee for whose consideration and Report this Bill was referred on 8th February, 1884; together with a copy of the Bill as amended and agreed to by the Committee.
 Ordered to be printed.
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1883-4.

SINGLETON GAS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred on the 8th February, 1884,—“*the Singleton Gas Bill*,” and to whom was referred, on 19 February, 1884, “*the Report and Evidence of the Select Committee of Session 1881*,”—beg to report to your Honorable House:—

That they have examined the witness named in the margin (whose R. H. Levien,
Esq., M.P. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses of the Bill, to which it was deemed necessary to add a new clause.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

J. F. BURNS,
Chairman.

No. 3 Committee Room,
Sydney, 21st February, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 19 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns,	|	Mr. Barbour,
Mr. Chapman,	|	Mr. Poole,
	Mr. Dangar.	

Mr. Burns called to the Chair.
 Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.
 Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.
 Committee deliberated.

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

THURSDAY, 21 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Burns in the Chair.
 Mr. Barbour, | Mr. Chapman,
 Mr. Day.

Printed copies of Report and Evidence of Select Committee of Session 1881 before the Committee.
 Robert Henry Levien, Esq., M.P., called in, sworn, and examined.
 Room cleared.
 Preamble considered.
 Question,—“That this Preamble stand part of the Bill,”—put and passed.
 Clauses 1 to 11 read and agreed to.
 New clause,* to stand clause 11, read and agreed to.
 Title read and agreed to.
 Chairman to report the Bill, with an amendment, to the House.

* See Schedule of Amendment.

SCHEDULE OF AMENDMENT.

Gas-works may be brought under general Act.

Page 5. *Insert* the following new clause, to stand clause 11 of the Bill:—“11. Nothing contained in this Act shall prevent the said Gas-works being brought under the provisions of any general Act which may be passed by the Parliament of New South Wales applying equally to Companies engaged in the manufacture of gas in the said Colony with reference to the manufacture and sale of gas nor entitle the said promoter to compensation from the public revenue by reason of the provisions of such general Act for the purpose aforesaid being made applicable to and binding upon the said promoter.”

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

SINGLETON GAS BILL.

THURSDAY, 21 FEBRUARY, 1884.

Present:—

MR. BURNS,	|	MR. CHAPMAN,
MR. BARBOUR,	|	MR. DAY.

J. F. BURNS, ESQ., IN THE CHAIR.

Robert Henry Levien, Esq., M.P., examined:—

1. *Chairman.*] You are a Member of the Legislative Assembly? Yes.
2. You are well acquainted with the town and people of Singleton? Yes.
3. Has there been any change in the circumstances connected with this Bill, or the feeling of the inhabitants respecting it, since it was first introduced? No.
4. It is still the desire of the promoters of the Bill to proceed with it to enable them to erect gas-works at Singleton? Yes.
5. *Mr. Day.*] Do you remember this Bill being before Parliament on a former occasion? Yes.
6. On that occasion there was a large amount of evidence given before the Select Committee to whom the Bill was then referred? Yes.
7. Has that evidence been referred to this Committee? It has.
8. This Committee can get no more evidence on this Bill than was got by the former Committee? I think not.
9. I suppose, from what you know, the public of Singleton are quite satisfied for this Bill to pass the House? Yes.
10. And the Municipal Council too? Yes.
11. They know this Bill is passing in the same form as before? Yes; notices have been given in the newspapers published in the town itself.
12. You know a good deal about the district, and you have not heard of any objection to the Bill? Not the slightest.
13. *Mr. Barbour.*] When this Bill was before the Committee on a former occasion there were certain amendments made in it by the Select Committee? Yes.
14. And additional clauses added? Yes.
15. Did the Speaker rule that they were out of order? Yes, I think he said they were beyond the scope of the Bill.
16. Would there be any objection on the part of the promoter to these clauses being inserted in this Bill in the House, in Committee of the Whole? Not the slightest; Mr. Munro will willingly acquiesce in their insertion.
17. *Mr. Day.*] I suppose whoever is in charge of the Bill is quite willing to introduce these amendments? Yes.

R. H.
Levien, Esq.,
M.P.
21 Feb., 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

STIRLING'S TRUSTS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

25 *June*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 111. THURSDAY, 5, JUNE, 1884.

8. STIRLING'S TRUSTS BILL (*Formal Motion*) :—Mr. Suttor moved, pursuant to Notice,—
- (1.) That Stirling's Trusts Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Abigail, Mr. Burdekin, Mr. Burns, Mr. Gould, Mr. Heydon, Mr. Loughnan, Mr. Murray, Mr. Stephen, Mr. Tecce, and the Mover.
- Question put and passed.
-

VOTES No. 120. WEDNESDAY, 25 JUNE, 1884.

4. STIRLING'S TRUSTS BILL :—Mr. Suttor, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 5th June, 1884; together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.
- * * * * *
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1883-4.

STIRLING'S TRUSTS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 5th June, 1884,—“*Stirling's Trusts Bill*,”—beg to report to your Honorable House:—

That they have examined the witness named in the margin* (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule to the Bill, in which it was not deemed necessary to make any amendment.

*Henry Burton
Bradley, Esq.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

F. B. SUTTOR,
Chairman.

No. 1 Committee Room,
Sydney, 25th June, 1884.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 25 JUNE, 1884.

MEMBERS PRESENT:—

Mr. Loughnan,	|	Mr. Stephen,
Mr. Suttor,	|	Mr. Tecce.

Mr. Suttor called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—Henry Burton Bradley, Esq. (*Solicitor for the Bill*).

Henry Burton Bradley, Esq., sworn and examined.

Witness *produced* the original Deeds referred to in the Preamble, and *handed in* copies of the same.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1, 2, 3, and 4 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

STIRLING'S TRUSTS BILL.

WEDNESDAY, 25 JUNE, 1884.

Present:—

MR. LOUGHNAN,	MR. SUTTOR,
MR. STEPHEN,	MR. TEECE.

FRANCIS BATHURST SUTTOR, Esq., IN THE CHAIR.

Henry Burton Bradley, Esq., Solicitor for the Bill, examined:—

1. *Chairman.*] You have read the preamble of this Bill? I have; I prepared it.
2. Are the statements contained in it, so far as you know, true? Yes, I know of my own knowledge that they are true.
3. Do you produce the documents referred to in the preamble? I do; and I also produce certain other documents which are not referred to in the preamble, but which, by reason of their bearing upon the case, it appears to me desirable at any rate to tender to the Committee, in case the Committee should like me to leave copies of them. I produce the marriage settlement referred to in the preamble, dated 17th September, 1833 (*produced*), and hand in a copy of it. (*Handed in.*) I produce a deed, not mentioned in the preamble, of the 2nd and 3rd January, 1837, being the appointment of George Kenyon Holden as trustee of the settlement. (*Produced, and copy handed in.*) I also produce a deed of the 1st March, 1839, being the appointment of Thomas Icely as a trustee of the settlement, in the stead of Mr. Justice Burton (*produced, and copy handed in*); a deed of 27th and 28th March, 1840, being the appointment of William Macpherson as a trustee in the place of Thomas Icely (*produced, and copy handed in*); a conveyance of the 3rd and 4th January, 1842, from Edward Deas Thomson and his wife, to George Kenyon Holden and William Macpherson, of the legal estate of 6 acres 3 roods and 25 perches of land at Darlinghurst, being the estate called Barham (*produced, and copy handed in*); a deed of the 27th August, 1869, being the appointment of myself, Henry Burton Bradley, as a trustee of the settlement in the place of William Macpherson, deceased (*produced, and copy handed in*); a deed of 3rd July, 1874, being the appointment of Christopher Rolleston in the place of George Kenyon Holden (*produced, and copy handed in*); the probate of the will of the late Sir Edward Deas-Thomson, bearing date 11th July, 1872 (*produced, and copy handed in*); and from this will I read the following words:—"I do direct, limit, and appoint, give and devise the estate called Barham, whereon I now reside, situate in the city of Sydney, to my daughters, Mary Jane Frances Deas-Thomson, Helen Cecilia Deas-Thomson, and Eglantine Julia Deas-Thomson, and for their heirs for ever, in equal shares and proportions, as tenants in common." The testator further declared, after certain specific devises, not necessary to trouble the Committee with reading, "as to all the residue of the said settled real estate I do direct, limit, and appoint, give and devise the same unto and between all my children, excluding the said Edward Richard Deas-Thomson and Richard Bourke Deas-Thomson, in equal shares and proportions, and for their respective heirs and assigns for ever, as tenants in common." It is necessary at this stage that I should produce the grants which are referred to in the preamble of the Bill, the one being of the 16th January, 1835, of 6 acres 3 roods and 25 perches at Darlinghurst to Edward Deas-Thomson, a copy of which grant

H. B. Bradley,
Esq.

25 June, 1884.

H. B. Bradley, Esq.
25 June, 1884.

I hand in (*handed in*), and that I should state that this grant comprises the land intended to be dealt with by the Bill, so far as respects the rights of the trustees of Admiral and Mrs. Stirling; also that I should produce a grant of the 16th January, 1835, in favour of Edward Deas-Thomson, of 2,560 acres, in the county of St. Vincent, being portion of the land settled, and called South Huskisson in the Bill (*produced, and copy handed in*); also that I should hand in a certificate of title in favour of Henry Burton Bradley and Christopher Rolleston, who are the present trustees of the settlement, in respect of 1,060 acres in the county of Gloucester, known as Bulladeelah, being a portion of the land mentioned in the preamble of the Bill. (*Produced, and copy handed in.*)

4. You speak of a settlement—what settlement do you allude to? The marriage settlement of Sir Edward and Lady Deas-Thomson, of which Mr. Rolleston and myself are now the trustees. I should state that on or about the 14th day of July, 1874—I believe it was on the following day, the 15th, the marriage took place—Helen Cecilia Deas-Thomson, one of the persons named as a devisee of the Barham estate in Sir Edward Deas-Thomson's will, intermarried with and is now the wife of Frederick Henry Stirling, of the United Service Club, London, at that time a Captain in the Royal Navy, now a Rear-Admiral. Previously to their marriage, this settlement, in anticipation of the marriage, was prepared and executed by Admiral Stirling and Miss Helen Cecilia Deas-Thomson, and the then trustees—the late Mr. William Dumaresq and the late Captain Onslow—in my presence. (*Produced, and copy handed in.*) That settlement does not contain any powers to the trustees to sell or to grant leases. I produce the deed of appointment of new trustees, dated 25th July, 1881, by which Mr. Charles James Manning, one of the petitioners for the present Bill, was appointed a trustee of the Stirling settlement in the place of Mr. Dumaresq, who had departed this life. (*Produced, and copy handed in.*) I also produce a deed of 18th September, 1883, by which Mr. Charles James Manning, with the consent of Admiral and Mrs. Stirling, appointed Mr. George Miller, the other petitioner for the present Bill, to be a trustee in the place of Captain Onslow, who had departed this life. (*Produced, and copy handed in.*) I have been in correspondence, since the date of the death of the late Lady Deas-Thomson, who was tenant for life of the settled estate after the death of Sir Edward Deas-Thomson, respecting the occasion for and the desirableness of obtaining legislative authority for the trustees in respect of the subject matter of the Bill. I have already stated that I am solicitor for the Bill; I am also solicitor for Admiral and Mrs. Stirling, for Miss Mary Jane Frances Deas-Thomson, and for Mrs. William Robert Campbell, in relation to this matter; and I state that Admiral and Mrs. Stirling, Miss Deas-Thomson, and Mrs. Campbell are all desirous that power should be given to the trustees of the Stirling settlement to join with Miss Deas-Thomson's and Mrs. Campbell's trustees, the other persons interested in the Barham estate, in the South Huskisson estate, and in the Bulladeelah estate, in making such leases, including coal-mining leases, as may be considered desirable or may become necessary; and I have brought with me their letter, of which I have had a copy made, to leave, in case the Committee would like to have it. The letter is dated 28th March, 1884. (*Read.*) I had previously a telegram to the same effect. A copy of that correspondence I propose to leave with the Committee. (*Handed in.*) I should state that I am aware of my own knowledge that coal is supposed to exist under the South Huskisson estate or some part of it, as I have had applications from more than one person during the lifetime of Lady Deas-Thomson, for the grant of liberty to seek for and to work coal on the property. It will be observed, reading the settlement of Admiral and Mrs. Stirling, that Admiral Stirling covenanted with the trustees of that indenture that all real estate which, during the marriage, should come to his wife or to himself in her right, should from time to time be conveyed to the use of the trustees upon the trusts of the settlement. No such conveyance has yet been made, because it has not been considered desirable, in view of obtaining a private Act, to incur the expense of having a conveyance, the equitable right having already vested in the trustees, and the parties themselves being both living and ready to join with their trustees when this measure shall become law and shall enable them to do so, in the conveyance. Otherwise, as a matter of regularity, Admiral and Mrs. Stirling ought to convey to the trustees in the same manner as Sir Edward and Lady Deas-Thomson conveyed to their trustees on a previous occasion. It has been found desirable by all the ladies interested in the sale of Barham that there should be no impediment to the realization of that property, inasmuch as it is too large for the convenient occupation of any one of them, and it is not a desirable property to be held for the purposes of occupation by tenants over any long space of time.

5. This Bill is necessary simply because the settlement does not authorize the trustees to lease or sell, but simply to hold the property? Yes.

6. Have the other ladies interested the power to grant leases? The other ladies interested have power, the one being a single lady, and in Mrs. Campbell's settlement provision was made for leasing and sale, but not for granting mining leases. Therefore, when the time shall come that mining leases will be required, authority will have to be sought from the Legislature for that purpose on behalf of all persons then interested in that property, as for instance the infant son of the late Mr. George Deas-Thomson. That will have to be the subject of separate legislation. Reference has been made in the preamble to a private Act, which was obtained in the year 1849, for the purpose of enabling the trustees of Sir Edward and Lady Deas-Thomson's marriage settlement to make sales and otherwise exercise powers which were not granted by their settlement, the 2nd clause of which Act I now refer the Committee to. (*Read.*)

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

ST. PHILIP'S PARSONAGE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
7 November, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 8, TUESDAY, 23 OCTOBER, 1883.

15. ST. PHILIP'S PARSONAGE BILL (*Formal Motion*):—Mr. Hutchinson moved, pursuant to Notice,—
- (1.) That St. Philip's Parsonage Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Burns, Mr. Chapman, Mr. Garrard, Mr. George Campbell, Mr. De Salis, Mr. Humphery, Mr. Roberts, and the Mover.
- Question put and passed.

VOTES No. 14, WEDNESDAY, 7 NOVEMBER, 1883.

4. ST. PHILIP'S PARSONAGE BILL:—Mr. Hutchinson, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 23rd October, 1883; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

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1883.

ST. PHILIP'S PARSONAGE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 23rd October, 1883,—“*St. Philip's Parsonage Bill,*”— beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose evidence *See List, page 4. will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make an amendment.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them.

W. A. HUTCHINSON,
Chairman.

*No. 3 Committee Room,
Sydney, 30th October, 1883.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 30 OCTOBER, 1883.

MEMBERS PRESENT :—

Mr. Hutchinson,	|	Mr. Burns,
Mr. De Salis,	|	Mr. Chapman.

Mr. Hutchinson called to the Chair.
 Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.
 Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.
 Present,—Henry Cromwell, Esq. (*for the Solicitors for the Bill*).
 Henry Cromwell, Esq., sworn and examined.
 Witness produced the original Deeds referred to in the Preamble of the Bill, and handed in copies of the same.
 William Joseph Day, Esq., (*a Trustee*) called in, sworn, and examined.
 Witness withdrew.
 The Reverend John Douse Langley, (*Incumbent*) called in, sworn, and examined.
 Room cleared.
 Preamble considered.
 Question,—“That this Preamble stand part of the Bill,”—put and passed.
 Solicitor called in and informed.
 Clauses 1 and 2 read and agreed to.
 New Clause,* to stand clause 3, read and agreed to.
 Title read and agreed to.
 Chairman to report the Bill, with an amendment, to the House.

*See Schedule of Amendment.

SCHEDULE OF AMENDMENT.

Page 2. *Insert* the following New Clause, to stand as clause 3 :—“3. This Act may be cited as the ‘St. Philip’s Parsonage Act of 1883.’”

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1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

ST. PHILIP'S PARSONAGE BILL.

TUESDAY, 30 OCTOBER, 1883.

Present:—

MR. BURNS,
MR. CHAPMAN,MR. DE SALIS,
MR. HUTCHINSON.

W. A. HUTCHINSON, Esq., IN THE CHAIR.

Henry Cromwell, Esq., called in and examined:—

1. *Chairman.*] You represent the Solicitors for the Bill? Yes—Messrs. Norton, Smith, Westgarth, and H. Cromwell, Sanders. Esq.
2. What does the Bill propose to do? It proposes to give power to lease a certain piece of land adjoining St. Philip's Parsonage, for the benefit of the parish of St. Philip. At present the land is lying vacant, and is of no use to the parish. 30 Oct., 1883.
3. Are the trustees unanimous in their desire to obtain this Bill? Yes, I believe they are.
4. *Mr. Burns.*] Have the parishioners been consulted with respect to this proposal? I cannot say.
5. All you know is that the firm you represent got instructions from the trustees to prepare this Bill? Yes.
6. Are the rents and profits to be derived from the leasing of the land to be devoted to Church purposes? Yes, at the option of the Synod. The Synod are to have a controlling power, both with respect to the leasing and the distribution of the profits.
7. *Chairman.*] Do you produce the deeds relating to this land? Yes, I produce all the recited deeds in the Bill, and hand in copies. (*Deeds produced and copies handed in.*)

William Joseph Day, Esq., J.P., called in and examined:—

8. *Chairman.*] You are a Magistrate of the Colony? Yes. W. J. Day,
Esq., J.P.
9. You are one of the trustees, in conjunction with the Honorable Alexander Stuart and Charles Moore, of certain land, mentioned in this Bill, belonging to the parish of St. Philip? Yes. 30 Oct., 1883.
10. The deeds of that property have been put in by the solicitor—Will you kindly look at them and say whether they are the deeds referred to in the Bill? They are.
11. I believe it is the desire of the trustees to have power to lease a portion of this trust property? Yes; a portion or the whole, as occasion may require.
12. Does this property vest in the trustees for parsonage purposes? No. If you will allow me, I will explain. The late Rev. Mr. O'Reilly, the incumbent, was under the impression, and perhaps had good reason to believe, that the owner of the adjoining property wished to purchase this land for the purpose of erecting stables and a billiard-room over them, and he thought this would be such a nuisance to the parsonage as to be unbearable; he therefore asked me particularly, as the active churchwarden at the time, if I would see and purchase it, and ultimately I got my two co-churchwardens to agree to do so. But the land was purchased merely to prevent a nuisance to the parsonage in the first instance.
13. This property is not required for church purposes? No.

- W. J. Day,
Esq., J.P.
30 Oct., 1893.
14. Are your co-trustees unanimous in their desire for this Bill? Yes.
 15. Are the members of St. Philip's congregation or the parishioners desirous of this being done? Yes.
 16. Does the Bill before the Committee meet the approval of the trustees? Yes.
 17. In the printed Bill before us, in the first clause, the term of lease has been printed as ninety-nine years, but I see that has been altered to fifty—Is it the desire of the trustees that that should be the term? Yes.
 18. Has the congregation of St. Philip's offered any objection to this Bill? No; in fact, it is in deference to their wish we are applying for it.
 19. You propose to devote the rents and profits derived from this leasing to parish work? Yes; the trustees have declared their determination to leave it quite in the hands of the parish.
 20. Do you know of any reason why this Bill should not pass into law? Not the slightest.
 21. *Mr. Chapman.*] I am not quite clear as to the situation of the land—does it only include the frontage to Clarence-street? Yes.
 22. The whole frontage, to the corner of Margaret-street? No, not to Margaret-street; it is only the piece exactly at the back of the parsonage. We purchased another piece of land in the front, on which an addition to the parsonage was built afterwards, when the Honorable James Watson and I were churchwardens together.
 23. *Chairman.*] Are you a churchwarden of St. Philip's at present? No; I belong to St. James's now.

The Rev. John Douse Langley called in and examined:—

- Rev. J. D.
Langley.
30 Oct., 1893.
24. *Chairman.*] I believe you are incumbent of the parish of St. Philip's, Sydney? Yes.
 25. The trustees of St. Philip's parish have made an application to the Legislature for the passing of a Bill to enable them to lease a portion of the parsonage land for a period of years, and to apply the rents and profits therefrom in the parish work of St. Philip's—As incumbent of the parish, have you any objection to the Bill? No, no objection whatever.
 26. Have you seen the Bill? Yes.
 27. And you approve of its general provisions? I do.
 28. Has the congregation been made acquainted with this Bill? The congregation are aware of the proposal that has been made, and at the last Easter meeting a resolution was carried requesting the trustees to adopt the course that is now being taken to lease this ground.
 29. No objection has been offered to this course? I am not aware of any objection.
 30. Do you know of any reason why this Bill should not become law? I do not.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

TAMWORTH CATTLE SALE-YARDS BILL ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
9 April, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 25. WEDNESDAY, 23 NOVEMBER, 1883.

6. TAMWORTH CATTLE SALE-YARDS BILL (*Formal Motion*):—Mr. Levien moved, pursuant to Notice,—
- (1.) That the Tamworth Cattle Sale-yards Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Chapman, Mr. Day, Mr. Gill, Mr. Levin, Mr. Lyne, Mr. Merriman, Mr. Olliffe, and the Mover.
- Question put and passed.
-

VOTES No. 84. WEDNESDAY, 9 APRIL, 1884.

5. TAMWORTH CATTLE SALE-YARDS BILL:—*Mr. Day*, for Mr. Levien, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 28th November, 1883; together with Appendix, and a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.

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1883-4.

TAMWORTH CATTLE SALE-YARDS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on the 28th November, 1883,—“*the Tamworth Cattle Sale-yards Bill*,”—beg to report to your Honorable House:—

That they have examined the witness named in the margin* (whose * Nathan Cohen, Esq. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the schedule to the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

ROBERT HENRY LEVIEN,
Chairman.

*No. 3 Committee Room,
Sydney, 2nd April, 1884.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 5 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Lyne, | Mr. Levin,
Mr. Day.

Mr. Day called to the Chair, *pro tem*.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Resolved,—That Mr. Levien be Chairman of this Committee.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 19 DECEMBER, 1883.

MEMBERS PRESENT:—

Mr. Olliffe, | Mr. Gill,
Mr. Lyne.

In the absence of the Chairman, Mr. Lyne called to the Chair *pro tem*.

Present:—Frederick Curtiss, Esq. (*Solicitor for the Bill*).

Nathan Cohen, Esq. (*Mayor of Tamworth*), called in, sworn, and examined.

Witness handed in letters from the Under Secretary for Lands in reference to the dedication of the Land referred to in the Preamble, for a site for Cattle Sale-yards, which were ordered to be appended. (*See Appendices A 1 and A 2.*)

Room cleared.

Committee deliberated.

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

[Adjourned.]

TUESDAY, 29 JANUARY, 1884.

MEMBERS PRESENT:—

Mr. Levien in the Chair.

Mr. Gibbes, | Mr. Chapman,
Mr. Olliffe.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 2 APRIL, 1884.

MEMBERS PRESENT:—

Mr. Levien in the Chair.

Mr. Day, | Mr. Levin,
Mr. Lyne.

The Chairman informed the Committee that he had received a notification from the Department of Lands that the land referred to in the Preamble had been permanently dedicated as a site for Cattle Sale-yards.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 to 5 read and agreed to.

Clause 6 read.

Amendment proposed (*Mr. Lyne*), To omit the word “place” in line 38, with the view to the insertion of the word “premises.”

Question,—That the word proposed to be omitted stand part of the Question,—put.

Committee divided.

Ayes.		No.
Mr. Levien,	|	Mr. Lyne.
Mr. Day,	|	
Mr. Levin.	|	

So it was resolved in the affirmative.

Clause as read agreed to.

Clauses 7 and 8 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

TAMWORTH CATTLE SALE-YARDS BILL.

WEDNESDAY, 19 DECEMBER, 1883.

Present:—

MR. LYNE, IN THE CHAIR, *pro tem.*
MR. GILL, | MR. OLLIFFE.

Mr. Curtiss appeared as Solicitor for the Bill.

Nathan Cohen, Esq., called in and examined:—

1. *Mr. Curtiss.*] You are Mayor of Tamworth? Yes.
2. You are aware that the land mentioned in the Schedule to the Bill now before this Committee is the land that has been reserved by the Government for cattle sale-yards at Tamworth? Yes.
3. Within your knowledge, as Mayor of Tamworth, it is necessary and expedient that such yards should be erected? Yes, for the sale of cattle. Being an auctioneer myself, I can speak with some experience of this matter; I know that the yards I have myself are not large enough for the business that is done there now. The cattle sales in the district are becoming very extensive, being on the borders of fattening and store country; the Municipal Council are therefore advised to erect these yards.
4. From your knowledge of the requirements of the district you think it is necessary these yards should be established? Yes.
5. And that full powers should be given to the Council to erect and maintain suitable buildings and yards upon such land for the purpose? Yes.
6. It will be necessary for that purpose to enable the Council to borrow money and to charge fees? Yes.
7. And make by-laws for the regulation of such sale-yards? Yes.
8. You know of no objection, I presume, by any one to the establishment of these yards? No. I might say, with regard to borrowing money, that we could arrange with the Bank, but this being a reproductive work we do not think it will do to mix the rates up with the money for the sale-yards; we wish to keep an entirely separate account.
9. In reference to this land, you are aware, I believe, that communication with the Government has been held, and that the land has been reserved as a site for cattle sale-yards? Yes.
10. Can you speak of your own knowledge as to the reservation of that land—that is, the land mentioned in the Schedule;—is it the same land as that referred to in a letter from the Under Secretary for Lands, Mr. Oliver, to Mr. R. H. Levien, dated 31 March, 1882? Yes. (*Letter handed in. See Appendix A 1.*)
11. There is a further letter, dated 25th September, 1883, stating that the land would be permanently dedicated for the purpose specified as soon as Parliament meets? Yes.
12. You produce that second letter? Yes. (*Handed in. See Appendix A 2.*)
13. You have heard nothing further on the subject? No.
14. In this Bill it is mentioned that the Council require to borrow a sum not exceeding £1,000: will that sum be sufficient to carry out the intentions of the Borough Council, and to build proper sale-yards? No; it was a mistake to put in £1,000—it should have been £3,000. The sale-yards will cost in the first

N. Cohen,
Esq.
19 Dec., 1883.

- N. Cohen, Esq.
19 Dec., 1883.
- first instance about £1,400, and as time progresses we shall have to extend them and put up receiving-yards. At the present time I believe £1,400 will be required, but we want to have the power of borrowing up to £3,000 to provide for extensions.
15. *Chairman.*] Are you aware whether the description of the land in the Schedule to the Bill is correct? Yes, I believe it is.
16. *Mr. Olliffe.*] The sales are increasing so much that the step you are taking now is desirable for the benefit of the town? Yes.
17. *Chairman.*] From the nature of the letters you have put in, were you under the impression that the land would have been dedicated before now? Yes.
18. But, as a matter of fact, it has not yet been dedicated? Not as far as I am aware.
19. You are anxious to push the matter on in the Department, to have it dedicated at once? Yes.

APPENDIX.

[*To the Evidence of Mr. Cohen, 19 December, 1883.*]

A 1.

The Under Secretary for Lands to R. H. Levien, Esq., M.P.

Sir, Department of Lands, Sydney, 31 March, 1882.

In reference to the letter presented by you from the Mayor of Tamworth, requesting the reservation of a portion of land at Tamworth for the purpose of erecting cattle sale-yards, I am directed to inform you that, under the Surveyor-General's report, the Secretary for Lands has approved of the reservation, for the purpose specified, of suburban portion 48, containing 4 acres 3 roods 37 perches, at present a temporary reserve for pound; and also the reservation of about 5 acres as a site for pound in lieu thereof, together with an area of 15 acres for receiving-paddocks for stock.

I have, &c.,
CHARLES OLIVER,
Under Secretary.

A 2.

The Under Secretary for Lands to R. H. Levien, Esq., M.P.

Sir, Department of Lands, Sydney, 25 September, 1883.

In reference to your letter of the 29th ultimo, applying, on behalf of the local Municipal Council, for the appropriation, as a site for sheep and cattle sale-yards, of suburban portion No. 48, containing 4 acres 3 roods 37 perches, at Tamworth, I am directed to inform you that the Secretary for Lands has approved of the area in question being permanently dedicated for the purpose specified.

I am to add that the dedication will be carried out as soon as Parliament meets.

I have, &c.,
CHARLES OLIVER,
Under Secretary.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

VICTORIAN COAL-MINING COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

25 *April*, 1884.

SYDNEY THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 62. TUESDAY, 26 FEBRUARY, 1884.

7. VICTORIAN COAL-MINING COMPANY'S BILL (*Formal Motion*):—*Mr. Cameron*, for *Mr. Fletcher* moved, pursuant to notice,—
- (1.) That the Victorian Coal-mining Company's Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Lackey*, *Mr. Young*, *Mr. Cameron*, *Mr. Hutchinson*, *Mr. Targett*, *Mr. McCourt*, *Mr. Teece*, *Mr. Pigott*, and *Mr. Fletcher*.
- Question put and passed.

VOTES No. 63. WEDNESDAY, 27 FEBRUARY, 1884.

5. VICTORIAN COAL-MINING COMPANY'S BILL:—*Mr. McCourt* presented a Petition from *Francis O'Donnell*, of Five Islands Estate, near Wollongong, representing that the Railway proposed to be constructed at Wollongong by the Victorian Coal-mining Company will pass through the Estate of which he is the lessee, and that in consequence a large portion of the Estate would be rendered useless; and praying the House to give the premises favourable consideration, with a view to relief. Petition received, and referred to the Select Committee on the Bill.

VOTES No. 66. WEDNESDAY, 5 MARCH, 1884.

4. VICTORIAN COAL-MINING COMPANY'S BILL:—*Mr. Merriman* presented a Petition from *Ebenezer Vickery*, of Sydney, Merchant, Chairman of the Mount Kembla Coal and Oil Company, praying for leave to appear by Counsel or Attorney before the Select Committee now sitting on the Victorian Coal-mining Company's Bill, for the purpose of protecting the interests of the Mount Kembla Coal and Oil Company, and with permission to call such Witnesses as may be considered desirable.
- And the same having been read by the Clerk, by direction of *Mr. Speaker*,—
- Petition received, and referred to the Select Committee on the Bill.

VOTES No. 68. TUESDAY, 11 MARCH, 1884.

4. VICTORIAN COAL-MINING COMPANY'S BILL:—
- (1.) *Mr. Burns* presented a Petition from *D'Arcy Wentworth*, by *Fitzwilliam Wentworth*, his Attorney in New South Wales, praying that he may be heard by his Counsel or Solicitor before this House, or before the Select Committee now sitting on the Victorian Coal-mining Company's Bill, in opposition to the Bill.
- Petition received.
- (2.) *Mr. Burns* (*by consent*) moved, without Notice, That leave be given to *Mr. Fitzwilliam Wentworth*, as Attorney for *Mr. D'Arcy Wentworth*, to be heard by Counsel or Solicitor before the House or Select Committee on the Victorian Coal-mining Company's Bill, and that such Counsel or Solicitor be allowed to adduce evidence before the Committee in opposition to the said Bill.
- Question put and passed.

VOTES No. 73. THURSDAY, 20 MARCH, 1884.

3. VICTORIAN COAL-MINING COMPANY'S BILL:—*Mr. Stuart* presented a Petition from *E. D. Nicolle*, of White Heath, Lake Illawarra, near Wollongong, stating several objections to the passing of this Bill; and praying the House to give full consideration to his objections.
- Petition received, and referred to the Select Committee on the Bill.

VOTES No. 90. FRIDAY, 25 APRIL, 1884.

3. VICTORIAN COAL-MINING COMPANY'S BILL:—*Mr. Fletcher*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of proceedings of, and Evidence taken before the Select Committee for whose consideration and report this Bill was referred on 26th February, 1884; together with Appendix.
- And the Report having been read by the Clerk, by direction of *Mr. Speaker*,—
- Ordered, that the Report of the Minutes and Proceedings of the Committee be printed.

* * * * *

1883-4.

VICTORIAN COAL-MINING COMPANY'S BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 26th February, 1884, "*the Victorian Coal-mining Company's Bill*," and to whom the following Petitions were also referred,—on the 27th February, 1884, "*the Petition of Francis O'Donnell against the Bill*," on the 5th March, 1884, "*a Petition from Ebenezer Vickery, praying for leave to appear by Counsel or Attorney before the Select Committee*," on the 11th March, 1884, "*the Petition from D'Arcy Wentworth, by his Attorney, Fitzwilliam Wentworth, praying that he may be heard by Counsel or Solicitor before this House or before the Select Committee*," and on the 20th March, 1884, "*the Petition from E. D. Nicolle against the Bill*,"—beg to report to your Honorable House:—

That after your Committee had undertaken the consideration of the Bill, the question arose whether the notice of the intention to apply for the Bill was in form sufficiently explicit. That your Committee entertained strong doubts as to the sufficiency of the notice, which doubts remained after consulting Mr. Speaker.

That under the circumstances your Committee deemed it undesirable to proceed further with the consideration of the Bill; it being considered preferable to allow the Promoters the opportunity of re-introducing the Bill upon a fresh notice which should be free from all objection.

Your Committee therefore beg to lay before your Honorable House the Minutes of Proceedings and Evidence taken, and to recommend that the Bill be withdrawn, so as to enable the Promoters to take fresh proceedings in clear conformity with the Standing Orders.

JAMES FLETCHER,

Chairman.

No. 3 Committee Room,

Sydney, 24th April, 1884.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 6 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Fletcher,	|	Mr. Cameron,
	|	Mr. Tecce.

Mr. Fletcher called to the Chair.

Entries from the Votes and Proceedings, appointing the Committee, and referring Petitions of Francis O'Donnell and Ebenezer Vickery against the Bill, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, and the Petitions of Francis O'Donnell and Ebenezer Vickery, before the Committee.

Present:—Charles E. Pilcher, Esq. (*Counsel for the Bill*); B. Lipscombe, Esq. (*Solicitor for the Bill*); Arthur M. Allen, Esq. (*Solicitor for Ebenezer Vickery*.)

Room cleared.

Committee deliberated.

Ordered,—That Captain Housler and Francis O'Donnell, Esq., be summoned to give evidence next meeting.

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

THURSDAY, 13 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Fletcher in the Chair.

Mr. Targett,	|	Mr. Pigott,
Mr. McCourt,	|	Mr. Tecce,
Mr. Cameron,	|	Mr. Hutchinson.

Entry from Votes and Proceedings, referring Petition of D'Arcy Wentworth in opposition to the Bill, read by the Clerk.

Printed copies of the Petition of D'Arcy Wentworth before the Committee.

Present:—Charles E. Pilcher, Esq. (*Counsel for the Bill*); B. Lipscombe, Esq. (*Solicitor for the Bill*); W. G. Walker, Esq. (*Counsel for Ebenezer Vickery*); Arthur M. Allen, Esq. (*Solicitor for Ebenezer Vickery*); John Parkinson, Esq. (*Solicitor for D'Arcy Wentworth*.)

Mr. Pilcher opened the case for the Promoters, and called witnesses in support of the Preamble of the Bill.

Thomas E. Huntley, Esq. (*Manager of the Company*), called in, sworn, and examined by Mr. Pilcher.

Witness *handed in* a consent from four of the owners of the lands through which the proposed Railway of the Company was intended to pass, which was ordered to be appended (*See Appendix A 1*);* and also produced plan showing their proposed Railway and Jetty.

Chairman left the Chair, and Mr. Cameron was called to it *pro tem*.

Cross-examined by Mr. Parkinson, and further cross-examination reserved.

Witness withdrew.

Chairman resumed the Chair.

Benjamin Lipscombe sworn, and examined by Mr. Pilcher.

Counsel for Ebenezer Vickery informed the Committee that, in consequence of certain concessions made privately, during the sitting of the Committee, by the Promoters, that his client would not further oppose the Bill.

Counsel and Solicitor for Ebenezer Vickery then withdrew.

Thomas Saywell, Esq. (*trading as the Victorian Coal-mining Company*), called in, sworn, and examined by Mr. Pilcher.

Mr. Parkinson reserved the cross-examination of this witness.

Captain Robert Housler (*Pilot, Wollongong*), called in, sworn, and examined by Mr. Pilcher.

Cross-examined by Mr. Parkinson.

Room cleared.

The Clerk informed the Committee that, in examining the notices required by the Standing Orders to be inserted in the Government Gazette and newspapers it was found that no mention was made of the Company's intention to carry their Railway across the proposed Illawarra Railway as shown on the plan produced.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY,

* Not ordered to be printed.

WEDNESDAY, 19 MARCH, 1884.

MEMBERS PRESENT :—

Mr. Fletcher in the Chair.
Mr. Pigott, | Mr. Teece,
Mr. Targett.

Chairman called the attention of the Committee to the omission in the advertised notices which was pointed out at last meeting, and suggested that the Committee should adjourn and the matter be referred for Mr. Speaker's opinion.

Parties called in and informed.

Present:—Dr. Donovan (*Counsel for the Bill*) ; John Parkinson, Esq. (*Solicitor for D'Arcy Wentworth*).

Mr. Parkinson submitted in writing a further point of order in reference to the alteration of the terminal route and pier.

Room cleared.

Committee deliberated.

Motion made (*Mr. Teece*) and Question,—That the following points be submitted for Mr. Speaker's opinion, viz. :—

1. By the 59th Standing Order it is provided that the notice of intention to apply for leave to bring in a private Bill shall contain "a true statement of the general objects of the Bill."

The evidence already taken shows that, at one point in the route of the proposed railway, it will cross the railway from Sydney to Wollongong and Kiama now being constructed ; and the Committee learn that the land for the last-mentioned railway was resumed prior to the publication of the notice of application for leave to introduce this Bill. It is suggested that as such notice did not expressly state that the proposed railway would cross the railway from Sydney to Wollongong and Kiama, the 59th Standing Order has not been complied with.

The question is whether such Standing Order has been complied with?

2. Preliminary objection taken by Mr. Parkinson for Mr. Wentworth.

That inasmuch as the Promoters have now (since this Bill has come before the Committee) altered the terminal route and situation of the pier, by seeking now to erect it 1,200 feet to the north-west of the Mount Kembla pier, instead of 700 feet therefrom, as shown in the plan referred to in the advertisements of and Petition for leave to introduce the Bill, this is such a departure from the original Bill as to require the rejection thereof by this Committee or by the House.

That no public notices of the Bill now being proceeded with (as per amended plan) under the Standing Orders has been given.

That Mr. Wentworth is prejudiced by this sudden change of the terminal route and pier, as a large extra quantity of his land is thereby taken, and he is further prejudiced should he ever require to erect a pier on his own land.

—put and passed.

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

THURSDAY, 20 MARCH, 1884.

MEMBERS PRESENT :—

Mr. Fletcher in the Chair.
Mr. Pigott, | Mr. Teece,
Mr. Targett.

The Clerk informed the Committee that he had submitted the points which had arisen in the Committee to Mr. Speaker, and for greater accuracy had made the following memoranda of his opinions :—

Memo. of Mr. Speaker's opinions on points submitted by the Select Committee on the Victorian Coal Company's Bill.

1. The railway is intended to pass across the Illawarra Railway and through land resumed for the purposes of that railway. Unless the Committee can satisfy themselves by evidence from the Railway Department (or otherwise) that the notice was sufficient to put that Department on their guard, and to indicate to them that a line passing through the properties mentioned would also pass across the Commissioner's line, the notice omits one of those objects of the Bill which it has specified as its general objects. The notice assumes to state all the properties through which the line is intended to pass.

2. The alteration of the terminal point must be considered with reference to the notice of intention to apply for the Bill. The notice specifies "Red Point, Port Kembla," as the terminal point. An alteration may be made to another place or spot, provided such substituted place is within the general designation of "Red Point, Port Kembla." If the alteration will take the point of terminus outside that designation the Committee have not power to allow it. The order of leave follows the notice as to terminal points.

Parties called in.

Present :—Charles E. Pilcher, Esq. (*Counsel for the Bill*), Benjamin Lipscombe, Esq. (*Solicitor for the Bill*).

Louis F. Heydon, Esq. (*Solicitor*), applied to be allowed to appear on behalf of Mr. O'Donnell, whose Petition was before the Committee.

The Committee deliberated, and decided that, as Mr. O'Donnell had not obtained the leave of the House to be represented before the Committee, it was not in their power to hear Mr. Heydon on his behalf.

John Whitton, Esq. (*Engineer-in-Chief for Railways*), called in, sworn, and examined by the Chairman.

Cross-examined

Cross-examined by Mr. Pilcher and Mr. Parkinson.

Witness withdrew.

Charles A. Goodchap, Esq. (*Commissioner for Railways*), called in, sworn, and examined by the Chairman.

Cross-examined by Mr. Pilcher.

Witness withdrew.

Thomas E. Huntley called in and cross-examined by Mr. Parkinson.

Witness *handed in* correspondence with the Mount Kembla Company in reference to the use by his Company of their line of railway, which was ordered to be appended. (*See Appendix A 2.**)

Re-examined by Mr. Pilcher.

Witness withdrew.

Mr. Pilcher informed the Committee that the Promoter's case was closed.

Mr. Parkinson proceeded to call witnesses on behalf of D'Arcy Wentworth.

Captain John Henderson called in, sworn, and examined by Mr. Parkinson.

Cross-examined by Mr. Pilcher, and re-examined by Mr. Parkinson.

Room cleared.

Committee deliberated.

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

* Not ordered to be printed.

FRIDAY, 21 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Pigott,	|	Mr. Young,
Mr. Teece,	|	Mr. Targett.

In the absence of the Chairman, Mr. Pigott called to the Chair *pro tem*.

Entry from Votes and Proceedings, referring Petition of E. D. Nicolle, read by the Clerk.

Printed copies of the Petition before the Committee.

Present:—Benjamin Lipscombe, Esq. (*Solicitor for the Bill*); John Parkinson, Esq. (*Solicitor for D'Arcy Wentworth*).

Fitzwilliam Wentworth, Esq. (*Attorney for D'Arcy Wentworth*), called in, sworn, and examined by Mr. Parkinson.

Witness *produced* agreement which he had entered into with the Mount Kembla Company in reference to their railway and pier.

Cross-examined by Mr. Lipscombe, and re-examined by Mr. Parkinson.

Witness withdrew.

Francis O'Donnell, Esq., called in, sworn, and examined by Mr. Parkinson, cross-examined by Mr. Lipscombe, and re-examined by Mr. Parkinson.

Room cleared.

Committee deliberated.

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

WEDNESDAY, 26 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Fletcher in the Chair.

Mr. Lackey,	|	Mr. Teece,
	|	Mr. Targett.

Committee deliberated.

Parties called in.

Present:—L. Gibson, Esq. (*for the Solicitor for the Bill*); John Parkinson, Esq. (*Solicitor for D'Arcy Wentworth*).

The Chairman stated that, in view of the evidence given by Messrs. Whitton and Goodchap, and the opinion of Mr. Speaker on the first point submitted to him, it was not the Committee's intention to further proceed with the Bill.

[Adjourned.]

FRIDAY, 28 MARCH, 1884.

MEMBERS PRESENT:—

None.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY, 23 APRIL, 1884.

MEMBERS PRESENT:—

Mr. Fletcher,		Mr. Cameron.
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In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY,

THURSDAY, 24 APRIL, 1884.

MEMBERS PRESENT:—

Mr. Fletcher in the Chair.

Mr. Teece,

Mr. Cameron.

Mr. Fletcher stated that he had not intended to call another meeting of the Committee, but as the Promoters were about to re-introduce the Bill on corrected Notices it was necessary to adopt a Report, so that the Bill at present before them could be withdrawn to make way for the new Bill.

Chairman submitted Draft Report.

Same read and agreed to.

Chairman to report to the House.

LIST OF WITNESSES.

Goodchap, C. A., Esq.	} *
Henderson, Captain John.....	
Housler, Captain Robert	
Huntley, Thomas F., Esq.	
Lipscombe, Benjamin, Esq.	
O'Donnell, Francis, Esq.	
Saywell, Thomas, Esq.	
Wentworth, Fitzwilliam, Esq.	
Whitton, John, Esq.	

* Evidence not ordered to be printed.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2),

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
10 *June*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 92. WEDNESDAY, 30 APRIL, 1884.

6. VICTORIAN COAL-MINING COMPANY'S BILL (No. 2) (*Formal Motion*):—*Mr. Cameron*, for *Mr. Fletcher*, moved, pursuant to Notice,—
- (1.) That the Victorian Coal-mining Company's Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Lackey*, *Mr. Young*, *Mr. Cameron*, *Mr. Hutchinson*, *Mr. Targett*, *Mr. McCourt*, *Mr. Teece*, *Mr. Hammond*, and *Mr. Fletcher*.
- Question put and passed.

VOTES No. 94. TUESDAY, 6 MAY, 1884.

3. VICTORIAN COAL-MINING COMPANY'S BILL (No. 2):—*Mr. Burns* presented a Petition from *D'Arcy Wentworth* and *Fitzwilliam Wentworth*, by their respective Attorney (duly appointed under Powers of Attorney) *James Hill*, of *Vaucluse*, Esquire, praying to be heard by Counsel or Solicitor before the House, or before the Select Committee on the Victorian Coal-mining Company's Bill, as to certain modifications or insertion of clauses in the said Bill, and failing the consent of the Promoter of the Bill to the modifications or alterations aforesaid, that Petitioners may have liberty to oppose the said Bill and adduce such evidence as they may be advised thereon.
- Petition received, and referred to the Select Committee on the Bill.

VOTES No. 95. WEDNESDAY, 7 MAY, 1884.

6. VICTORIAN COAL-MINING COMPANY'S BILL (No. 2):—*Mr. Heydon* presented a Petition from *Sarah O'Donnell* and *Francis O'Donnell*, representing that *Mr. Thomas Saywell*, of *Sydney*, has applied for powers authorizing the construction of a Railway from certain lands situate at *Mount Kembla* to the sea-coast at *Port Kembla*, and that such Railway, if constructed, would pass through land in which Petitioners are interested; and praying for leave to be heard personally or by Counsel or Solicitor before the House or before the Committee appointed to inquire respecting the Bill.
- Petition received, and referred to Select Committee on the Bill.

VOTES No. 103. WEDNESDAY, 21 MAY, 1884.

5. VICTORIAN COAL-MINING COMPANY'S BILL (No. 2):—*Mr. Stuart* presented a Petition from *William James Robert Jenkins* and *Robert Thomas Jenkins*, Trustees of the *Berkeley Estate*, *Illawarra*, praying to be heard by Counsel or Solicitor before the House, or before the Select Committee now sitting on this Bill, in opposition thereto, with liberty to adduce such evidence as they may be advised in opposition to the Bill or in support of their Petition.
- Petition received, and referred to the Committee on the Bill.

VOTES No. 112. TUESDAY, 10 JUNE, 1884.

3. VICTORIAN COAL-MINING COMPANY'S BILL (No. 2):—*Mr. Fletcher*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 30th April, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2).

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 30th April, 1884,—“*the Victorian Coal-mining Company's Bill (No. 2)*,” and to whom the following Petitions praying to be heard by Counsel or Solicitor against the Bill were also referred,—on the 6th May, 1884, “*the Petition of D'Arcy Wentworth and Fitzwilliam Wentworth*,” on the 7th May, 1884, “*the Petition of Sarah O'Donnell and Francis O'Donnell*,” and on the 21st May, 1884, “*the Petition of William James Robert Jenkins and Robert Thomas Jenkins*,”—beg to report to your Honorable House:—

That they have examined the Witnesses named in the List* (whose evidence will be found appended hereto), and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill, as amended by them, with an amended Preamble.

JAMES FLETCHER,
Chairman.

No. 3 Committee Room,
Sydney, 4th June, 1884.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 8 MAY, 1884.

MEMBERS PRESENT:—

Mr. Fletcher,	|	Mr. Cameron,
Mr. Hammond,	|	Mr. Teece.

Mr. Fletcher called to the Chair.

Entries from Votes and Proceedings, appointing the Committee, and referring Petitions of D'Arcy Wentworth and Fitzwilliam Wentworth, and Sarah O'Donnell and Francis O'Donnell, praying to be heard against the Bill, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, and the Petitions of D'Arcy Wentworth and Fitzwilliam Wentworth, and Sarah O'Donnell and Francis O'Donnell, before the Committee.

Present:—Benjamin Lipscomb, Esq. (*Solicitor for the Bill*); John Parkinson, Esq. (*Solicitor for the Messrs. Wentworth*); Mr. Francis O'Donnell (*for Sarah O'Donnell and Francis O'Donnell*.)

Mr. Parkinson informed the Committee that an agreement had been entered into between his clients and the Company, which the Promoter had consented to have inserted in the Bill to stand as Schedule 2, and in consequence he would now withdraw further opposition to the Bill.

Mr. Parkinson then withdrew.

The Chairman left the Chair, and Mr. Cameron was called to it *pro tem*.

Benjamin Lipscomb, Esq., sworn and examined.

Charles A. Goodechap, Esq. (*Commissioner for Railways*), called in, sworn, and examined.

Witness *handed in* a clause for the protection of the public, which he suggested should be inserted in the Bill.

Witness withdrew.

Thomas Saywell, Esq. (*trading as the Victorian Coal-mining Company*), called in, sworn, and examined.

Room cleared.

Committee deliberated.

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

WEDNESDAY, 14 MAY, 1884.

MEMBERS PRESENT:—

Mr. Fletcher in the Chair.

Mr. Targett,	|	Mr. Hammond,
Mr. Cameron,	|	Mr. Teece.

Clerk laid before the Committee a communication from Mr. Hugh J. Chambers (*Solicitor for the Trustees of the Berkeley Estate*), stating that it was the intention of the Trustees to petition the House to be allowed to appear before the Committee to oppose the Bill.

Present:—Benjamin Lipscomb, Esq. (*Solicitor for the Bill*); P. J. Hourigan, Esq. (*Solicitor for Sarah and Francis O'Donnell*.)

Thomas E. Huntley, Esq. (*Manager of the Company*), called in, sworn, and examined by Mr. Lipscomb.

Witness *produced* plan and section of the proposed line of railway.

Cross-examined by Mr. Hourigan.

Witness withdrew.

John Starke, Esq. (*Surveyor*), called in, sworn, and examined by Mr. Lipscomb.

Cross-examined by Mr. Hourigan.

Witness withdrew.

Mr. Lipscomb informed the Committee that the Promoter's case was now closed.

Mr. Francis O'Donnell called in, sworn, and examined by Mr. Hourigan.

Witness *produced* the lease from D'Arcy Wentworth of the Five Islands Estate.

Cross-examined by Mr. Lipscomb, who *handed in* a declaration from Thomas Barrett, which was ordered to be appended. (*See Appendix A.*)

Witness withdrew.

Mr. John Biggar called in, sworn, and examined by Mr. Hourigan.

Mr. Hourigan *handed in* an agreement made between D'Arcy Wentworth and Fitzwilliam Wentworth, and the Mount Kembla Coal and Oil Company, which was ordered to be appended. (*See Appendix B.*)

Room cleared.

Committee deliberated.

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

WEDNESDAY,

WEDNESDAY, 21 MAY, 1884.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. Hutchinson.

In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 23 MAY, 1884.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. Hutchinson,
Mr. Hammond, | Mr. Targett.

In the absence of the Chairman, Mr. Cameron called to the Chair, *pro tem*.

Entry from Votes and Proceedings, referring the Petition of William James Robert Jenkins and Robert Thomas Jenkins, Trustees of the Berkeley Estate, read by the Clerk.

Printed copies of the Petition before the Committee.

Present:—Benjamin Lipscomb, Esq. (*Solicitor for the Bill*); P. J. Hourigan, Esq. (*Solicitor for Sarah and Francis O'Donnell*); Hugh J. Chambers, Esq. (*Solicitor for the Trustees of the Berkeley Estate*).

Henry Osborne MacCabe, Esq. (*Mining Engineer and Licensed Surveyor*), called in, sworn, and examined by Mr. Hourigan.

Cross-examined by Mr. Lipscomb.

Witness withdrew.

William James Robert Jenkins, Esq. (*a Trustee of the Berkeley Estate*), called in, sworn, and examined by Mr. Chambers.

Cross-examined by Mr. Lipscomb.

Room cleared.

Committee deliberated.

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

WEDNESDAY, 28 MAY, 1884.

MEMBERS PRESENT:—

Mr. Teece, | Mr. Targett,
Mr. Hammond.

In the absence of the Chairman, Mr. Teece called to the Chair, *pro tem*.
Committee deliberated.

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

WEDNESDAY, 4 JUNE, 1884.

MEMBERS PRESENT:—

Mr. Fletcher in the Chair.

Mr. Teece, | Mr. Hutchinson,
Mr. Hammond, | Mr. Targett.

Present:—J. Gibson, Esq. (*for the Promoters*); Hugh J. Chambers, Esq. (*for the Trustees of the Berkeley Estate*); P. J. Hourigan, Esq. (*for Sarah and Francis O'Donnell*).

Mr. Chambers submitted the following preliminary objections for the consideration of the Committee:—

1. That the Bill is not within the scope of the objects set out in the notice of the Bill as gazetted, inasmuch as power is sought to take land from the Berkeley Estate to effect a siding with the Illawarra Government Railway which is not expressly mentioned in the notice as one of the objects of the Bill; therefore the said notice is not a true statement of the objects of the Bill, but was misleading, as it contemplates only a line of Railway from Mount Kembla to Port Kembla, and the same is not in accordance with the 59th Standing Order of the Legislative Assembly.
2. That the Company contemplated by the Bill is not a Company incorporated or otherwise, but only an assumed appellation by an individual who provides no guarantee for any succession of other persons or any corporate body for the performance of the engagements and liabilities contemplated by the Bill, or the proper use of the rights and privileges intended to be thereby conferred on him personally trading or professing to trade under the name of a Company, and that a person so trading is not a Company which can be recognized by the Legislature for the purposes of the Bill.

Room cleared.

Committee deliberated, and decided to overrule the objections taken.

Parties called in and informed.

Mr. Chambers addressed the Committee.

Room cleared

Committee deliberated, and adjourned to *Two o'clock* this day.

At the hour appointed the Committee resumed.

Mr. Hourigan addressed the Committee.

Mr. Gibson addressed the Committee.

Room cleared.

Preamble

* See Schedule of Amendments.

Preamble considered and amended.*
 Question,—That this Preamble, as amended, stand part of the Bill,—put and passed.
 Parties called in and informed.
 Clauses 1, 2, and 3 read and agreed to.
 Clause 4 read, amended,* and agreed to.
 Clause 5 read and agreed to.
 Clause 6 read, amended,* and agreed to.
 Clauses 7, 8, 9, 10, and 11 read and agreed to.
 Clause 12 13 read, amended,* and agreed to.
 Clauses 13 14, 14 15, 15 16, 16 17, 17 18, 18 19, 19 20, and 20 21 read and agreed to.
 Clause 21 22 read, amended,* and agreed to.
 Clause 22 24 read and agreed to.
 First Schedule read, amended,* and agreed to.
 Clauses 1 and 3 re-considered and amended.*
 New clause,* to stand clause 12, read and agreed to.
 New clause,* to stand clause 23, read and agreed to.
 New Schedule,* to stand as the Second Schedule, read and agreed to.
 Title read and agreed to.
 Chairman to report the Bill, as amended to the House, with an amended Preamble.

SCHEDULE OF AMENDMENTS.

- Page 1, Preamble, line 2. *Insert* "his heirs and assigns" after "Wales"
 " clause 1, line 26. *Insert* "First" before "Schedule"
 " " 1, " 28. *Insert* "First" before "Schedule"
 " " 1, " 29. *Insert* "but as to the lands specified in the agreement in the Second Schedule hereto (parcel of the lands in the First Schedule) only upon the terms and conditions therein sustained" after "railway"
 " 2, clause 3, line 8. *Insert* "(other than those lands mentioned and referred to in the said agreement in the said Second Schedule hereto)" after "persons"
 " 2, clause 4, line 36. *Omit* "four" *insert* "three"
 " 2, " 4, " 42. *Omit* "two" *insert* "one"
 " 2, " 4, " 48. *Omit* "three" *insert* "two"
 " 4, " 6, " 11. *Omit* "Legislature" *insert* "Executive Council"
 " 5. *Insert* the following new clause, to stand as clause 12 :—
 " 12. The Company shall subject to regulations to be made from time to time by the Commissioner for Railways and approved by the Governor and Executive Council have power to cross the Illawarra Railway Line on the level in such manner as shall be approved by the Commissioner for Railways and the rails for such crossing shall be laid down at the expense of the said Company under and subject to the direction and approval of the Commissioner for Railways and for that purpose to lay down such rails and execute such other works as shall be necessary for the purpose of such crossing Provided that the said Company shall before they shall be at liberty to cross the said railway erect upon their own land and at all times thereafter maintain a suitable station or lodge at the place where the said Company's railway shall cross the Illawarra Railway on the level and shall also erect and maintain all necessary signals that is to say all junction or crossing signals and two distance signals at the said crossing and the said Company shall employ and constantly keep employed at their own expense at the said crossings fit and proper persons to attend to such signals and the persons so employed shall act under and in accordance with the regulations to be made by the Commissioner for Railways and approved by the Governor and Executive Council as aforesaid."
 Page 5, clause 12 13, line 22. *Omit* "Government railway"
 " 8, " 21 22, line 11. *Omit* "in manner hereinafter mentioned that is to say—Each disputant shall name an arbitrator and such arbitrators shall before proceeding to arbitrate name an umpire to act in case of their disagreement and such arbitrators and umpire shall have all the usual powers and authorities as to examining parties and witnesses and all other usual powers incident to arbitrations generally and their decisions shall be final"
 " 8. *Insert* the following new clause, to stand as clause 23 :—
 "Nothing in this Act contained shall derogate from or prejudice the said agreement in the Second Schedule hereto nor shall anything in this Act contained be deemed or operate to confer wider or greater powers or title on the said Thomas Saywell or the said Company with respect to the lands in the said agreement more particularly described than in and by the said agreement are conferred."
 Page 8, Schedule. *Insert* "First" before "Schedule"
 " 9, " *Add* "The above line to run parallel with and adjoining the Mount Kembla Railway from a point near where it crosses the Illawarra Railway to a point about 20 chains south-westerly from Port Kembla where the said terminus is to be" at the end of the Schedule.
 " 9. *Insert* the following new Schedule, to stand as the Second Schedule :—

SECOND SCHEDULE HEREINBEFORE REFERRED TO.

AN agreement entered into this twenty-ninth day of April in the year of our Lord one thousand eight hundred and eighty-four between D'Arcy Wentworth of in England Esquire of the first part Fitzwilliam Wentworth of Vacluse near Sydney but at present out of the Colony of New South Wales Esquire of the second part and Thomas Saywell of Sydney aforesaid merchant trading as the Victoria Coal-mining Company of the third part witnesseth that the parties of the first and second parts (hereinafter called the lessors) agree to give and the said Thomas Saywell for himself his executors administrators and assigns (hereinafter called the lessee) agrees to accept a lease of all those pieces or parcels of land and hereditaments described and comprised in the Schedule hereto with liberty and power to make and construct a line of railway in through and over the said demised premises and to make build and construct such roads

roads tramways wharves jetties piers and buildings in through over and on the piece of land described in the first part of the said Schedule as the said lessee may think necessary and for the purposes aforesaid to dig for search work quarry and use all stone sand gravel and other building or road material and to cut and use the timber on the said demised premises (but excepting coal and other minerals thereon or thereunder which are reserved to the lessors) The term of the said lease is to be for fifty years from the date hereof at the nominal rent of one peppercorn if demanded for the first one and a half years of the said term and for the next fifteen years of the said term that is from the twenty-ninth day of October one thousand eight hundred and eighty-five the rent or royalty of one halfpenny and for the residue of thirty-three and a half years of the said term that is from the twenty-ninth day of October one thousand nine hundred the rent or royalty of one penny for every ton of coal or shale or other goods carried by the said lessee his heirs executors administrators or assigns or his or their licensees over to or from the railway line to be constructed on the said demised lands and in the event of the said term being determined after the said twenty-ninth day of October one thousand eight hundred and eighty-five between two of the said half-yearly days by re-entry under the proviso in that behalf to be contained in the lease a proportionate part of the rent or royalty for the fraction of the current half-year up to the day of such determination And it is agreed that such rent or royalty shall never be less after the said first year and a half (that is from the said twenty-ninth day of October one thousand eight hundred and eighty-five) than the sum of seventy-five pounds for each half-year and that if at any time or times the rent or royalty of one half-penny or penny per ton for any half-year after the period aforesaid shall not amount to the sum of seventy-five pounds then the lessces will for every such half-year pay the sum of seventy-five pounds clear of all deductions The said rents and royalties may be recoverable by distress or otherwise by the person or persons for the time being entitled to receive the same or his attorney or agent All rates taxes charges assessments port or harbour dues and outgoings whatsoever which are now or may be at any time hereafter during the said term assessed charged or imposed upon the said demised land or the owner or occupier in respect thereof shall be borne by the said lessee The said lessee on each of the half-yearly days appointed for payment of rents is to deliver to the said lessors or their agent a true account showing the total amount of coal and shale and other goods during the preceding half-year subject to rent or royalty and to verify such accounts by the statutory declaration of the clerk or book-keeper of the said lessee or by the said lessee or otherwise to the satisfaction of the said lessors The said lessee to properly and securely fence off within the space of three months from the date of the obtaining and passing of an Act of Parliament authorizing the construction of the said railway and during the said term keep securely fenced from the adjoining lands by means of a substantial post and rail cattle-proof fence (at least four feet in height) the piece or parcel of land described in the said Schedule hereto Also to keep open the roads and paths over and across the said piece or parcel of land described in the second part of the said Schedule by proper bridges and passages where the railway to be constructed thereon as aforesaid shall interfere with the roads or paths now existing or hereafter to be made and to make and maintain proper gates across the said railway at such openings and places as the lessors shall reasonably require To use and occupy the said lands described in the first part of the said Schedule for the purpose only of the said railway roads tramways wharves jetties piers or buildings sheds offices and conveniences to be used in connection with and for the purposes of the said railway or for yards or shoots or standing room or sidings for waggons or goods but not for cottages or dwelling-houses of any kind whatever and generally to use the whole of the land hereby demised only for such purposes as relate solely to the business of the said railway and for no other purpose and not to assign or sublet the same or any portion thereof for settlement or other purposes The lessors and their under-tenants to have right of access at proper places to the said jetty and railway for carriage and shipping goods Farm produce stock (live or dead) and materials to and fro the said lessee charging fair and reasonable wharfage freights and carriage and provided that the said lessee is not thereby unreasonably inconvenienced in the ordinary working of the said railway it being intended that the said lessee may derive the full benefit of his works and improvements in the business of transit of minerals from his mines and that the lessors shall derive the full benefit of settlement in and about the Company's works on the adjoining lands A lease to be prepared by the lessors and executed by both parties on the basis of this agreement but at the expense of the said lessee who is also to pay the costs of and incident to this agreement and to contain a proviso for re-entry on non-payment of rent or non-performance by the said lessee of any of the covenants and stipulations and to contain all usual covenants and clauses in leases of this nature and a counterpart of the said lease is to be duly and properly executed by the said Thomas Saywell (at his expense) within a reasonable time after the preparation thereof and handed to lessors and this agreement is entered into subject to the above conditions and stipulations being duly performed.

THE SCHEDULE.

PART I.

All that piece or parcel of land situated at Port Kembla near Wollongong county of Camden and Colony of New South Wales be the hereinafter mentioned several dimensions a little more or less containing by admeasurement five acres Commencing at the waters of the South Pacific Ocean being the north-eastern boundary of the Five Islands Estate at a point about twenty-seven chains thirty links westerly from the base of the Mount Kembla Coal and Oil Company's jetty at Port Kembla aforesaid thence on the north-east by the said waters of the South Pacific Ocean bearing north-westerly four chains thence south-westerly fifteen chains fifty links and eight chains fifty links thence

thence south-easterly one chain thence north-easterly by a curved line twenty-three chains to the point of commencement the whole being part of Mr. D. Wentworth's property being original grant of two thousand two hundred acres to Mr. D. Allen.

This description is subject to verification or survey and correction (if necessary) by lessor before lease drawn.

PART 2.

All that piece or parcel of land situated near Port Kembla near Wollongong in the parish of Wollongong county of Camden and Colony of New South Wales be the hereinafter mentioned several dimensions a little more or less containing by admeasurement thirteen acres Commencing at the western boundary of the Five Islands Estate (Mr. D. Wentworth's property) at a point where the northern boundary of the Mount Kembla Coal and Oil Company's railway crosses the western boundary of the Five Islands Estate aforesaid thence south-easterly easterly and south-easterly by straight and curved lines and parallel to the Mount Kembla Coal and Oil Company's railway one hundred and thirty-one chains to the five acres reserved for shunting purposes et cetera in connection with the shipping of coal et cetera by the Victorian Coal Company at their proposed new jetty the whole being part of Mr. D. Wentworth's property being original grant of two thousand two hundred acres to Mr. D. Allen.

This description to be verified and surveyed and corrected (if necessary) by lessor before lease drawn.

As witness the hands of the said parties the day and year first before written—

F. WENTWORTH

By his attorney

J. R. HILL.

Signed by the said Fitzwilliam Wentworth by his attorney James Richard Hill in the presence of—

JOHN PARKINSON,

Solicitor 58 Hunter-street Sydney.

D'ARCY WENTWORTH

By his attorney

J. R. HILL.

Signed by the said D'Arcy Wentworth by James Richard Hill his attorney in the presence of—

JOHN PARKINSON

Solicitor.

THOMAS SAYWELL.

Signed by the said Thomas Saywell in the presence of—

C. A. ATCHISON.

I James Richard Hill of Sydney in the Colony of New South Wales do solemnly and sincerely declare that I have not received any notice of the revocation by death or otherwise of the power of attorney granted to me by Fitzwilliam Wentworth dated the twenty-first day of March one thousand eight hundred and eighty-three or of the power of attorney granted by D'Arcy Wentworth to me dated the thirteenth day of June one thousand eight hundred and eighty-one 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."

J. R. HILL.

Declared and subscribed at Sydney this fifth day of May A.D. one thousand eight hundred and eighty-four before me—

T. SALTER

A Commissioner for Affidavits.

We the undersigned hereby certify that we have examined the writing contained on this and the six preceding pages with the original agreement and that the same is a true copy thereof.—Dated at Sydney this eighth day of May A.D. one thousand eight hundred and eighty-four.

JOHN PARKINSON

Solicitor Sydney.

L. GIBSON

Solicitor Sydney.

LIST OF WITNESSES.

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Biggar, John, Esq.	15
Goodchap, Charles A., Esq.	9
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MacCabe, H. Osborne, Esq.	16
O'Donnell, Mr. Francis.	12
Starkc, John, Esq.	11

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

VICTORIAN COAL-MINING COMPANY'S BILL
(No. 2).

THURSDAY, 8 MAY, 1884.

Present:—

MR. CAMERON,
MR. FLETCHER.MR. HAMMOND,
MR. TEECE.

JAMES FLETCHER, Esq., IN THE CHAIR.

Mr. Benjamin Lipscomb appeared as Solicitor for the Bill.
Mr. John Parkinson appeared as Solicitor for Messrs. D'Arcy and Fitzwilliam Wentworth.

Benjamin Lipscomb, Esq., sworn and examined:—

1. *Mr. Cameron, temporary Chairman.*] You are the Solicitor for the Promoters of this Bill? Yes.
2. You are acquainted with its contents and general purport? I am.
3. You have seen the amendment handed in by Mr. Parkinson? Yes.
4. And to that amendment you agree? I do.
5. This is a copy which you now hand in for the guidance of the Committee? Yes, with the agreement attached thereto.

B. Lipscomb,
Esq.
8 May, 1884.

Mr. Parkinson said: I now withdraw all opposition, on these terms, on behalf of Mr. D'Arcy Wentworth and Mr. Fitzwilliam Wentworth.

Charles A. Goodchap, Esq., called in, sworn, and examined:—

6. *Mr. Cameron, temporary Chairman.*] You are the Commissioner for Railways of New South Wales? I am.
7. You wish, I believe, to make some suggestion with reference to the Bill now under consideration by this Committee? Yes; I have seen the notice of the intention to apply for this Bill.
8. And you have examined its contents? Yes.
9. Have you read clause 12? Yes; and I must object to it in its present shape as being insufficient. The provision made may do very well for any private railway or common road that the line might have to cross, but no provision is made for properly crossing a Government railway upon which the public are carried. I shall ask the Committee to consider whether a clause of the nature of this which I now hand in should not be introduced.
10. Is there such a clause as this in any other Bill of a similar character—is it in the Port Kembla Bill? The Port Kembla Bill was passed before the Illawarra railway was proclaimed, and therefore the conditions were reversed: we were crossing their railway—they did not cross ours.

C. A.
Goodchap,
Esq.
8 May, 1884.

Mr. Lipscomb, on behalf of the Promoters of the Bill, said: I assent to this clause.

11. *Chairman.*] Do you propose this as an addition to clause 12? I would take out the words "Government railway" from clause 12, but let it otherwise remain as clause 12. The new clause I propose should be clause 13 of the Bill.
12. You have no further suggestion to make? No, nothing further.

Thomas Saywell, Esq., sworn and examined :—

- T. Saywell, Esq. 13. *Mr. Lipscomb.*] You are the Promoter of this Bill? Yes.
 14. Mentioned therein as trading in the name of the Victorian Coal-mining Company? Yes.
 15. You know the contents of the Bill? I do.
 8 May, 1884. 16. And you wish to run a railway in accordance with this Bill and the proposed amendment that has been made? Yes.
 17. You have heard the amendment proposed by the Commissioner for Railways, and you are quite willing to accept it? Yes.

WEDNESDAY, 14 MAY, 1884.

Present:—

MR. CAMERON, | MR. TARGETT,
 MR. HAMMOND, | MR. TEECE.
 JAMES FLETCHER, ESQ., IN THE CHAIR.

Mr. B. Lipscomb appeared as Solicitor for the Bill, and Mr. P. J. Hourigan as Solicitor for the Petitioners against the Bill, Mrs. Sarah O'Donnell and Francis O'Donnell.

Mr. Thomas S. Huntley called in and examined :—

- Mr. T. S. Huntley. 18. *Mr. Lipscomb.*] You are Manager for the Victorian Coal-mining Company? I am.
 19. Is this a plan (*produced*) of the proposed line of railway from Mount Kembla to Port Kembla? Yes.
 14 May, 1884. 20. Showing the position of the proposed line of railway and the proposed jetties at the port? Yes.
 21. Is this (*plan produced*) a section of the same plan? Yes.
 22. You know the land where the coal-mine is situated? Yes.
 23. And you know the whole of the land that the proposed line of railway passes through? Yes.
 24. Do you consider that the line as shown on the plan follows the most convenient route that can be adopted? I do.
 25. Do you consider that the opening up of these mines and the construction of this railway and jetty will be highly beneficial to the district and the Colony generally? Very much so.
 26. You produced an agreement to the Committee to which this Bill was previously referred, by which the four persons therein mentioned consented to the Bill? I did.
 27. As Manager of this Company, you know that satisfactory arrangements have been made with two other persons, the Messrs. Wentworth, through whose land the proposed line will go, and with the Mount Kembla Coal-mining Company, and that they have consented to this line of railway going through their property? Yes.
 28. *Mr. Hourigan.*] You are well acquainted with the land through which it is proposed to run this railway? Yes.
 29. And also with the land the Mount Kembla Coal and Oil Company have taken for their railway? Yes.
 30. Do you know what quantity of land they have—what width? Not exceeding 1 chain I believe.
 31. 66 ft? Yes.
 32. How much of that land do they actually take up for their railways—it is a single line, is it not? Yes. Their line runs down the middle of the track, I should think.
 33. What width does it occupy? I really could not say.
 34. Does their railway run in the centre of the land they have for the line, or along the northern boundary? I think about the centre, so far as I remember.
 35. How much does the line take up, as a matter of fact? About 8 ft. 6 in.; that is about the width occupied by the sleepers.
 36. Do you not know that there would be plenty of room on this 66 ft. to enable this new Company to construct their railway alongside the others on the land already taken by the Mount Kembla Company? I should think there would be.
 37. Assuming that this was done, would it not be just as beneficial for the Colony as if this new railway were put where this Bill proposes to put it? It might be as beneficial to the Colony, but not so to the individuals who propose to make this line.
 38. Why not? Because the tariff of the Mount Kembla Company, as allowed in their Act, is practically prohibitory—they are allowed to charge 6d. per ton per mile.
 39. Assuming that the Legislature gave power to the Victorian Coal-mining Company to construct their line on the land already taken by the Mount Kembla Company, and reduced by legislation the Company's tariff of 6d. per ton per mile, would not that be as beneficial to the Colony and also to the Promoters of this Bill as the construction of the proposed line of railway? It would if they got the land on the same terms as they can by getting a new line.
 40. Would it not be more beneficial, inasmuch as the line is already formed? I must correct you there; the line is not already formed, except sufficiently for the railway now laid upon it.
 41. I suppose you know, as a man of experience, that the construction of a second line of railway, running parallel with a line already formed, will be a great inconvenience to persons who have cattle there grazing—for instance, my clients, the O'Donnells? I should say decidedly not, under the provisions of our Bill.
 42. Why not? Because we will only widen the already existing line, and our Bill makes provision for crossings.
 43. Do you not think it will be more trouble to have to send cattle through several gates instead of one? Practically there will be only one gate after all.
 44. How? I mean that when the new line is constructed, the fence of one line will be the boundary fence of the other. They have not yet fenced the line to the full length, and under the agreement we have made with the Messrs. Wentworth, O'Donnell's interest is protected by compelling us to fence off the strip of land we take from O'Donnell within three months from the passing of the Act.
 45. Have not the Mount Kembla Company fenced the land appropriated to them? Not all of it—not nearly all.

46. How much, so far as O'Donnell's land is concerned? I could not tell you; I know it is not all fenced.
47. Assuming that O'Donnell's portion is fenced, you must see that there must be two gates at least, if there is a gate now on the portion fenced by the Mount Kembla Company? Not necessarily so, because the two outside gates would be sufficient to take them through both lines.
48. What is the distance between O'Donnell's land and the new line now proposed to be taken? We ask for power to take not exceeding a chain, but that is only by way of protecting ourselves in case of a heavy cutting; our intention is to take not more than half a chain. We have an agreement with Mr. Wentworth to take a chain.
49. *Chairman.*] I think you stated that the Mount Kembla Company have a chain of land for railway purposes? Yes.
50. Have they many heavy cuttings or embankments along the route of the railway? There are several smart cuttings; I think one is about 18 feet.
51. Where these cuttings are, allowing for the batter, must not the railway be about the centre of the ground? Yes.
52. Have they any embankments along the centre of the route? Yes, several.
53. About what height? I should think the highest is about 10 feet.
54. Then if, in the centre of the ground, the embankment is 10 feet wide, it would not be possible to run another line alongside it, adjoining it, within the chain of width—they must encroach upon the outside property? They could not do it in the case of the cutting I have just mentioned. The cutting and the railway would take up 62 feet—nearly the whole chain.
55. When you spoke about the width of the railway, you alluded to the total width taken up by the sleepers? Yes.
56. As a matter of fact, do you not know that the space required for the line is 2 ft. 6 in. or 3 ft. beyond the end of each sleeper? Yes.
57. That would be about 12 feet altogether, would it not? More like 13.
58. Have you any idea what is the angle of the embankment? About $1\frac{1}{2}$ to 1.
59. Has any understanding been arrived at between the Promoters of this Bill and the representatives of the Mount Kembla Coal Company, with regard to fencing the lines? No.
60. You stated in cross-examination that one fence would do for both lines? Yes; I should have said that that is intended to be proposed to them by ourselves, and to maintain the gates jointly.
61. Does this Bill make it compulsory to fence the line through private property? Yes, the Bill provides for that.
62. Does the Mount Kembla Company's Bill do the same? Yes, but the people have been very generous to them and have allowed them a little time; the fencing is not nearly completed yet.
63. Are you aware that a sub-section of clause 6 in their Bill prohibits the Mount Kembla Coal Company from running a railway parallel with their own—that is within their own boundary? I was not aware of that.
64. Where you cross Mr. O'Donnell's land will there be a cutting or an embankment? There will be one cutting and an embankment.
65. Then in reality Mr. O'Donnell would have to cross over that cutting or under that embankment to get to his land on the other side of the line? Yes; he now goes under the embankment—under a bridge—and it is proposed on our part to extend that bridge over our line in the same way as it is now under the Mount Kembla Company's line. (*Plan referred to.*)
66. You say the Mount Kembla Company have a bridge at this particular place, and you propose to make a similar bridge of the same height and with the same means of transit to and fro as he now enjoys under the other line? Yes.

Mr. T. S.
Huntley.
14 May, 1884.

Mr. John Starke called in and examined:—

67. *Mr. Lipscomb.*] You are a surveyor? Yes.
68. I believe you made the survey of a proposed line of railway from land at Mount Kembla to the sea-coast at Port Kembla near Red Point? Yes.
69. Is this (*produced*) a tracing of the plan already produced to the Committee? Yes.
70. Is the route shown on this plan the most convenient route that could be taken? Yes, the only practicable route.
71. *Mr. Hourigan.*] How long were you making that survey? About six weeks.
72. Did you go over the railway of the Mount Kembla Coal and Oil Company at the same time? I crossed it.
73. I suppose you went generally over that line, did you not, to make your survey? No, I did not go over the line to get any information; I made a traverse along it.
74. As a matter of fact, before you made your survey of this line, you did not take the precaution of going through the land of the Mount Kembla Company's railway, to see whether a second line might have been constructed there—did you, or did you not? I took levels on the Mount Kembla line everywhere.
75. You know the Mount Kembla line? Yes, as far as where we break off from it.
76. As a matter of fact, did you go over the land on which the Mount Kembla Company have had their line established there for some time, to see whether a second line could be laid down there for the purpose of the Promoters of this Bill? I made a survey of the Mount Kembla line.
77. For what object? Merely for my own information.
78. Did you see whether another line of railway could be constructed on the land the Mount Kembla Company have already appropriated by Act of Parliament? I traversed two or three lines.
79. *Chairman.*] Could another line be constructed within the fences of the Mount Kembla Company's railway, parallel with it, on the chain of land they have for their line? No, not all through.
80. It could not be done? Not all through.
81. You know Mr. O'Donnell's land? Yes.
82. As far as it runs through Mr. O'Donnell's land, could you have formed a second line there? No, I think it is doubtful. There is an embankment there, I think, which requires a wider space than at other places. (*Referring to plan.*) Yes, there is.
83. That is on a portion of O'Donnell's land? Yes.

Mr. J. Starke.
14 May, 1884.

Mr. J. Starke. 84. Through that portion of O'Donnell's land you do not think it could be done? Through portions of it it could not.

14 May, 1884.

85. As a matter of fact, did you contemplate the probability or possibility of having a second line of railway on the land now fenced in by the Mount Kembla Company—did you consider it at all—did you consider whether your Company, if they got power by Act of Parliament to do it, could find a sufficient quantity of land for the purpose within the boundary of the Mount Kembla line? I did not consider whether there was or not sufficient room, but in fact there is not.

86. Why? From the nature of the railway already formed and constructed. Where there are embankments and cuttings a greater width would be required.

87. What width of land does the Mount Kembla railway take up—it is only a single line? Yes. I do not know exactly; about 40 feet in some places.

88. What does it take where there is a level piece of land? About 10 or 12 feet.

89. So far as those portions are concerned, there would be abundance of room for a second line? Yes, where it is level, but not where there is any cutting or embankment.

90. Mr. Hammond.] What is the width of the land taken up by the Mount Kembla Company for their line? A chain in some places—in others not so much.

91. Does the line run through the middle of it? About the middle.

92. Mr. Hourigan.] You are a surveyor? Yes.

93. And civil engineer? No.

94. You say then, as a matter of fact, that you did examine the Mount Kembla Company's line with a view of seeing whether you could have your railway there? I made a survey of it.

95. Have you got that survey? The survey is here (*referring to the plan already produced*).

96. Does that include the Mount Kembla line? Yes, it shows the Mount Kembla railway.

97. Chairman.] Did you make a trial survey within the boundary of the Mount Kembla line, with a view to making a second railway alongside it? No, I did not.

98. Mr. Lapscomb.] How far does your proposed railway run parallel with the Mount Kembla line—have you any idea how far the proposed railway runs parallel and adjacent to the Mount Kembla railway? Between 4 and 5 miles; say about 4 miles and a half.

99. What is the total length of the proposed railway? About 8 miles.

100. Chairman.] I think you have stated that this was about the only available route that could be got? I did not say so—I said it was the most convenient; it is certainly the shortest.

101. Chairman.] What I mean is this: you have a point of departure, taking that to be Mount Kembla, and a terminal point, taking that to be the waters of the ocean at Port Kembla near Red Point; and between these points you mean to say that the line you have laid down goes through the least difficult country, and the most practicable, and the shortest? Yes, it is the cheapest line that could possibly be made between those points.

102. What kind of strata are shown in the excavations on the Mount Kembla line? They are all firm strata, good soil mixed with stone, except near Mount Kembla, where the ground is a little less solid.

Mr. Francis O'Donnell called in and examined:—

Mr. F.
O'Donnell.

14 May, 1884.

103. Mr. Hourigan.] Where do you reside? At the Five Islands.

104. You have signed a petition, in conjunction with your mother, against the passing of the Bill now before this Committee? Yes.

105. Your mother is lessee of certain lands at Wollongong called the Five Islands Estate? Yes.

106. Do you produce the lease? Yes. (*Produced*.)

107. This lease is dated the 1st December, 1881, and made between D'Arcy Bland Wentworth of the one part and Sarah O'Donnell of the other part, of 2,550 acres of land at Illawarra, commonly known by the name of the Five Islands Farm. The lease is for twelve years from the 1st January 1882, and the rent is £500 per annum in quarterly payments? Yes.

108. So that the lease has about ten years to run? Hardly ten years.

109. I believe you manage this property for your mother? I am virtually the lessee.

110. You have the sole management? Yes.

111. As a matter of fact you have a sub-lease of a portion of the land yourself? Yes.

112. Do you know the land upon which it is proposed that the railway of the Victoria Coal-mining Company shall be constructed? I do.

113. Where does it start from? Mount Kembla.

114. And goes to the sea-coast at Port Kembla? Yes.

115. About how much of your land and your mother's will this railway take up? About 2 miles; I cannot speak definitely.

116. You know the piece of land that the Mount Kembla Coal Company have for railway purposes? Yes.

117. We are told it is about a chain in width? Yes, 66 feet; that line is not all fenced in yet.

118. How much is unfenced? None of the line through the Five Islands Farm is fenced.

119. Chairman.] That is through your land? Yes.

120. That is not fenced at all? It is not. They are beginning to fence it in two or three places.

121. Mr. Hourigan.] Have you had occasion to go over the land through which the Mount Kembla Company's line was made since it was constructed? Frequently.

122. Assuming that the Victoria Coal Company obtained power by legislation to do so, do you think there is sufficient room for them to make a second line of railway on the land appropriated by the Mount Kembla Company? Yes, there is room for three additional lines on the land resumed by the Mount Kembla Company.

123. Right through? Right through the Five Islands Estate.

124. Is it a fact that there is an embankment on a portion of your land? There is.

125. And notwithstanding that, you say there is sufficient room for three lines of railway? Yes.

126. If a new line of railway were authorized, there would have to be a still further embankment? Yes.

127. How many embankments are there upon your land? Only the one of any consequence.

128. And notwithstanding that embankment, there would be room, not only for one but for three additional lines of railway? Certainly; the embankment would not prevent it.

129. At any rate there is no doubt there would be plenty of room for one additional line? Not the slightest.
130. Did you ever take the trouble to measure how far the Mount Kembla Company's line is laid down from the northern boundary of their land? No.
131. Where do you think they have got their line laid down? I thought it was near the middle of it, I am not sure. No, I am wrong; when I come to think of it their line is rather to one side of the 66 feet, and that is to the north side.
132. Will your recollection enable you to say how close it is to the northern boundary? About 20 feet, I think, at one side.
133. About 20 feet from the north boundary? Yes, and the balance on the other side, 20 or 25 feet; I know it is a little more to one side than the other.
134. And you believe there is ample room to have another line there? Yes, the Mount Kembla Company's 66 feet is not marked off that I am aware of.
135. Will you explain what is meant by paragraph 5* of your petition? [*Read.*] There is a road marked off on one side by the Government which will shortly be opened to Port Kembla, and on the other side the Victorian Gold-mining Company propose running their line, so that there is a piece of land between the road and the line that can never be made use of by any person.
136. *Chairman.*] I should like to be clear on this point. On one side of the Mount Kembla Company's railway the Government, you say, have marked out a public road for vehicle traffic—does the proposed railway come in between the Mount Kembla Company's railway and the Government surveyed road? No, it does not—it is on the opposite side; the Mount Kembla Coal Company's railway is between the Government road and the proposed railway.
137. *Mr. Hourigan.*] How far does the road go? About a mile and a quarter.
138. What is the width of the strip of land that you say will be made useless in this way? 26 feet.
139. So that if this proposal is sanctioned by Parliament, 26 feet of your land for $1\frac{1}{4}$ mile will be absolutely useless? No, not of our land—the Mount Kembla Company's land.
140. Is it a fact, from what you know, that there are other mines likely to be opened up in that district which will also be applying for authority to construct railways through your land? Yes, they may apply.
141. Must every railway to Port Kembla pass through the Five Islands Estate? Yes.
142. Port Kembla is on the Five Islands Estate? Yes.
143. Do you know what area of land the Mount Kembla Company have taken up for railway purposes? 17 acres for the line, and 30 acres for the depôt.
144. Will you now explain to the Committee not only the loss but the great inconvenience you will suffer, in the event of this proposed line of railway being constructed? In the first place, it will put us to great inconvenience in working the property, because the land is all used for dairy purposes, and the milking cattle have to be driven backwards and forwards twice a day over these lines, except in one paddock where there is a small opening in the embankment, which can only be used in continued dry weather, which will put us to a great deal of extra expense and trouble, because we will have to employ extra labour, on account of the difficulty of getting the cattle to cross the lines and go straight through one gate after the other.
145. Will you explain how it will cause you to employ extra labour? We shall have to employ three men (who would otherwise be engaged at something else) to put the cattle over the lines, one at each side as they are crossing, to prevent them running up the line, and one driving them; and that twice a day constantly.
146. They are all milking cows? Yes, from 100 to 150 head of milking cattle.
147. Can one man do it now? There is no driving at all at present—the line is not fenced; but when the line is fenced these gates will have to be opened and closed after them, and we must have three men. Besides, the cattle will be knocked about putting them across these lines.
148. In fact you cannot tell what injury you will sustain? No, the cattle will be knocked about and hunted, and perhaps the engines will come on top of them as they are crossing.
149. As a matter of fact, do you consider that the value of your interest in the estate will be depreciated to a great extent? Certainly.
150. The value of your lease as an asset will be considerably less? Yes, I would not give as much for it.
151. And your cattle also? Yes, certainly; from the cattle being knocked about.
152. More especially if you have to go through two sets of gates? Yes.
153. There will be two sets of gates? Yes, I suppose so; I think the Act binds them under a penalty to have gates.
154. Is there any other reason that you could state why this proposed Bill should not be sanctioned by Parliament? Nothing beyond what is stated in the petition—I know of nothing else.
155. You say it is quite possible, and not only possible but easy, as a matter of fact, to have another line of railway carried along the land already appropriated by the Mount Kembla Company? Yes; I think this line as marked out is unnecessary—it is unnecessary to take up any more land for this railway.
156. *Mr. Lipscomb.*] You say this line is 2 miles in length and a chain in width, through your land: what amount of land will it take up—how many acres? Your line is the same length as the Mount Kembla Company's line and the same width, so I suppose it will take up the same quantity of land, 17 acres.
157. Has any person got a sub-lease from you of a portion of these 17 acres? Yes, a man named Thomas Barrett.
158. For how many years has Barrett got it? For about nine years.
159. Nearly as long as you have yourself? Yes.
160. How much of Barrett's land does this proposed railway take from him? About 3 acres I think.
161. And how much of the jetty? 5 acres.
162. Mr. Barrett has not joined in your petition? No.
163. You are only lessee of the land, and Mr. Barrett is sub-lessee under you? Yes.
164. Have you got Mr. Barrett's consent to oppose this line going through his land? Yes. Perhaps I had better explain. There is nothing in writing—it is simply a verbal arrangement between Mr. Barrett and myself; I simply told Barrett I was going to oppose the Victorian Coal-mining Company's Bill through

* NOTE (on revision):—Paragraph 5 speaks for whole line through Five Islands Estate, as well as compared with Mount Kembla Company's resumption elsewhere.

Mr. F.
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through his place as well as mine, and he is quite satisfied, because he does not want it. That is all that took place. I have already made a verbal agreement with Barrett to give him another piece of land instead of the piece this railway will cut off from him—all the land he holds north of present railway.

165. You have no interest in Barrett's land at present? Yes, Barrett looks to me.

166. It is on the land rented by Barrett that our jetty is proposed to be erected? Yes.

167. You say the Mount Kembla line is rather more on the northern side of their land? Yes, I think it is about 20 feet from the northern boundary.

168. Is not this proposed line of railway on the northern side of the Mount Kembla line? I think so. It is not marked—there are no pegs.

169. Do you not know, as a matter of fact, that it is on the northern side? I believe it is. How am I to know, as a matter of fact, that it is on the northern side?

170. Did you ever see the plan? I did not.

171. Will you look at the plan now? (*Plan referred to.*) According to this plan it is on the northern side.

172. Therefore the Mount Kembla line is built, all through the Five Islands estate, nearer to where our railway is to be by about 15 or 16 feet than it is to the other side? Yes.

173. And you say none of the railway is fenced through the Five Islands estate? It is not. The depôt is fenced about 100 yards from the line.

174. Have you ever offered to take any sum in settlement of this matter? Yes.

175. And therefore you are opposing the Bill as a matter of pounds shillings and pence? No, I am not.

176. If you were paid a certain amount you would withdraw your opposition to the Bill? (*Mr. Hourigan objected to the question. The Chairman thought the question in order. As he understood it, the witness would be satisfied if he could get sufficient compensation for the damage or supposed damage to his interest in the estate.*)

177. You know as a matter of fact that the owner of the estate has withdrawn his objections? Yes.

178. You know where the embankment is? Yes.

179. Do you mean to state that there is room on the northern side of that line, between that embankment and the northern side of the Mount Kembla Company's line, to construct another line of railway? I think so.

180. Supposing a professional man says there is not? Well, I should believe him, certainly. It is immaterial which side of the Mount Kembla Company's line they take their land off; it is not fenced in, and a few feet one way or the other does not matter; if they have it on one side they do not take it on the other. (*Mr. Lipscomb here put in a declaration from Thomas Barrett stating that he had not authorized any person to oppose the Bill on his behalf. See Appendix A.*) *The Witness:* I do not doubt it. It is simply this, that he has backed out of what he said to me; he has not seen me for a fortnight or three weeks. He has been got at.

181. *Chairman.*] Did I understand you to say the Mount Kembla Company have not fenced in their railway through your leased land? Yes.

182. Did I also understand you to say that the construction of this second line of railway will entail an expenditure upon you for three men's wages extra for the purpose of working your dairy farm? That is hardly what I meant. It would take the time of three additional hands to put the cattle over the line each time they crossed over.

183. On account of your having land on each side of the railway? Yes.

184. As a matter of fact, after the Mount Kembla Company have complied with the requirements of their Act, and fenced in their railway, would the expense be in any way augmented when the other railway runs parallel with and alongside it? It would a little, for this reason, that we will have two lines—a greater width—to put the cattle over.

185. But suppose the parties who are constructing these railways so arrange the gates that, when open for traffic across the lines, they will block the railways themselves—that is to say, suppose the gate on the western side of the railway was made to block the southern part of the railway, and the gate on the eastern side made to block the northern part of the railway, so as to completely block the passage up and down the line, as is done where there are crossings on the Government railways; would there be any additional expense then? That would make it very much easier, because instead of two men, one on each side of the crossing, the gates would block the line if they were each 66 feet wide.

186. When the gates were open for traffic across the line they would perfectly prevent cattle getting up or down the railway? Yes, if sufficiently wide.

187. You said, so far as you could recollect, the Mount Kembla railway was somewhat nearer the northern boundary than the other side of the line? Yes.

188. Could you tell the Committee what depth of cutting or embankment there is through your leased property? I could not well. I think there is one cutting of 14 or 15 feet, and there is another small one.

189. What height would the embankment be, to the best of your recollection? About 10 or 12 feet, I think.

190. Have they erected a bridge where this embankment is? Yes, three bridges.

191. Have they given you a high level crossing over the cutting? They promised to do so—to give us a crossing somewhere there. At present we go under the embankment in dry weather or when the flat is not boggy or flooded.

192. *Mr. Hammond.*] You said there was room for three lines on the Mount Kembla Company's land? Yes.

193. Have you sufficient engineering skill to say that? No, but I have been told so by those that have—that 16½ feet is quite enough—and from the notice I have taken of the line working, I can see it will be enough to give plenty of room for waggons to pass each other.

194. Have you noticed whether the base of the embankment nearly covers the whole 66 feet? I have not, but I am almost sure it does not.

195. Did you notice the width of the top of the embankment—is there any spare width? Yes, a little; it is just the width of the sleepers.

196. You cannot say whether the earth filled in to form the embankment reaches the outside limit of the land reserved? I cannot say, but I think it does not. At one side it is a long way from the boundary, that is on the south side; there is plenty of room on that side. I may say, before I go, that after that declaration of Barrett's I withdraw my opposition to the Bill, so far as his land is concerned; he has thrown me over, although he has no authority to sublet.

Mr.

Mr. John Biggar called in and examined:—

Mr. J. Biggar.

14 May, 1884.

197. *Mr. Hourigan.*] Where do you reside? In Wollongong.
198. What is your occupation? Auctioneer.
199. Have you been long in the Wollongong district? About twenty-eight years.
200. Do you know the land that the Mount Kembla Coal Company have for their railway? Yes.
201. Is that land fenced in? Some part of it is not fenced in yet.
202. Do you know what quantity of land they took under their Act of Parliament? It is a chain wide in some parts, and I think a little over 40 feet in other parts.
203. Do you know the land the Victorian Coal-mining Company propose to take? I know the land over which they propose to run their line.
204. From your knowledge of the land now held by the Mount Kembla Coal Company, do you think it would be possible to construct another line of railway upon it without encroaching further on Mr. O'Donnell's land? There is no doubt about that. They have one line of railway already laid down, and it is very improbable they will ever require another for their own purposes. Another line would only occupy 10 or 12 feet out of the 66 feet they have in some parts and 40 feet in other parts.
205. There would be room for two lines without taking any more land from Mr. O'Donnell? There is no reason that I am aware of why the Mount Kembla Company's land should not be resumed for this purpose as well as any other private property.
206. Are you conversant with the provisions of the Mount Kembla Company's Act? Yes.
207. You know that by section 5 of that Act their railway is open to the public? Yes, at 6d. per ton per mile, which is a ridiculous charge. It was great folly on their part to apply for it, and a great oversight that it should have been permitted. The Mount Keira Act is 2d. per mile.
208. Assuming that the Legislature were to grant power to the Victorian Coal-mining Company to make a railway, you think it should be made on the land of the Mount Kembla Company alongside their line, and you think there would be plenty of room for it; but if Parliament were to reduce the tariff of the Mount Kembla Company you think it would be a greater boon to the public than the making of a second line? Yes, certainly. It is undesirable that every Coal Company should have a separate line for itself. I know that there will be six or seven coal mines established in this neighbourhood, in some of which I have an interest myself, and it is easy to see that there is not sufficient harbour room either at Wollongong or Kiama to accommodate them all, and therefore they may want to come to Port Kembla.
209. Any line making Port Kembla the outlet must pass through the Five Islands estate? Yes.
210. You know Mr. O'Donnell's land well? Yes, I am quite familiar with all the land there; I am frequently passing and re-passing.
211. From your knowledge of the nature of his business, do you think he will suffer serious loss in the event of the proposed railway being sanctioned? Yes, if there are two railways running side by side there will be great trouble to get across to work one part of the farm with the other part. The dairy industry requires the cattle to be brought up morning and evening, and if they have to pass these railways to come from the paddock to the homestead to be milked, and then driven back over the two lines, it must be far more inconvenient than only one line.
212. And will cause the employment of additional labour? Yes, of course. As it is now, the cattle come up partly by themselves.
213. *Chairman.*] You have just stated that for the number of coal-mines that will be opened you do not think there will be room at Port Kembla or Wollongong? They will be over-crowded, particularly on the southern side. I expect they will have to go to Kiama as well as to Wollongong. The harbour space will be totally insufficient for the quantities of coal that will be sent away; in fact at the end of the year I intend to make a public movement that Wollongong harbour should be enlarged, and I will never leave it till I have it done.
214. I think you stated that the traction rate authorized by the Mount Kembla Company's Bill is 6d. per ton? Yes.
215. As a matter of fact, would not that be prohibitory? It is.
216. Prohibitory from any other person using it for traction purposes? No doubt of it.
217. I think you stated, referring specially to Mr. O'Donnell's land, that there was sufficient room there to lay down another line of railway on the land already taken by the Mount Kembla Company? Yes, another pair of rails.
218. Could another Company run a separate and distinct railway within their boundary all through? Yes, no doubt of it.
219. It has been stated here that their railway is not in the centre of the land taken for railway purposes? That would be all the better—it would leave more room on the other side.
220. But unfortunately the railway is situated close to the northern boundary, and the petitioners' railway comes down on the north side? Their land lies on the south side.
221. The Victorian Coal-mining Company ask in this Bill permission to resume land for the purpose of constructing a railway on the northern side of the Mount Kembla Company's railway? Yes.
222. It has been sworn on oath here that the Mount Kembla railway is much closer to the northern boundary than it is to the southern? It is to the southern side of the land they have acquired; their land lies on the south side of the Mount Kembla line.
223. But they have to cross? They need not cross at all. I merely speak of the position of their land; it is on the south side, and they must come to the south boundary of the land the Mount Kembla Company have acquired; their land being on the south side, they should not want to cross at all.
224. The Mount Kembla Company have a very large coal-field, have they not? I think they have. With their freehold land, and what they have leased, they must have 1,400 or 1,500 acres.
225. As a matter of fact, if they grow up to a large trade; something like 1,500 or 1,600 tons a day, would it not be necessary for them to lay a double line? I am not sure of that. They might pass more than that over a single line; at any rate there is sufficient space within the Mount Kembla Company's fence for four pairs of rails.
226. *Mr. Hammond.*] Is it not probable that the reason why the Mount Kembla Company put down their rails a little on one side of their land was because they anticipated they might require an additional line themselves? If they put down an additional line, there would still be space enough for two pairs of rails

Mr. J. Biggar, rails alongside of it. In some parts there is ample space to put another pair of rails between the rails now used and the northern boundary; I do not know that they could do it all the way through, but in 14 May, 1884, parts they could.

FRIDAY, 23 MAY, 1884.

Present:—

MR. HAMMOND,

MR. HUTCHINSON,

MR. TARGETT.

ANGUS CAMERON, Esq., IN THE CHAIR.

Mr. B. Lipscomb appeared as Solicitor for the Bill.

Mr. P. J. Hourigan for the Petitioners Sarah O'Donnell and Francis O'Donnell.

Mr. H. J. Chambers for the Petitioners W. J. R. Jenkins and R. T. Jenkins, Executors of the will of the late W. W. Jenkins.

Mr. Henry Osborne MacCabe called in and examined:—

- Mr. H. O. MacCabe. 227. *Mr. Hourigan.*] Where do you reside? Near Wollongong.
 228. What is your occupation? I am a mining engineer and licensed surveyor.
 229. Have you been long practising your profession? I have been a mining engineer since May three years ago, when I passed an examination, and I have been a licensed surveyor for nearly seven years.
 230. How long have you been in the Wollongong district? I was born in the district; I have been acting as a mining engineer there for three years.
 231. You know the Mount Kembla Coal and Oil Company's railway line? Yes.
 232. And you know where it passes through the Five Islands estate? Yes.
 233. Have you recently inspected that line? Yes.
 234. And measured the distance with a view of ascertaining the practicability of making a line for the Victorian Coal-mining Company's proposed railway immediately along the northern side of the Mount Kembla Company's line? I have.
 235. Did you examine the whole of the Mount Kembla line? All that part of it that passes through the Berkeley estate and the Five Islands estate.
 236. In your opinion, is it practicable for the Victorian Coal-mining Company to have their line constructed on the land already resumed by the Mount Kembla Company for their railway? Yes, within 33 feet of the centre of their present line, except at certain points.
 237. As a matter of fact, where have the Mount Kembla Company fixed their rails? In reference to what?
 238. Are they down the centre, or on the northern or southern side of their 66 feet reserve—where have they actually put down their line? I cannot say that; I do not know where they have put down their rails with reference to the land resumed.
 239. What do you believe from your inspection? The boundary lines are not marked except by the fences, and not by them all the way down; but what I say is that within 33 feet of the centre of the Mount Kembla line another railway can be made.
 240. As a matter of fact, have you not some personal knowledge of where they did fix their line, from the fact of your having made a Government survey of a road there? Yes, through part of it; they fixed their line along where I showed the Government road; they asked me to measure the Government road 33 feet from the centre of their line of railway.
 241. The Mount Kembla people? Yes.
 242. As a matter of fact, you presume they have their line of rails in the centre of the land resumed? Yes, from that.
 243. And you surveyed this Government road on that basis? I did.
 244. How long ago was that? About eighteen months, I think.
 245. You say it is practicable for the Victorian Coal-mining Company to have a line of railway on the land resumed by the Mount Kembla Company, with one or two exceptions, I understand? Yes.
 246. What are the exceptions? In the Five Islands estate, at Forsyth's cutting, and the embankment in front of Mr. O'Donnell's house.
 247. With the exception of Forsyth's cutting and the embankment in front of Mr. O'Donnell's house, there would be no difficulty whatever in making this railway on the land resumed by the Mount Kembla Company? No.
 248. With respect to the cutting and the embankment, how much additional land would be required there? *Leaving 6 feet between the rails, that is, between the northern rail of the Mount Kembla line and the southern rail of the Victorian Coal Company's line, 37 feet 10 inches will be required along that cutting and embankment.
 249. That is, assuming the Victorian Company adopt the narrow gauge? The 2 ft. 6 in. gauge, do you mean?
 250. Yes? It would require 2 feet less in that case.
 251. For what distance would that additional land be required? About 20 chains—not more; I did not measure it with reference to that.
 252. Do you know as a matter of fact whether the Victorian Coal-mining Company propose to have the narrow gauge? It is rumoured so in the district, but I know nothing of it from any person belonging to the Company.
 253. Do you think, from your knowledge of the district and the output of the Coal Companies generally, that the present Mount Kembla line now in operation would be sufficient to answer all practical purposes for some time to come? Yes, if put in order it would carry the output of the two Companies.

254.

* NOTE (on revision) :—I intended to prove that 4 feet 10 inches additional land would be required at Forsyth's cutting and at the embankment in front of Mr. O'Donnell's house, making 37 feet 10 inches from the centre line of the present line of the Mount Kembla Company.

254. For how long do you think the Mount Kembla line would meet the demands of the two Companies, if put in proper order? That would depend on how they increase their output; but I do not see that they can possibly increase their output so that that line would not carry it in less than twenty-five years.

Mr. H. O.
MacCabe.

255. So that in your opinion the Mount Kembla line would be sufficient to meet the requirements of the two Companies for twenty-five years? Yes.

23 May, 1884.

256. *Chairman.*] How do you form that opinion—have you any idea of the probable output of the new Company? I do not think either of them will get up to 1,500 tons a day.

257. *Mr. Hourigan.*] Then you are taking as a basis of your reckoning 3,000 tons a day for the two Companies? Yes; 1,500 tons a day is a good output from any one mine.

258. Did you notice, during your inspection, anything particular about the fences in connection with the Mount Kembla Company? Yes, the fences are not 33 feet from the centre of the line; they seem to be including about 40 feet between their fences, so much of them as they have done, in the Five Islands estate.

259. What do you mean by that—do you mean that the Mount Kembla Company have not fenced in all the land they have resumed under their Act? They have not fenced in 66 feet.

260. Only about 40 feet? Only about 40 feet.

261. Did you notice whether any fencing had been put up recently? Yes; any fencing they have put up is new—it has only lately been started.

262. In some places they have fenced in 40 feet altogether? About 40 feet.

263. In other places have they fenced in more than that? At one place I measured there was about 50 feet, I think.

264. In width? Yes, between the two fences.

265. *Mr. Chambers.*] Have you examined the line along the Berkeley estate? Yes.

266. What is the nature of the country generally where the line goes through the Berkeley estate? It is almost level from the South Coast Road up to Mr. Wentworth's boundary.

267. That affords greater opportunity, I suppose, to increase the accommodation of the line within the reserve already taken? Yes.

268. How many lines could be run through the Berkeley estate with safety within the 66 feet? Five, where there is no cutting.

269. How many within the width of 40 feet? Three; two additional.

270. Without any additional line than the one already formed, would that be sufficient for the traffic for a long time to come? Yes; I have already said so.

271. One line? Yes.

272. Could a junction be formed on the Berkeley Estate? Yes.

273. Whereabouts could that be made? On the eastern side of the South Coast Road.

274. Very near the eastern side? Yes, within 20 chains.

275. You would get to a level there? Yes.

276. *Chairman.*] Would that be a good place to make a siding? Yes.

277. *Mr. Chambers.*] Before you get to that, would not the gradient be gradually reduced until you get to that position? The gradient westward of the point I have mentioned is rather too steep to make a siding.

278. Have you examined the ground specially with that view? No.

279. Then, as far as the construction of the lines go, there would be less expense if the junction were made with the Mount Kembla line, instead of constructing a separate line to Port Kembla? Yes, it would save them making all that length of line.

280. I believe the rails on the Mount Kembla line are good steel rails? Yes, rails of a good description.

281. Do you know whether any Company has availed itself of the privilege of junction or using the running powers along the Mount Kembla line? No, none have.

282. We have been told that the tariff of the Mount Kembla line, as authorized by their Act, is prohibitory; do you know what the charge is? 6d. per ton.

283. That can be altered, I believe? Yes, I understand the Legislature or the Executive can alter it.

284. Can you state whether there is any necessity for so high a charge as 6d. per ton? I think not.

285. This Bill proposes 4d.? Yes, I believe it does.

286. You are acquainted with the management of the Mount Keira Company? Yes.

287. What would be a fair and proper tariff on this line, having regard to the whole of the line? 2½d. ought to pay the Mount Kembla people.

288. 2½d. would be a fair charge? Yes, for the Mount Kembla people to make, or from this Company to get from anybody else.

289. *Mr. Lipscomb.*] You are interested, or your family are interested, in an opposition coal-mine to this? Yes.

290. One of the largest in the district of Wollongong? Yes.

291. Have you been on the Mount Kembla line of railway, where it runs through the Berkeley estate, since the fencing has been put up? Yes, I was there on Monday last.

292. Did you notice that the rails of the line are considerably nearer the northern side than the southern? Yes, they are.

293. The rails of the Mount Kembla line are considerably nearer the fence on the northern side—the side on which we propose to run—than they are to the fence on the southern side? Yes. I don't say there is room to run a line between the Mount Kembla line and the northern fence; what I say is that there is room to run another line within 33 feet of the centre of the Mount Kembla line. There is not room between the line and the fence, but there is room within 33 feet from the centre of the line.

294. You know the Mount Kembla Company have only resumed 40 feet on the Berkeley estate—is it not a matter of fact that they only resumed 40 feet and paid for 40 feet? I have heard they have taken 40 feet.

295. Right through the Berkeley estate they have only 40 feet from fence to fence? I did not measure it, but it does not look more.

296. For upwards of two miles? Two miles and a half.

297. And the general bearing of the line is towards the northern fence? Yes.

298. So that there is plenty of room on the southern side for a second line if the Mount Kembla people want to make one? Yes.

299. But not on the northern side where we propose to run? No, I never said there was.

- Mr. H. O. M'Cabe. 300. You have seen our plans—you see we run all the way on the northern side, and our shipping port will be considerably on the northern side? Yes.
- 23 May, 1884. 301. And on the northern side there is not room to make another line on the Mount Kembla Company's land? I do not say there is not room to make a line on the northern side of the Mount Kembla line.
302. Between their line and the fence there is not room on the northern side of their railway? There is not, but I say there is room for another line within 33 ft. of the centre of their line.
303. Mr. Hutchinson.] That is, if they take the 66 ft. allowed by their Bill? Yes.
304. Mr. Lipscomb.] It is a fact that they have only resumed 40 ft. through the Berkeley estate.
305. Chairman.] What distance do they go through the Berkeley estate? Mr. Lipscomb: Two miles and a half.
306. Mr. Lipscomb.] As a mining engineer would you not think, from the way the rails are laid, that greater space was left on the southern side of the Mount Kembla Company's line to enable that Company to make a double line when necessary? Yes.
307. Mr. Hutchinson.] What is the distance from where the two lines would join to the shipping place at the port? It must be nearly 5 miles.
308. Then the two lines, if this Bill is passed as it stands, will run parallel with each other for nearly 5 miles? Yes, $4\frac{1}{2}$ or 5 miles—I have not measured the distance.
309. Mr. Chambers.] You have been asked about more space being left on the southern side of the Mount Kembla line—What is to prevent this new line running along the southern side instead of the northern? They would only have to cross down below, at the bottom instead of at the top; they must cross at one place or the other.
310. Chairman.] Would it not be further away from their port of shipment? No; it is not a matter of any consequence; they might just as well run along the southern side as the northern.
311. Mr. Chambers.] Is there anything to prevent the Victorian Coal-mining Company going on the southern side instead of the northern? No.
312. That would give them room, within the present space of 40 ft., to have a second line independently of the Mount Kembla line? Yes, I believe there would be room all along there, though I did not examine it particularly with that view. They would require a little more cutting and embankment.
313. No cutting would be required along that side on the Berkeley estate? There is one small cutting in front of Berkeley House.
314. Does the line as shown on the plan convey to you an idea whether it will be laid down according to the Act as finally passed? Their centre line appears to be a chain away from the centre of the Mount Kembla line.
315. There is a large space where the curve is? Yes.
316. Then there does appear to be a space between the two parallel lines? Yes, there appears to be a chain there.
317. Mr. Hourigan.] That remark also applies to the Five Islands estate? Yes.

Mr. William James Robert Jenkins examined:—

- Mr. W. J. B. Jenkins. 318. Mr. Chambers.] I believe the William Warren Jenkins named in this Bill was your father? Yes.
- 23 May, 1884. 319. You appear now as one of the trustees of his will? Yes.
320. And one of the petitioners against the Bill? Yes.
321. You are aware of the existence of the Mount Kembla Coal Company's railway line? Yes.
322. I suppose that of itself has interfered with the convenient use of the Berkeley estate? Yes.
323. I suppose the inconvenience would not be lessened by having another line running parallel to it? No; on the other hand, it would increase the loss.
324. Independently of the extension up to the mountain? Yes.
325. The present Bill will create a new severance? Yes.
326. You have heard from the evidence given by Mr. M'Cabe that it is possible to connect the two railways? You mean for the new Company to work upon the old line?—Yes, I understand so.
327. There would be less objection, if a junction were formed, than there is to the present proposal? Certainly.
328. And if no additional land were taken up? Yes.
329. I understand the land on that part of the Berkeley estate through which the line runs is very fertile soil? Yes, it is as valuable as any land in the district—the greater portion of it.
330. People from the estate travel along the Berkeley road, do they not, going to Wollongong? Yes, by the coach road.
331. If two lines of railway were run across that road, it would double the inconvenience that may be caused by one line? Yes, it would be more inconvenient.
332. That does not affect you only, but the whole district? Yes, the public.
333. You have not availed yourself of any running powers on the Mount Kembla line? No.
334. I believe the Mount Kembla Company have the right of running their line through the Berkeley estate on very easy terms? It was done by arbitration.
335. And on very easy terms? Very easy terms indeed—too easy.
336. Have you seen the plan before the Committee? I have seen a copy of it, I think.
337. The notice in the Gazette and the description in the Bill, would then lead you to understand that the line sought to be permitted by this Bill was immediately contiguous to the Mount Kembla line? I think it leaves it an open question.
338. It gives them a right to leave a space between the two lines? Yes.
339. That would render the intervening land, I suppose, comparatively valueless? Quite valueless for farming purposes certainly.
340. It would only be fit for another railway, I presume? That is all.
341. Had you any intimation, before the survey took place, of this land being wanted by this Company or Mr. Saywell? No.
342. Do you find any marks of any survey upon the land? No, I believe there are no marks—not the regular survey marks, at any rate.
343. The gentleman who surveyed the line told us he never looked along the Mount Kembla line nor examined their Act before he made the survey, and not finding any marks of the survey it appears to be an imaginary line? There is no marked line on the land.

Mr W. J. R.
Jenkins.

23 May, 1884.

344. No marks to enable you to say whether the line goes on one side or the other? No.
345. And there was no notice given to you of any such survey? No. In fact, if I had found the surveyor on the line I should have ordered him off.
346. *Mr. Lipscomb.*] I believe you have been in consultation with the manager for Mr. Saywell for the settlement of this matter? I have been waited on by Mr. Huntley.
347. You proposed certain terms to him, and he proposed certain terms to you? I proposed no terms to him; he proposed terms to me.
348. You did not offer to take a certain sum in settlement? No, I said I would consider it, because I was only one of the two trustees; if he liked to make an offer we would consider it.
349. He made a certain offer and you refused it? Yes.
350. You did not consider it enough? No.
351. What is the object of this opposition? To prevent a severance of the property by the parallel lines of railway. We are not told where this line is to go.
352. If you had sufficient compensation you would not oppose this Bill? I do not think we are likely to get sufficient compensation.
353. *Chairman.*] What led you to form such an opinion—have you had any conversation with the Promoters of the Bill? I have had conversation with Mr. Huntley on the subject. The property is a very valuable property, and the prospective value is considerable, because the Illawarra Railway crosses it within half a mile of the part indicated as valuable for villa sites and within half a mile of probable station.
354. What were the terms of compensation proposed to you by Mr. Huntley? A minimum rent of £150 a year, and half the terms Mr. Wentworth got, which were a halfpenny per ton royalty for the first fifteen years, and a penny for thirty-five years.
355. *Mr. Hutchinson.*] For the haulage over the line? Yes.
356. *Chairman.*] These terms you refused? Yes.
357. Similar terms having been accepted by the other people having interests on other parts of the line? No, they only offered us half the Wentworth royalty.
358. *Mr. Lipscomb.*] A minimum rent of £150 for how many acres? You propose to take 24 acres, according to the Bill.
359. *Mr. Targett.*] Does that include the piece between the two lines? It is hard to say what that is.
360. They ask for 24 acres? Yes.
361. *Chairman.*] For which they tender a minimum rent of £150 a year? Yes.
362. And a royalty of a farthing a ton for fifteen years, and a halfpenny for the rest up to fifty years? Yes.
363. *Mr. Chambers.*] Have you made any calculation as to when any royalty will be available? I calculate they would have to put out 150,000 tons a year before the rent would merge into the royalty.
364. *Mr. Targett.*] The £150 would only be paid until the royalty should come over the amount? Yes, that is the way I understand the offer.
365. *Mr. Chambers.*] Looking at the output of other mines, do you think it at all likely their output will reach that amount for many years to come? I think not.
366. *Mr. Lipscomb.*] How many acres were taken by the Mount Kembla Company for their line? About 12 acres.
367. How much did you get for that? It was decided by arbitration. The land was valued at £15 an acre, and we got £100 compensation for severance.
368. *Chairman.*] Then you got £280 for the fee simple? Yes.
369. *Mr. Lipscomb.*] That was the original severance of the estate? Yes; land has increased very much in value since then.
370. *Mr. Chambers.*] Mr. Wentworth's property, I believe, is likely to be much more improved than yours by the making of this railway and the opening of the port on his property? Yes, it will eventuate in the opening of a new port on his property. Ours is an intermediate estate, between the mines and the port, and not likely to be enhanced in value.*
371. The very opening of the port there will be an addition to the value of Mr. Wentworth's property which surrounds it? Yes.
372. But not to yours, which is only on the way to the port? No.
373. *Mr. Hutchinson.*] If it was provided that the chain of land for this new railway should be taken along and immediately adjoining the northern fence of the Mount Kembla line, would there then be any objection to this Bill? My object in opposing the Bill is to prevent a doubling of the lines, which I hold to be unnecessary. I would like the two Companies to confine themselves to the line at present in use, as I believe they could do without inconvenience.
374. Of course you would get no compensation for that, as the fee simple of the land on which the Mount Kembla line is constructed has passed away from you? No; it is not a matter of pounds shillings and pence; I object to the severance of the property.
375. But if they take the land they want immediately along the Mount Kembla boundary, leaving no space between the two lines, and give you reasonable compensation, you would have no objection to the Bill? No, we would not.
376. *Mr. Hammond.*] Is there any difficulty in the way of this line running close alongside the other, and so prevent that strip being left? No, I believe not.
- [Mr. Huntley here said it was the intention of the Promoters of the Bill to construct their line immediately alongside the Mount Kembla line.]
377. *Mr. Hammond.*] This proposed line runs through a portion of your land independently of the Mount Kembla line? Yes, for about 64 chains.
378. *Mr. Targett.*] Is your land dairy or agricultural land? Both. The severance is a very important matter, as there is a ridge which I have always looked upon as desirable for villa sites in the event of the Illawarra railway coming that way.

* NOTE (on revision):—I did not say the proposed railway would open the port, but enhance the value of the port already opened by Kembla Company.

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2).

APPENDIX.

[*Handed in by Benjamin Lipscomb, Esq., 14 May, 1884.*]

A.

I THOMAS BARRETT, of Fig-tree, Illawarra, farmer, do solemnly and sincerely declare that I am the lessee from Mrs. Sarah O'Donnell of a portion of Five Islands estate, belonging to Mr. Wentworth, and have a lease of same for ten years from the 1st day of January, 1883.

That the proposed Victorian Coal Company's railway passes through the said land leased by me, and it is on that land the proposed jetty is to be erected.

That the said railway will deprive me of the use of between six and seven acres of land, for which I have not received any compensation, and I have not authorized any person to oppose the said Victorian Coal Company's Railway Bill on my behalf. 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."

Made and signed before me at Wollongong, }
this 12th day of May, A.D. 1884. }
PERCY OWEN, J.P.

his
THOMAS x BARRETT,
mark.

[*Handed in by P. J. Hourigan, Esq., 14 May, 1884.*]

B.

AN AGREEMENT entered into on the sixth day of January one thousand eight hundred and eighty-one between D'Arcy Wentworth of Vancluse now in England Esquire of the first part Fitzwilliam Wentworth of Greystanes near Sydney Esquire (the surviving Trustee of the will of William Charles Wentworth formerly of Vancluse aforesaid Esquire deceased) of the second part and the Mount Kembla Coal and Oil Company (Limited) Joint Stock Company duly registered (hereinafter designated the said Company and being the intended lessees of the third part witnesseth that the parties of the first and second parts agree to give and the said Company agree to accept a lease of all those pieces or parcels of land hereditaments described and comprised in the Schedule hereto and also liberty and power to make and construct a line of railway in and through and over the said demised premises and to make and build and construct such roads tramways wharves jetties piers and buildings in and through and over the piece of land described in the first of the said Schedules as the said Company may think necessary and for the purpose aforesaid to dig for search work quarry and use all stones sand gravel and other building or road material and to cut and use the timber on the said demised premises but excepting coal and other minerals which are reserved to lessors. The term of the said lease is to be for ninety-nine years from the first day of January one thousand eight hundred and eighty-one at the normal rent of a peppercorn if demanded for the first year of the said term and for the residue of the term from the first day of January one thousand eight hundred and eighty-two the rent or royalty of one halfpenny for every ton of coal or shale or other goods carried by the said Company or their assigns over to or from the railway line to be constructed on the said demised lands and in the event of the said term being determined after the said first day of January one thousand eight hundred and eighty-two between two of the said half-yearly days by re-entry under the proviso in that behalf to be contained in the lease a proportionate part of the rent or royalty for the fraction of the covenant half-year up to the day of such determination. And it is agreed that such rent or royalty shall never be less than the sum of seventy-five pounds for each half-year and that if at any time or times the rent or royalty of one halfpenny per ton for the half-year shall not amount to the sum of seventy-five pounds then the lessees will for every such half-year pay the sum of seventy-five pounds clear of all deductions.

The said rents and royalties may be recoverable by distress or otherwise by the person or the persons for the time being entitled to recover the same. All rates taxes charges assessments and outgoing whatsoever which are now or may be at any time hereafter during the said term assessed charged or imposed upon the demised lands or the owner or occupier in respect thereof shall be borne by the lessees.

The lessees on each of the half-yearly days appointed for payment of rents are to deliver to the said lessors or their agents a true account showing the total amount of coals and shale and goods during the preceding half-year subject to rent or royalty and to verify such accounts by the statutory declaration of the clerk or bookkeeper of the said Company or otherwise to lessors' satisfaction.

The lessees to properly and securely fence off and during the term keep fenced from the adjoining lands by means of a substantial post and rail cattle-proof fence at least four feet in height the pieces or parcels of land described in the first and second parts of the said Schedule hereto.

Also to keep open the roads and paths over and across the said piece or parcel of land described in the second part of the said Schedule by proper bridges and passages where the railway is to be constructed thereon as aforesaid shall interfere with the roads or paths now existing and to make and maintain proper gates across the said railway at such opening and places as the lessor shall reasonably require.

To use and occupy the said lands described in the first of the said Schedules for the purposes only of the said railway roads tramways wharves jetties piers or building sheds offices and conveniences to be used in the business of the said Company or for yards or shoots or standing room for waggons or goods or for cottages not more than three to be used as dwelling-houses for the servants or workmen of the said Company and generally for such purposes only as relate to the business of the said Company and for no other purpose and not to sublet the same or any portion thereof for settlement or other purposes.

The lessors and their under tenants to have right of access at proper places to the said jetty and railway for carriage and shipment of goods &c. to and from the lessees charging fair and reasonable wharfage freights and carriage and provided that the lessees are not thereby unreasonably inconvenienced in their ordinary trade or business it being intended that the lessees may derive the full benefit of their works and improvements in the business of transit of minerals from their mines and that the lessors shall derive the full benefit of settlement in and about the Company's works on the adjoining land.

A lease to be prepared by the lessors on the basis of this agreement at the expense of the lessees and to contain a proviso for re-entry on non-payment of rent or non-performance by the lessees of covenants and stipulations and to contain all usual covenants and clauses in leases of this nature and a counterpart of the said lease is to be duly and properly executed by or on behalf of the said Company as lessees within a reasonable time after the preparation thereof and handed to the lessors and this agreement is entered into subject to the above conditions and stipulations being duly performed.

THE

THE SCHEDULE REFERRED TO.

FIRST PART.

All that piece or parcel of land situate at Red Point Illawarra in the county of Camden in the Colony of New South Wales containing thirty acres more or less being a portion of the Five Islands estate commencing at a stake driven into the sand-bank near the north-west corner of a fence situate near the south-west corner of Red Point Bay and bearing south-east for a distance of eight and a half chains thence by a line bearing north sixty degrees east of a distance of thirty chains thence by a line bearing north ten degrees east to the Rocky Cliff at Red Point Head a distance of about fifteen chains thence on the north-west by the ocean to the point of commencement.

SECOND PART.

All that piece or parcel of land being part of the Five Islands estate aforesaid commencing on the western boundary of the piece or parcel of land above described at a point chains from the north-west corner thereof and running thence in a line bearing west to the boundary of property of William Warren Jenkins and having a depth throughout of one chain.

Witness the hands of the parties—

Signed by D'ARCY WENTWORTH and FITZWILLIAM WENTWORTH, in the presence of—

Signed by the Australian Committee of and for the Mount Kembla Coal and Oil Company (Limited)—

E. VICKERY.

JOHN HARDY.

JOSEPH VICKERY, Jun.

In the presence of—HENRY W. BEGNELL.

To Mrs. O'Donnell, Five Islands Estate.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL.

(PETITION AGAINST—FRANCIS O'DONNELL.)

Received by the Legislative Assembly, 27 February, 1884.

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

The humble petition of Francis O'Donnell, of Five Islands Estate, near Wollongong, in the said Colony,—

RESPECTFULLY SHOWETH:—

That Thomas Saywell, of Sydney, has applied to your Honorable House for powers authorizing the construction of a railway from certain lands situate at or near Mount Kembla, in the district of Illawarra, passing through the properties of various owners, to Port Kembla.

That amongst other lands, for which power is asked to run the abovementioned railway through, is the Five Islands Estate, situate at Port Kembla, the said estate being the property of D'arcy Wentworth, Esq. (who is now in England), and of which I am the lessee.

That a piece of land 1 chain in width has already been secured by the Mount Kembla Coal Co. across the said Five Islands Estate, for railway purposes, and on which a line of railway is now in existence and use, and parallel with which Mr. Saywell proposes running his railway.

That the railway already in existence to Port Kembla, through the Five Islands Estate, is sufficient for two mines, and in the event of the trade increasing largely, there is ample room upon the 1 chain of land already resumed, through the Five Islands Estate, to lay down another line of railway if such were necessary.

That six or seven other mines are to be opened shortly (all of which may require Port Kembla as their outlet), each of the proprietors of which would be as much entitled to a fresh line of railway as Mr. Saywell is.

That every railway to Port Kembla must pass through the Five Islands Estate, Port Kembla being the boundary of the property. In the instance of the Mount Kembla Coal Co. the land resumed on this estate for railway purposes was about 17 acres, and for a depôt, 30 acres.

That in the event of other mines desirous of running railways to Port Kembla being dealt with in the same way as the Mount Kembla Coal Co., or as Mr. Saywell wishes to be, a large portion of the estate would be rendered useless for any other purpose, and a wrong would not only be inflicted upon me but upon the community, whose interest it would be to see land turned to the best advantage.

That apart from the injury caused by taking away the land, railways themselves depreciate the values of properties through which they pass by rendering the working of them far more difficult. It is of the utmost importance therefore that they should not be unnecessarily multiplied.

Your Petitioner therefore humbly prays that your Honorable House will give the premises your most favourable consideration, and grant such relief to your Petitioner as is equitable.

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

FRANCIS O'DONNELL.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL.

(PETITION AGAINST—CHAIRMAN OF MOUNT KEMBLA COAL AND OIL CO.)

Received by the Legislative Assembly, 5 March, 1884.

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

The humble Petition of Ebenezer Vickery, of Sydney, merchant, Chairman of the Mount Kembla Coal and Oil Company (Limited),—

SHOWETH:—

That a Bill to authorize the construction and maintenance of a line of Railway from land near Mount Kembla to the sea-coast at Red Point, Port Kembla, near Wollongong, has been introduced into your Honorable House during the present Session, and has been referred to a Select Committee for consideration and report.

2. The said line of Railway will run close to and in a direction nearly parallel to the Railway of the Mount Kembla Coal and Oil Company (Limited), which has just been constructed by the said Company at great expense, and the said proposed line of Railway will cross the line of the said Company no less than three times, thereby interfering greatly with the traffic on the said Railway, and make the same extremely dangerous.

3. The said Mount Kembla Coal and Oil Company (Limited) have, at great trouble and expense, obtained the exclusive right to the water frontage of a large portion of the said Port Kembla; and the Bill now before your Honorable House is intended to authorize one Thomas Saywell, trading as "The Victorian Coal-mining Company," to erect a jetty on the said water frontage belonging to the said Mount Kembla Coal and Oil Company.

4. The said jetty, if erected in the place proposed, will render almost useless the jetty already erected by the said Mount Kembla Coal and Oil Company, as there will be barely room to navigate and turn the large ocean steamers between the said jetties.

5. Owing to the rocks on one side of the jetty belonging to your Petitioner's Company, only very small steamers can load there; and if the new jetty be erected, as proposed, the other side will, as before stated, be materially damaged.

6. The said Bill contains no provision regulating the distance between the new jetty and the one at present erected, so that the said Victorian Coal-mining Company may completely block the jetty of your Petitioner's Company.

Your Petitioner therefore humbly prays that leave be given to your said Petitioner, on behalf of the said Mount Kembla Coal and Oil Company, to appear by counsel or attorney before the Select Committee now sitting on the said Bill, for the purpose of protecting the interests of the said Company, and with permission to call such witnesses as may be desirable, in accordance with the rules of your Honorable House.

And your Petitioner will ever pray, &c.

Dated this fifth day of March, in the year one thousand eight hundred and eighty-four.

E. VICKERY.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL.
(PETITION AGAINST—D'ARCY WENTWORTH.)

Received by the Legislative Assembly, 11 March, 1884.

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

The humble Petition of D'Arcy Wentworth, at present resident in England, Esquire, by his attorney,
duly appointed under a power of attorney, Fitzwilliam Wentworth, of Vacluse, Esquire,—

RESPECTFULLY SHOWETH:—

1. That one Thomas Saywell, of Sydney, merchant, has petitioned your Honorable House for and obtained leave to bring in a Private Bill, entitled "A Bill to authorize the construction and maintenance of a line of railway from land near Mount Kembla to the sea-coast at Red Point, Port Kembla, near Wollongong," and that such Bill has by your Honorable House been referred to a Select Committee of your Honorable House for inquiry and report.

2. That your Petitioner, D'Arcy Wentworth, is the owner of a large estate, through which the proposed line of railway has been (without your Petitioner's consent) surveyed, and the said Bill proposes to take compulsory powers to the Promoters to acquire portions of your Petitioner's said estate for the said railway purposes, and to construct the same through the said estate.

3. That the construction of the said railway through the said estate of your Petitioner will seriously and injuriously affect and prejudice the same and damnify your Petitioner, and he is desirous of opposing the same.

4. That even if your Honorable House should pass the preamble of the said Bill, your Petitioner submits that he is entitled to have divers clauses inserted and various alterations made therein for his due protection.

Your Petitioner therefore humbly prays as follows:—

1. That he may be heard by his counsel or solicitor before your Honorable House, or before the said Select Committee, in opposition to the said Bill, or as to clauses therein, with liberty to adduce such evidence as he may be advised in opposition to the said Bill or in support of this Petition.

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

Dated this 11th day of March, A.D. 1884.

D'ARCY WENTWORTH,

By FITZWILLIAM WENTWORTH,

His Attorney in New South Wales.

Witness—

JOHN PARKINSON,
Solicitor,
58, Hunter-street, Sydney.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL.
(PETITION AGAINST—E. D. NICOLLE.)

Received by the Legislative Assembly, 20 March, 1884.

To the Legislative Assembly of New South Wales.

This being the Petition of E. D. Nicolle, residing at White Heath, Lake Illawarra, near Wollongong, against Mr. Saywell's Bill, for the construction of a railway line from Mount Kembla to Port Kembla,—

1st. That a railway line is now in existence running from the Mount to the port abovenamed, which railway is capable for great many years to come to satisfy all the demands for transporting coal and other minerals intended for shipment; this line being quite new and efficient, leaves no plea for a duplicate line such as proposed by Mr. Saywell.

2nd. That it is suicidal to the development of agriculture, grazing, and dairying to cut up land prepared for these purposes at great expense, in order to satisfy the illegitimate speculation in mining undertakings such as proposed by Mr. Saywell.

3rd. That the construction of such line of railway, should it be granted, would withdraw the few hands which this district is unable to spare for tilling the land, to be transferred to a useless and condemnable purpose.

4th. That, on the eve of abandonment of assisted immigration by the policy of the present Government, all efforts should be made not to withdraw the useful hands who daily till the land to supply food to the overcrowded city, where no returns in the way of labour hardly finds its way in the country.

5th. That public works absorb already the greater part of the labouring hands of the Colony, for the construction of new railways, tramways, waterworks, and other improvements which are legitimate and useful; and upon this ground a useless railway as that contemplated in the Bill before your Honorable House should be dismissed.

Your Petitioner prays that your Honorable House will give full consideration to the objections herein mentioned, and will ever pray.

E. D. NICOLLE.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2).

(PETITION AGAINST—F. WENTWORTH AND D'ARCY WENTWORTH.)

Received by the Legislative Assembly, 6 May, 1884.

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

The humble Petition of D'Arcy Wentworth and Fitzwilliam Wentworth, at present resident in England, Esquires, by their respective Attorney (duly appointed under Powers of Attorney), James Hill, of Vaucluse, Esquire,—

RESPECTFULLY SHOWETH:—

1. That one Thomas Saywell, of Sydney, merchant, has petitioned your Honorable House for and obtained leave to bring in a private Bill, entitled "A Bill to authorize the construction and maintenance of a line of railway, from land at Mount Kembla to the sea-coast at Port Kembla, near Red Point, Wollongong"; and that such Bill has, by your Honorable House, been referred to a Select Committee of your Honorable House for inquiry and report.

2. That your Petitioner, D'Arcy Wentworth, is the tenant for life of a large estate through which the proposed line of railway has been (without your Petitioner's consent) surveyed, and your Petitioner, Fitzwilliam Wentworth, is the legal owner of the said land, as trustee under the will of his late father, William Charles Wentworth, and is interested therein in reversion or remainder, and that the said Bill proposes to take compulsory powers to the Promoters to acquire and for the vesting in them in fee simple and absolutely portions of your Petitioners' said estate, for the said railway, and powers to construct the same through the said estate.

3. That the acquisition of such powers, and thereafter the construction of the said railway through the said estate of your Petitioners, will seriously and injuriously affect and prejudice the same, and damnify your Petitioners, on the following grounds:—

- 1. That the said line of railway is not required, and will cause (if made) damage to your Petitioners' estate and the use thereof for farming or other purposes.
- 2. That the erection and construction of a pier or jetty, 1,200 feet from one now existing of the Mount Kembla Coal-mining Company, will seriously affect and prejudice the sea frontage and the beneficial use thereof of your Petitioners' said estate.
- 3. That the Promoter and others of the public now have, under existing legislative enactment, ample power of approach to the sea-coast at Port Kembla to an existing wharf over an existing railway in actual working order and use, to wit, the pier and railway of the said Mount Kembla Coal-mining Company.

4. That the said proposed line and pier will seriously damage and affect your Petitioners' estate and interests; and they are desirous of opposing the said Bill, as introduced by the said Thomas Saywell, unless modified and altered as hereinafter mentioned.

5. That since the said Bill was introduced your Petitioners have agreed to forego all opposition to the same, and permit the said Thomas Saywell to acquire, on lease for fifty years from the date of the said agreement, the said land of your Petitioners, for the purpose of constructing the said railway through and over the same, on certain conditions, and such agreement has been reduced into writing and signed or assented to by the said Thomas Saywell, and by or on behalf of your Petitioners.

6. That it is necessary to have various modifications and alterations and additions made in the said Bill to give effect to, and to make the same accord with, the terms of the said agreement; and your Petitioners are informed and believe that the said Promoters will be ready and willing to assent thereto, in and before the said Committee or in your Honorable House.

Your Petitioners therefore humbly pray as follows :—

1. That they may be heard by their counsel or solicitor before your Honorable House, or before the said Select Committee, as to modifications or insertion of clauses in the said Bill, so as to bring the same into accord with the terms of the said agreement, with liberty to adduce such evidence as they may be advised thereon, or (failing the consent of the said Promoter to the aforesaid modifications or alterations, in accordance with the terms of the said agreement), that your Petitioners may have liberty to oppose the said Bill and adduce such evidence as they may be advised thereon.

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

D'ARCY WENTWORTH.	}	By their Attorney,—
E. WENTWORTH.		JAMES HILL.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2).

(PETITION AGAINST—SARAH AND FRANCIS O'DONNELL.)

Received by the Legislative Assembly, 7 May, 1884.

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

The humble Petition of Sarah O'Donnell, widow, and Francis O'Donnell, both of Five Islands Estate, near Wollongong, in the said Colony,—

RESPECTFULLY SHOWETH :—

1. That a Mr. Thomas Saywell, of Sydney, has applied to your Honorable House for powers authorizing the construction of a railway from certain lands situate at Mount Kembla to the sea-coast at Port Kembla, near Red Point, near Wollongong.

2. That amongst other lands for which power is asked to run the above-mentioned railway through, is the Five Islands Estate, situate at Port Kembla, and of which your Petitioner, Sarah O'Donnell, is the lessee, and in the lease of which your Petitioner, Francis O'Donnell, is interested.

3. That a piece of land, 1 chain in width, has already been secured by the Mount Kembla Coal Company across the said Five Islands Estate, for railway purposes, and on which a line of railway is now in existence and use, and parallel with which Mr. Saywell purposes running his line of railway.

4. That the line of railway already in existence to Port Kembla, through the Five Islands Estate, is sufficient for two mines; and in the event of the trade increasing largely, there is ample room upon the 1 chain of land already resumed through the Five Islands Estate to lay down three additional lines of railway, if such were at any time required.

5. That through the Berkeley Estate, across which the Mount Kembla Coal Company's Railway passes, for a distance of between 2 and 3 miles, a strip of land only 40 feet in width has been resumed, and it will be impossible hereafter to increase the width, seeing that it is bounded on one side by the Five Islands Road, and will be bounded on the other by the Victorian Coal Company's line of railway, therefore the additional 26 feet of land which the Mount Kembla Coal Company has resumed through the Five Islands Estate more than in other places can never be utilized by them.

6. That six or seven other mines are to be opened within a short time, all of which may require Port Kembla as their outlet, each of the proprietors of which would be as much entitled to a fresh line of railway as Mr. Saywell's Company is.

7. That every railway to Port Kembla must pass through the Five Islands Estate, Port Kembla being on the property. In the instance of the Mount Kembla Coal Company, the land resumed for railway purposes was about 17 acres, and for a depot 30 acres.

8. That in the event of other mines being dealt with in the same way as the Mount Kembla Coal Company, or as Mr. Saywell wishes to be, a large portion of the estate would be rendered useless for any other purpose, and a wrong would not only be inflicted upon your Petitioner, but upon the community, whose interest it is to see land turned to the best advantage.

9. That apart from the injury caused by taking away the land, railways themselves depreciate the value of lands through which they pass, by rendering the working of them far more difficult. It is of the utmost importance therefore that railways should not be unnecessarily multiplied, and that those which are necessary should be laid as closely together as safety would permit.

Your Petitioners therefore humbly pray that your Honorable House will give the premises herein set forth your most favourable consideration, and grant your Petitioners, or either of them, the privilege of being heard personally, or by counsel or solicitor, before your Honorable House, or before the Committee appointed to inquire respecting the Bill herein referred to.

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

[Here follow 2 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2).
(PETITION OF W. J. R. JENKINS AND R. T. JENKINS, TO BE HEARD IN OPPOSITION TO THE BILL.)

Received by the Legislative Assembly, 21 May, 1884.

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

The humble Petition of William James Robert Jenkins, Robert Thomas Jenkins, and Deighton Taylor, all of Illawarra, in the Colony of New South Wales, Trustees and Executors of the will of William Warren Jenkins, late of Berkeley, Illawarra, Esquire, deceased,—

RESPECTFULLY SHOWETH:—

1. That one Thomas Saywell, of Sydney, merchant, having petitioned your Honorable House for and obtained leave to bring in a private Bill entitled "A Bill to authorize the construction and maintenance of a line of railway from land at Mount Kembla to the sea-coast at Port Kembla near Red Point near Wollongong" and such Bill having been referred to your Honorable House to a Select Committee for inquiry and report, your Petitioners, having regard to the interests they represent, feel bound to present this their petition, with their reasons for objecting to the Bill.

2. That your Petitioners are the Trustees and Executors of the last will and testament of the late William Warren Jenkins deceased, who died on Tuesday, the 6th day of May instant, and who was the owner of a large estate called the Berkeley Estate, through which the proposed line of railway has been surveyed, without the consent of the late deceased owner or of your Petitioners.

3. That the said Bill proposes to take compulsory powers to the Promoters to acquire portions of the said estate for the said railway purposes, and to construct the same through the said estate, of which your Petitioners are Trustees under the will aforesaid.

4. That the possession of such powers, if granted, and the right of construction of such railway through the said estate, if acquired, will seriously and injuriously affect and prejudice the same, and damnify the interests of the parties represented by your Petitioners; and your Petitioners object to such powers and rights being granted and acquired adversely to them and those they represent as aforesaid, on the following grounds:—

1. That the said line of railway is not required, and will cause (if made) besides the loss of the land directly and indirectly affected thereby, serious inconvenience and damage to the said estate, and the use thereof for farming and other purposes, by the severance of the land and by needless double crossings over two railway lines, and by the new and additional responsibilities created by the Act in connection therewith and otherwise.
2. That the objects of the Bill are already partially secured, so far as regards means of railway communication with the coast, by the provisions of an existing legislative enactment, to which, so far as it goes through the said estate, the Bill ought to be restricted; and that one railway parallel to another already existing, and in close proximity, leaving intervening land worthless for all practical purposes, would be both a public and a private nuisance.
3. That even if your Honorable House should pass the preamble of the said Bill, your Petitioners submit that they are entitled to have various clauses inserted, and amendments and alterations made therein, for their due protection.

Your Petitioners therefore humbly pray that they may be heard by their counsel or solicitor before your Honorable House, or before the Select Committee in opposition to the said Bill and the provisions thereof, with liberty to adduce such evidence as they may be advised in opposition thereto or in support of this Petition.

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

Dated this 14th day of May, A.D. 1884.

WILLIAM J. R. JENKINS.
R. T. JENKINS.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

WALGETT ENGLISH CHURCH AND PARSONAGE
LAND SALE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
14 *November*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 12. TUESDAY, 30 OCTOBER, 1883.

7. WALGETT ENGLISH CHURCH AND PARSONAGE LAND SALE BILL (*Formal Motion*):—Mr. Dangar moved, pursuant to Notice,—
- (1.) That the Walgett English Church and Parsonage Land Sale Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Burns, Mr. Spring, Mr. Moses, Mr. Murray, Mr. Gill, Mr. Cass, and the Mover.
- Question put and passed.
-

VOTES No. 17. WEDNESDAY, 14 NOVEMBER, 1883.

6. WALGETT ENGLISH CHURCH AND PARSONAGE LAND SALE BILL:—Mr. Dangar, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 30th October, 1883; together with a copy of the Bill as amended and agreed to by the Committee. Ordered to be printed.

* * * * *

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1883.

(THIRD SESSION.)

 WALGETT ENGLISH CHURCH AND PARSONAGE LAND SALE BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 30 October, 1883,—“*the Walgett English Church and Parsonage Land Sale Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose *John Mathew
M'Donald. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make an amendment.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

THOS. G. DANGAR,
Chairman.

No. 3 Committee Room,
Sydney, 13th November, 1883.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 13 NOVEMBER, 1893.

MEMBERS PRESENT:—

Mr. Daugar, | Mr. Spring,
 Mr. Burns.

Mr. Dangar called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with the original Petition to introduce the same, before the Committee.

Present:—John Mathew M'Donald, Esq., (*Solicitor for the Bill*).

John Mathew M'Donald, Esq., sworn and examined.

Witness *produced* the Deeds referred to in the Preamble to the Bill, and supplied copies of the same.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 and 2 read and agreed to.

Schedules read and agreed to.

New Clause* to stand Clause 3 of the Bill read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

* See Schedule
of Amendment

SCHEDULE OF AMENDMENT.

Page 2. *Insert* the following new Clause, to stand Clause 3:—“This Act may be cited as the ‘Walgett English Church and Parsonage Land Sale Act of 1893.’”

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

WALGETT ENGLISH CHURCH AND PARSONAGE LAND
SALE BILL.

TUESDAY, 13 NOVEMBER, 1883.

Present:—

MR. BURNS, | MR. DANGAR,
MR. SPRING.

T. G. G. DANGAR, ESQ., IN THE CHAIR.

John Mathew M'Donald, Esq., sworn and examined:—

1. *Chairman.*] You are the Solicitor for the Walgett Church and Parsonage Land Sale Bill? I am.
2. And this Bill is to enable Thomas Clark, Richard Kirby Thompson, and Arthur Gray, trustees of certain land situate in the town of Walgett, to sell the same, and provide for the application of the proceeds thereof? Yes.
3. Do you hold the grants of this land? There are two grants.
4. Grants from the Crown? From the Crown direct.
5. When was this land granted? The first is a grant of land dedicated for the purposes of a church, and dated the 24th April, 1882. The area comprised in that grant is 3 roods 30 perches.
6. What is the one for the parsonage? The one for the parsonage is dated the 24th April, 1882, and the area is 1 rood 35 perches.
7. And those grants were issued to Thomas Clark, Richard Kirby Thompson, and Arthur Gray? Yes.
8. Is it the wish of the trustees that this land should be sold? It is.
9. And for what reason? Because the sites are unsuitable for the erection of a church and parsonage.
10. In what manner? Because the land is surrounded by hotels and wine shops, and the trustees on that account think it is not suitable for a church. Before they commence the erection of a church they want to have a suitable place, and therefore they ask for power to sell this land.
11. Can you describe the situation of this land? Yes. The lots are numbers 17, 18, and 19, of section 11; fronting Fox-street and the land at the corner of Fox and Wee Waa Streets.
12. And the members of the Church of England in Walgett have induced the trustees to take this step? Yes.
13. Did they hold a meeting with regard to the matter? Yes, and passed a resolution to that effect. (*Copy of the resolution produced as an exhibit.*)
14. Who gave you that resolution? Mr. Wright, one of the churchwardens.
15. Has any objection been raised to the sale of this land? None whatever.
16. Not by the Bishop or anybody else? No, the Bishop has signified his assent; the Rev. Mr. Walker told me he had written to the Bishop, and he quite assented to the Bill being passed.
17. Have you any idea of the value of this land? No. It is much less than it ought to be.
18. If this land is sold, will it bring in such a value, after paying the expenses of this Bill, to give any surplus? I think it will.
19. And it is intended with the proceeds of this land to buy other land, and to appropriate it to the erection of a church and parsonage? Yes.

J. M.
M'Donald,
Esq.

13 Nov., 1883.

MINUTES OF EVIDENCE ON THE WALGETT ENGLISH CHURCH AND PARSONAGE LAND SALE BILL.

- J. M. McDonald, Esq.
3 Nov., 1883.
20. *Mr. Burns.*] Have the trustees got any other land in view to purchase, in lieu of the land they propose to sell? Yes, I think they have some land in view near the Scotch Church. That would be further down—about three blocks away.
21. And do you think you will get sufficient from the sale of the land now in trust to enable the parishioners to get a suitable site? Yes, I think there will be a little surplus.
22. The land is increased in value by reason of being close to business property, but is not suitable for a church? Yes, it is.
23. And you think the sale, in addition to giving sufficient to purchase the new site, will bring a surplus? I think the trustees will have about £200 surplus.
24. This Bill has been advertised in the local papers? Yes, according to the Standing Orders.
25. Have you heard of any objection? None.
26. The parishioners and the people all concur? They do.
27. And the Bishop? Yes, so I am informed by the Minister of the parish.
28. *Mr. Spring.*] There are no other lands held in trust for the Church in the town, besides this? There is no other.
29. *Chairman.*] Is not the present site the highest ground in Walgett? The present site is on high ground, but I think in case of a very heavy flood the water would come up 20 feet on the back of it, though there might be only one such flood in ten or twenty years.
30. *Mr. Burns.*] Is the proposed site elevated above flood reach? Yes. Then there are other high lands about to be sold by the Government, that have been surveyed for sale, and the trustees expect to be able to buy a couple of high allotments cheaply, between the hospital and the town, in a good situation for the church.
31. Have you no idea of the present value of this land? I think it would bring £800 at the very least.
32. What is the upset price of other Government allotments, such as are proposed to be purchased? I think they could buy the same area in a different place for three or four hundred pounds or less, but that at the very outside.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

WALLSEND AND PLATTSBURG GAS
COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

29 October, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 175. WEDNESDAY, 22 OCTOBER, 1884.

5. WALLSEND AND PLATTSBURG GAS COMPANY'S BILL (*Formal Motion*):—*Mr. Cameron*, for *Mr. Fletcher*, moved, pursuant to Notice,—
- (1.) That the Wallsend and Plattsburg Gas Company's Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Melville*, *Mr. Luscombe*, *Mr. Teece*, *Mr. Hutchinson*, *Mr. Cameron*, *Mr. Ellis*, *Mr. Targett*, *Mr. Burdekin*, and *Mr. Fletcher*.
- Question put and passed.

VOTES No. 178. WEDNESDAY, 29 OCTOBER, 1884.

2. WALLSEND AND PLATTSBURG GAS COMPANY'S BILL:—*Mr. Cameron*, for *Mr. Fletcher*, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 22nd October, 1884; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

 WALLSEND AND PLATTSBURG GAS COMPANY'S BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 22nd October, 1884,—“*the Wallsend and Plattsburg Gas Company's Bill*,”—beg to report to your Honorable House :—

That they have examined the witness* named in the margin (whose * Mr. Thomas Abel evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to insert a new Clause.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

JAMES FLETCHER,
Chairman.

No. 3 Committee Room,

Sydney, 28th October, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 28 OCTOBER, 1884.

MEMBERS PRESENT:—

Mr. Fletcher,	|	Mr. Cameron,
Mr. Luscombe,	|	Mr. Teece.

Mr. Fletcher called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—George Wallace, Esq. (*Solicitor for the Bill*).

Mr. Thomas Abel (*Secretary to the Wallsend and Plattsburg Gas Company*) called in, sworn, and examined.

Witness produced the Articles of Association and the Certificate of Incorporation of the Company, and handed in Agreements with the Corporations of Wallsend and Plattsburg respectively, which were ordered to be appended. (*See Appendices A and B.*)

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 25 read and agreed to.

Schedule read and agreed to.

New clause* to stand as clause 22 read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amendment, to the House.

SCHEDULE OF AMENDMENT.

Page 7. *Insert* the following new clause to stand as clause 22,—“Nothing contained in this Act shall prevent the said Company being brought under the provisions of any general Act which may be passed by the Parliament of New South Wales applying equally to Companies engaged in the manufacture of gas in the said Colony with reference to the manufacture and sale of gas nor entitle the said Company to compensation from the public revenue by reason of the provisions of such general Act for the purpose aforesaid being made applicable to and binding upon the said Company.”

* See Schedule of Amendment.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

WALLSEND AND PLATTSBURG GAS COMPANY'S BILL.

TUESDAY, 28 OCTOBER, 1884.

Present:—

MR. CAMERON,
MR. FLETCHER,

MR. LUSCOMBE,
MR. TEECE.

JAMES FLETCHER, Esq., IN THE CHAIR.

Mr. G. Wallace appeared as Solicitor for the Bill.

Mr. Thomas Abel called in and examined:—

1. *Mr. Wallace.*] You are Secretary of the Wallsend and Plattsburg Gas Company (Limited)? Yes.
2. Are you well acquainted with the Boroughs of Wallsend and Plattsburg? Yes, I have been residing in the district for twenty years, and for the last eight years in Wallsend.
3. From your knowledge of those boroughs and their requirements, do you consider that they and other places in the police district of Newcastle should be supplied and lighted with gas? Yes, decidedly so. There are about 8,000 inhabitants in Wallsend and Plattsburg alone, and frequent applications have been made to light the streets with gas.
4. Has a Joint Stock Company, called the Wallsend and Plattsburg Gas Company (Limited), been formed for the purpose of lighting those places with gas? Yes.
5. Do you produce the certificate of incorporation? I do. (*Produced.*)
6. And the Articles of Association? Yes. (*Produced, and copy handed in.*)
7. Have the Wallsend and Plattsburg Borough Councils consented to the Company carrying on their operations in accordance with the provisions of this Bill? Yes. I produce an agreement to that effect, signed by the Mayor of Plattsburg, with the corporate seal affixed (*produced*); also a similar agreement signed by the Mayor of Wallsend, with the corporate seal affixed (*produced*).
8. Has the Wallsend and Plattsburg Gas Company purchased land and entered into contracts for the erection of works? Yes; the plant is now on the ground.
9. And on the passing of this Bill they are prepared to carry on the works provided for in this Bill? Yes.
10. *Chairman.*] Has the capital required by the Articles of Association been subscribed? Yes, one-half the capital has been subscribed—as much as is required at the present time.
11. *Mr. Cameron.*] You know of no opposition to the provisions of this Bill? Not the slightest.
12. *Chairman.*] In fact the people in both boroughs are anxious the works should be erected? Yes.

Mr. T. Abel.
28 Oct., 1884.

WALLSEND AND PLATTSBURG GAS COMPANY'S BILL.

APPENDIX.

[To the Evidence of Mr. Thomas Abel, 28 October, 1884.]

A.

THIS indenture made the 21st day of April A.D. 1884 between the Borough of Wallsend in the Colony of New South Wales of the one part and the Directors of the Wallsend and Plattsburg Gas and Coke Company of the other part. Whereas a Joint Stock Company has been formed for the purpose of producing inflammable air or gas from coal oil tar pitch or other material and for lighting and supplying with gas all public and private places roads streets and buildings within the Boroughs of Wallsend and Plattsburg and the surrounding district and for other purposes in connection therewith and whereas application is about to be made to the Legislature of New South Wales for an Act to incorporate the said Company and to give the said Company power to break up roads and streets to erect posts pillars lamps lamp-irons and other apparatus in the said streets thoroughfares and other public places And whereas the said Directors hereto of the second part are desirous of commencing operations by laying mains in the streets of the said Borough and have applied for permission to break up the streets roads lanes or thoroughfares or places dedicated or used by the public as such within the boundaries of the said Borough Now this indenture witnesseth that in pursuance of the said agreement and in consideration of the covenants hereinafter contained on the part of the said parties hereto of the second part the said Borough of Wallsend doth hereby give and grant unto the said parties hereto of the second part and doth hereby authorize and empower the said parties hereto of the second part and their successors in office as Directors of the said Company by their servants contractors agents workmen and others from time to time to break up the soil and pavement of any highway street roadway lane passage or other public place or thoroughfare or of any road way thoroughfare or place dedicated to or used by the public as such within the boundaries of the said Borough of Wallsend or any part or parts thereof and to erect posts pillars lamps lamp-irons and other apparatus in the same highways streets roads lanes passages and any other thoroughfare and places and to dig and sink trenches and drains and to lay mains and pipes and put stop-cocks siphons plugs or trances from such mains or pipes in or under across or along such highways streets roadways lanes passages and other thoroughfares and places and in consideration of the permission hereinbefore granted and the rights and privileges hereinbefore conferred each of them the said Directors hereby severally promise and agree and for the purpose of binding the said Company and their successors in office as Directors of the said Gas Company hereby jointly promise and agree with and to the said Borough of Wallsend and their successors in manner following that is to say that when and so often as the said parties hereto of the second part shall have broken up or removed any pavement stone or other material of any highway road street way lane passage or other public place or thoroughfare of any road way lane thoroughfare or place dedicated to or used by the public as such they the said parties of the second part shall make all reasonable despatch in the performance of the work to be done and shall on completion of such work forthwith carry away all rubbish and waste or surplus material and reinstate such pavement stone or material and render such highway road street lane way passage or other place as nearly as possible in the same condition as it was in previously to the disturbance thereof and shall and will during the continuance of such work and until such reinstatement keep up barriers and keep lamps burning at night in order to prevent accidents and shall not unnecessarily impede the traffic in any such highway road street way lane or thoroughfare or other public place as aforesaid and that the said parties hereto of the second part shall and will from time to time and at all times hereafter well and effectually save harmless and keep indemnified the said Borough of Wallsend and their successors and their lands and tenements goods and chattels of from and against all actions suits causes of action and suits claims and demands damages costs charges and expenses whatsoever which the said Borough of Wallsend shall become liable to incur or be called upon to pay by reason of the carrying out of the powers and privileges or any of them given granted and bestowed by the said Borough of Wallsend upon the said parties hereto of the second part And it is hereby declared and declared by and between the parties hereto that so soon as the said Wallsend and Plattsburg Gas Company shall have obtained their Act of Incorporation then this agreement and every clause therein shall be void save and except as to any liability which may have accrued or any act which may have rendered the said parties hereto liable under the clause of indemnity hereinbefore contained.

As witness the hands and seals of the said parties the day and year just before written.

Signed for and on behalf of the Borough of Wallsend, in accordance with a resolution passed at the Council meeting held on Tuesday evening, the 1st day of April, 1884, empowering the Mayor to sign and affix the seal of the Council.

Witness—THOMAS ABEL.

(L.S.) ELLIJAH ABELL,
Mayor.

Signed for and on behalf of the Directors of the Wallsend and Plattsburg Gas Company,
By order of the Directors,

Witness—

B.

THIS indenture made the tenth day of April A.D. 1884 between the Borough of Plattsburg in the Colony of New South Wales of the one part and the Directors of the Wallsend and Plattsburg Gas Company of the other part. Whereas a Joint Stock Company has been formed for the purpose of producing inflammable air or gas from coal oil tar pitch or other material and for lighting and supplying with gas all public and private places roads streets and buildings within the Boroughs of Wallsend and Plattsburg and the surrounding district and for other purposes in connection therewith and whereas application is about to be made to the Legislature of New South Wales for an Act to incorporate the said Company and to give the said Company power to break up roads and streets to erect posts pillars lamps lamp-irons and other apparatus in the said streets thoroughfares and other public places And whereas the said Directors hereto of the second part are desirous of commencing operations by laying mains in the streets of the said Borough and have applied for permission to break up the streets roads lanes or thoroughfares or places dedicated or used by the public as such within the boundaries of the said Borough Now this indenture witnesseth that in pursuance of the said agreement and in consideration of the covenants hereinafter contained on the part of the said parties hereto of the second part the said Borough of Plattsburg doth hereby give and grant unto the said parties hereto of the second part and doth hereby authorize and empower the said parties hereto of the second part and their successors in office as Directors of the said Company by their servants contractors agents workmen and others from time to time to break up the soil and pavement of any highway street roadway lane passage or other public place or thoroughfare or of any roadway thoroughfare or place dedicated to or used by the public as such within the boundaries of the said Borough of Plattsburg or any part or parts thereof and to erect posts pillars lamps lamp-irons and other apparatus in the same highways streets roads lanes passages and any other thoroughfare and places and to dig and sink trenches and drains and to lay mains and pipes and put stop-cocks siphons plugs or trances from such mains or pipes in or under across or along such highways streets roadways lanes passages and other thoroughfares and places And in consideration of the permission hereinbefore granted and the rights and privileges hereinbefore conferred each of them the said Directors hereby severally promise and agree and for the purpose of binding the said Company and their successors in office as Directors of the said Gas Company hereby jointly promise and agree with and to the said Borough of Plattsburg and their successors in manner following that is to say that when and so often as the said parties hereto of the second part shall have broken up or removed any pavement stone or other material of any highway road

road street way lane passage or other public place or thoroughfare of any roadway lane thoroughfare or place dedicated to or used by the public as such they the said parties of the second part shall make all reasonable despatch in the performance of the work to be done and shall on completion of such work forthwith carry away all rubbish and waste or surplus material and reinstate such pavement stone or material and render such highway road street lane way passage or other place as nearly as possible in the same condition as it was in previously to the disturbance thereof and shall and will during the continuance of such work and until such reinstatement keep up barriers and keep lamps burning at night in order to prevent accidents and shall not unnecessarily impede the traffic in any such highway road street way lane or thoroughfare or other public place as aforesaid and that the said parties hereto of the second part shall and will from time to time and at all times hereafter well and effectually save harmless and keep indemnified the said Borough of Plattsburgh and their successors and their lands and tenements goods and chattels of from and against all actions suits causes of action and suits claims and demands damages costs charges and expenses whatsoever which the said Borough of Plattsburgh shall become liable to incur or be called upon to pay by reason of the carrying out of the powers and privileges or any of them given granted and bestowed by the said Borough of Plattsburgh upon the said parties hereto of the second part And it is hereby declared and declared by and between the parties hereto that as soon as the said Wallsend and Plattsburgh Gas Company shall have obtained their Act of Incorporation then this agreement and every clause therein shall be void save and except as to any liability which may have accrued or any act which may have rendered the said parties hereto liable under the clause of indemnity hereinbefore contained.

As witness the hands and seals of the said parties the day and year just before written.

Signed for and on behalf of the Borough of Plattsburgh, in accordance with a resolution passed at the Council Meeting held on Wednesday evening, the 10th day of April, 1884, empowering the Mayor to sign and affix the seal of the Council.

Witness—THOS. ABEL,
Council Clerk.

(L.S.) JAMES RICHARDSON,
Mayor.

Signed for and on behalf of the Directors of the Wallsend and Plattsburgh Gas Company,—
By order of the Directors,

Witness—

1883-4.

LEGISLATIVE ASSEMBLY,
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

WINDSOR GASLIGHT COMPANY BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
12 *February*, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 10. THURSDAY, 25 OCTOBER, 1883.

8. WINDSOR GASLIGHT COMPANY BILL (*Formal Motion*):—Mr. Slattery moved, pursuant to Notice,—
- (1.) That the Windsor Gaslight Company Bill be referred to a Select Committee for inquiry and report.
- (2.) That such Committee consist of Mr. Abigail, Mr. Burns, Mr. Cass, Mr. Dalton, Mr. Holtermann, Mr. Melville, Mr. Merriman, Mr. Olliffe, and the Mover.
- Question put and passed.
-

VOTES No. 54. TUESDAY, 12 FEBRUARY, 1884.

6. WINDSOR GASLIGHT COMPANY BILL:—Mr. Slattery, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before the Select Committee for whose consideration and report this Bill was referred on 25th October, 1883; together with Appendix, and a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883-4.

WINDSOR GASLIGHT COMPANY BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 25th October, 1883,—“*the Windsor Gaslight Company Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence * Charles Hole, Esq. will be found appended hereto); and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill with an amended Preamble.

T. M. SLATTERY,
Chairman.

No. 3 Committee Room,
Sydney, 8th February, 1884.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 8 FEBRUARY, 1884.

MEMBERS PRESENT:—

Mr. Slattery,	|	Mr. Olliffe,
Mr. Dalton,	|	Mr. Melville,
Mr. Holtermann.		

Mr. Slattery called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present,—J. Arthur Dowling, Esq. (*Solicitor for the Bill*).

Charles Hole, Esq. (*Secretary to the Company*), called in, sworn, and examined.

Witness produced the Certificate of Incorporation of the Company; and also handed in—the Consent of the Municipal Council of Windsor to the operations of the Company, and the permission of the Windsor Road Trust to take up their road,—which were ordered to be appended. (*See Appendices A 1 and A 2.*)

Room cleared.

Preamble considered and amended. *

Question,—“That this Preamble, as amended, stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 25 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amended Preamble, to the House.

* See Schedule of Amendment.

SCHEDULE OF AMENDMENT.

Page 1, Preamble, line 9, *Insert* “and the Commissioners of the Windsor Road Trust.”

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

WINDSOR GASLIGHT COMPANY BILL.

FRIDAY, 8 FEBRUARY, 1884.

Present:—

MR. SLATTERY,	MR. HOLTERMANN,
MR. OLLIFFE,	MR. DALTON,
MR. MELVILLE.	

T. M. SLATTERY, ESQ., IN THE CHAIR.

Mr. A. Dowling appeared as Solicitor for the Bill.

Mr. Charles Hole called in and examined:—

1. *Mr. Dowling.*] You are Secretary of the Windsor Gaslight Company (Limited)? Yes.
2. Do you produce the Certificate of Incorporation of the Company under the Companies Act, 37 Victoria, number 19? Yes. (*Produced.*)
3. Do you produce a consent to the operations of the Company, from the Mayor and Corporation of the Borough of Windsor? I produce a certified copy under the hand of the Mayor and the Common Seal of the Municipal Council of Windsor, of a minute and resolution authorizing the Company to take up the streets and lay down gas-pipes. (*Handed in. Appendix A 1.*)
4. Do you also produce some correspondence between yourself and Mr. William Walker, Secretary of the Windsor Road Trust, with reference to the roads and streets under the control of the Trust? Yes. (*Handed in. Appendix A 2.*)
5. *Mr. Olliffe.*] What is the nature of that correspondence? Simply asking the Road Trust to allow us to take up the roads, and they gave us permission.
6. *Mr. Dowling.*] You are well acquainted with Mr. Walker's handwriting, and you know that to be his signature? Yes.
7. *Chairman.*] What is the capital of the Company? Six thousand shares of £1 each, with power to increase the same by the addition of a further number of shares of the same value.
8. *Mr. Dalton.*] Over what area do you intend to distribute the gas? About a mile and a half or 2 miles.
9. What is the area of the Municipality? It is all within 2 miles.
10. How many miles of mains do you propose to lay down? About 2 miles; we have in fact laid down 2 miles of mains.
11. *Chairman.*] The Commissioners of the Windsor Road Trust have the control of some part of the streets of Windsor? Yes, over the part of the town called George-street.

Mr.
C. Hole.
8 Feb., 1884.

WINDSOR GASLIGHT COMPANY BILL.

APPENDIX.

[To the Evidence of Charles Hole, Esq., 8 February, 1884.]

A 1.

Copy from Minute-book of the Windsor Municipal Council, Ordinary Meeting, September 5th, 1883.

Minute from the Mayor.

To receive and consider application from the Secretary of the Windsor Gaslight Company, to lay down gas mains and pipes in the streets of the Borough, &c.

On the motion of Alderman W. Gosper, seconded by Alderman Linsley,—

That the letter from Mr. Hole, Secretary to the Windsor Gaslight Company, be received, and that the request be complied with. The Company to enter into the usual guarantee to bear the Council harmless, in case of any accident arising from their acts, and that any streets or footpaths broken up by them or their servants should be left in as good a state as when so broken, and to the satisfaction of the Council or its officers.—Carried.

I certify that the above is a correct copy of the minute passed on 5th September, 1883, and recorded in the Minute-book of the Council.

THOMAS PRIMROSE,
Mayor.

A 2.

The Secretary, Windsor Gaslight Company, to The Commissioners of the Windsor Road Trust.

Gentlemen,

Windsor Gaslight Co. (Limited), 27 August, 1883.

By instruction from the Board of Directors of this Company, I beg to apply to you for permission to lay down gas mains and pipes in the streets of Windsor which are under your supervision, and, for that purpose, to open the ground where necessary in the streets referred to.

As the establishment of gasworks will be an improvement to the town, I feel sure you will readily comply with this request. Of course the ground where disturbed will be replaced and the surface left in proper order as before.

I am, &c.,
CHARLES HOLE,
Secretary.

The Secretary, Windsor Road Trust, to The Secretary, Windsor Gaslight Company.

Dear Sir,

Windsor, 3 September, 1883.

I am directed by the Commissioners of the Windsor Road Trust to acknowledge receipt of your communication dated 27th ult., in behalf of the Windsor Gaslight Company, and to say that the Commissioners will be quite willing to assent to your request, but they do not think they have authority to do so until the Act applied for by the Company passes the Legislature.

Your most obedient servant,
WM. WALKER,
Secretary, Windsor Road Trust.

The Secretary, Windsor Gaslight Company, to The Secretary, Windsor Road Trust.

Dear Sir,

Windsor Gaslight Co. (Limited), 7 September, 1883.

Referring to your letter of 3rd inst., am I to understand that the Commissioners decline to accede to my request on the ground that they have no authority; or that, although they have no authority to consent, they will offer no impediment?

The Company is willing to guarantee to hold you harmless, and, in the event of the Bill not passing Parliament, to restore the streets as before.

Your obedient servant,
CHARLES HOLE,
Secretary.

The Secretary, Windsor Road Trust, to The Secretary, Windsor Gaslight Company.

Dear Sir,

Windsor, 7 September, 1883.

In reply to your note, I beg to say that the Commissioners simply mean that they have no legal power to grant the Gas Company the privilege they require, but they will make no objections to the Company doing what they desire, provided the latter will hold all parties concerned harmless.

Yours truly,
WM. WALKER,
Secretary, Windsor Road Trust.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(STATEMENT FROM INSPECTOR-GENERAL OF POLICE, RESPECTING BREACHES OF.)

*Ordered by the Legislative Assembly to be printed, 28 May, 1884.**[Laid upon the Table of this House, in pursuance of promise made by the Colonial Secretary in answer to Question asked by Mr. Abigail, on Thursday, 22 May, 1884, Votes and Proceedings No. 104.]*

(3.) Breaches of the Licensing Act:—Mr. Abigail asked the Colonial Secretary,—Has the Inspector General of Police submitted a report, in reply to the statement of the Honorable Member for Paddington, Mr. Butcher, while attending a Deputation, namely, that ex-policemen who had become hotelkeepers were allowed to break the law by serving during prohibited hours, with the knowledge of the Police, while others were prosecuted without sufficient cause being assigned; if so, will he lay a copy of the same upon the Table of the House?

Mr. Stuart answered,—I have received a statement from the Inspector-General in answer to my question upon the subject. I have no objection to lay it upon the Table, and I will do so.

The Inspector-General of Police to The Principal Under Secretary.

Police Department, Inspector General's Office, Sydney, 7 February, 1884.

I BEG leave to submit, for the Colonial Secretary's information, certain particulars I have obtained in reference to a statement made by Mr. Butcher, M.P., when on a deputation to the Colonial Secretary, respecting publicans' licenses held by men who had served in the Police; also a letter from Mr. Abigail, M.P., on the subject.

If the information desired by the latter gentleman is to be supplied, I presume it should be afforded by the Colonial Secretary.

A statement is attached in reference to the decrease in the number of persons taken into custody for drunkenness on Sundays since the Licensing Act was passed.

B.C.

EDMUND FOSBERY.

I.G.P.

F. Abigail Esq., M.P., to The Inspector-General of Police.

Sir,

2 February, 1884.

I beg to draw your attention to a statement of the Hon. Member for Paddington, Mr. Butcher, at a deputation to the Hon. A. Stuart on Friday last, *re* Licensing Act, to the following effect, which I copy from the *Daily Telegraph*:—"I will call attention to the fact that public-houses kept by ex-policemen can do a splendid trade on Sundays, and are not molested by members of the Force for infringing the law; the consequence is that the honest publican is interfered with in his business by the man who is permitted to sell in prohibited hours." Now, sir, the above appears to be a serious reflection upon the Police, and I wish to learn from you if there is any possibility of its being true.

May I also ask if the convictions for drunkenness on Sundays increased of late. Awaiting the favour of a reply,—

I am, &c.,

F. ABIGAIL.

Referred to Superintendent Read, in connection with my conversation with him on the subject.

As I intend to report on this matter to the Colonial Secretary, I should wish Mr. Read to call upon the divisional officers for reports as to the number of licensed houses kept by ex-members of the Force; if they have been complained of; the number of such licensees prosecuted, and if there is reason to believe they have been unduly favoured by the Police.—EDMUND FOSBERY, I.G.P.

Supt. Read, 4/2/84.

METROPOLITAN

METROPOLITAN DISTRICT.

RETURN showing the number of persons arrested for drunkenness and being drunk and disorderly on Sundays, during the years 1881 and 1883.

1881.		1883.		Remarks.
Drunkenness	2,056	.....	847	These arrests were made in each year between 12 midnight on Saturday and 12 midnight on Sunday.
Drunk and disorderly...	655	.....	223	
Total	2,711	.....	1,070	

Total decrease, 1,641.

7th February, 1884.

GEO. READ,
Superintendent.

METROPOLITAN DISTRICT.

RETURN of the number of licensed houses kept by ex-members of the Police Force in above District.

Number of houses.	Number of such licensees who have been prosecuted.	Result of such prosecutions.	If any complaint has been made by the public as to the manner these licensees conduct their houses.	Remarks as to whether officers in charge have reason to believe such licensees have been unduly favoured by those whose business it is to enforce the law.
22	6	1 twice convicted & once " " 1 dismissed.	None.	No licensed house kept by an ex-constable has ever been complained of by the public, and several of them are conducted in the most exemplary manner. I have no reason to believe that they are favoured by members of the Force, whose duty it is to enforce the Act.

7th February, 1884.

GEO. READ,
Superintendent.

1883-4.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
INFORMATIONS FOR BREACHES OF LICENSING ACT
IN NEWCASTLE.

(CORRESPONDENCE, &c.)

—
Ordered by the Legislative Assembly to be printed, 16 September, 1884.
—

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 18th June, 1884, That there be laid upon the Table of this House,—

“Copics of all correspondence, minutes, or other documents received from, or sent to, any person in Newcastle or elsewhere, whether officials or otherwise, that led to a person named Orlando laying informations against certain publicans in Newcastle, or elsewhere throughout this Colony, for breaches of the Licensing Act.”

(Mr. Fletcher.)

—
SCHEDULE.

NO.	PAGE.
1. Minute of the Minister of Justice respecting the employment by the Police of Alfred Orlando to detect breaches of the Licensing Act. 10 May, 1884	1
2. Memo. from the Inspector-General of Police to the Under Secretary of Justice, with Police reports enclosed. 26 May, 1884.....	2
3. Same to same, forwarding further police reports upon the subject. 20 June, 1884.....	2
4. Same to same, forwarding further police reports, &c. 20 June, 1884.....	3

—
No. 1.

Minute of Minister of Justice.

LAST night, in the Legislative Assembly, it was stated that a man named Orlando is employed by the Police Department to detect sly-grog sellers, and a case was referred to at Penrith in which this man, in the course of a prosecution, confessed that he had LIED to the defendant when endeavouring to purchase liquor which the defendant was not licensed to sell.

I will be glad to know whether Orlando is employed by the Police; and, if so, in what capacity, and upon what terms, and what services he has hitherto rendered to the Department?

H.E.C.

—
The Inspector-General of Police, B.C., 19 May, 1884.—W. E. PLUNKETT.

—
[765 copies—Approximate Cost of Printing (labour and material), £4 6s. 8d.]

No. 2.

Memo. from Inspector-General of Police to Under Secretary of Justice.

It is necessary to employ such men for the protection of the Revenue, and to suppress a dangerous social nuisance. Men of high character cannot be obtained for the work; indeed it is extremely difficult to get anyone to act as informer. The Police I do not allow to do it.

Orlando has done good service, but he cannot be employed again, as he is too well known.

EDMUND FOSBERY,
Inspector-General.

26/5/84.

[Enclosures.]

Memo. from Mr. Superintendent Read to Inspector-General of Police.

Police Department, Superintendent's Office, Sydney Station, 22 May, 1884.

THE man Orlando has never been formally employed by me. He offered to make himself useful in the suppression of sly-grog selling, and was given to understand that if he made any detections, and the evidence appeared to warrant a prosecution, the Police would take proceedings.

There have been five convictions on his evidence, in three of which notices of appeal have been given. In two against the same person the fines amounting to £60 were paid, and Orlando received a moiety of them, on the recommendation of the Inspector-General.

GEORGE READ,
Superintendent.

Referred to Superintendent Ryeland.—E.F., 22/5/84. Superintendent Ryeland.

Memo. from Mr. Superintendent Ryeland.

Police Department, Eastern District, Depot Station, Sydney, 26 May, 1884.

SOME time ago Alfred Orlando offered to detect sly-grog sellers on the Railway and Waterworks in progress, upon his own responsibility and expense, relying on such portion as the Courts might award upon conviction; and in consequence of numerous complaints of the disorder brought about by sly-grog shops on the works in question, he went to Pent's Ferry, Prospect, and other places, and succeeded in detecting several persons, against whom informations were filed by Police, and several convictions obtained upon Orlando's evidence, which seems to me to have been given fairly and honestly; but none of the persons paid the penalties, preferring to go to gaol, or absconded, or appealed and conviction quashed. Considering the expense Orlando had been put to by loss of time, &c., I recommended that a sum sufficient to remunerate him should be awarded, and £20 was allowed. He has certainly rendered good service in assisting the Police to rid the places mentioned of several of the most notorious sly-grog sellers. As regards the allegation that Orlando had lied to a defendant at Penrith, it was brought out in cross-examination by the solicitor for the defence that he (Orlando) had misrepresented his purpose, and by so doing had, he confessed, lied to obtain the liquor.

A man under the appellation of a common informer in the witness-box is always very severely cross-examined, and meets with no mercy, although he may have rendered good service to the community.

JAMES RYELAND,
Superintendent.

Submitted—W.E.P., 28/5/84. As Orlando will no longer be employed by the Police, further action is unnecessary.—H.E.C., 28/5/84. Put by.—W.E.P., 31/5/84.

No. 3.

Memo. from Inspector-General of Police to Under Secretary of Justice.

20 June, 1884.

ALL the papers attached refer to the same subject, but I doubt whether they would all come within the scope of Mr. Fletcher's motion.

EDMUND FOSBERY.

[Enclosures.]

Memo. from Mr. Superintendent Sanderson to Inspector-General of Police.

Police Department, Superintendent's Office, North-eastern District, West Maitland, 19 June, 1884.

ATTACHED is the only paper in my office relating to the man Orlando. Previous correspondence *re* sly-grog selling along the railway line between Waratah and Sydney, and letters of complaint from Messrs. Amos Brothers, were returned to the Inspector-General on the 31st ultimo.

C. SANDERSON,
Superintendent.

Memo. from Mr. Superintendent Ryeland to Mr. Inspector Thorpe.

Police Department, Superintendent's Office, Belmore Bks. District, Sydney, 25 February, 1884.

MR. ALFRED ORLANDO has been engaged detecting sly-grog sellers on the railway works near Sydney, and several convictions obtained. He is desirous of trying the Newcastle District; therefore any assistance you may be able to render may prove of service to the Revenue. He has carried out his work in the Eastern District very satisfactorily.

JAMES RYELAND,
Superintendent.

Forwarded for the information of Mr. Sanderson. I will now commence at once action against the sly-grog sellers on the railway line.—C. THORPE, Inspector, Newcastle, 2/3/84. Superintendent of Police, Maitland. Read.—C.S.

Messrs. A. & R. Amos to The Inspector-General of Police.

Shanties on Railway Works, Gosford to Waratah.

Sir,

Sydney, 18 March, 1884.

We beg leave to bring under your notice the existence of numerous sly-grog shanties along the line of railway from Gosford to Waratah, now in course of construction by us. The evil is a great and growing one. As many as six known shanties were recently counted in a stretch of 3 miles.

These places are a too familiar pest to us, ruining the men, and impeding the progress of public works, and we cannot too strongly urge that the most stringent means may be taken to detect and suppress them.

We are, &c.,
A. & R. AMOS.

P.S.—The locality of the shanties presently complained of is between Waratah and 20 miles south thereof. Our works are in progress on that section only.—A. & R. A.

Acknowledge.—

Acknowledge.—19/3/84. Referred to Superintendent Sanderson. Mr. Thorpe should give this matter his best attention with a view to the removal of the evil complained of. A number of convictions have been lately obtained on this side of the extension.—E.F., 19/3/84. Superintendent Sanderson. Forwarded to Inspector Thorpe.—FRANCIS DUFFY, Sub-Inspector, in absence of Superintendent.

Prior to receipt of attached from Messrs. Amos, I informed Mr. Sanderson that I was unable to procure the assistance of civilians, and suggested that plain clothes constables should be employed. Will he be good enough to inform me if that course be approved of.—C. THORPE, Inspector, 30/3/84. The Superintendent of Police, Maitland.

Memo. from Mr. Superintendent Sanderson to Mr. Inspector Thorpe.

Re Shanty-keepers on Railway Works between Gosford and Waratah.

Police Department, Superintendent's Office, North-eastern District, 31 March, 1884.

THE Inspector-General of Police is decidedly adverse to the Police acting as detectives in such matters. There is a man in Sydney who is used to the work. Mr. Superintendent Read promised to send him to Newcastle. Mr. Thorpe will be good enough to write to Mr. Read and ascertain when he may be expected. Upon his arrival a constable will accompany him, who will act as witness, such as tasting the grog, &c. Should there be any convictions, and the Bench decline to give the man any portion of the fine, the Inspector-General will obtain it for him.

C. SANDERSON,
Superintendent.

Noted and referred.—C. THORPE, Inspector, 1/4/84. The Superintendent of Police, Maitland.

Messrs. A. & R. Amos to The Inspector-General of Police.

Shanties on Railway Works, Gosford to Waratah.

Sir,

Sydney, 22 March, 1884.

We had the honor to address you on the 18th March last, reporting the existence of many sly-grog shanties on the above line of railway works.

Up to the present time the evil is unabated. Our works manager again complains of the injury these places are still doing to the men and to the public interest, and states "that they are more numerous than ever on the south side of Cockle Creek. At Freshwater Creek there are three fresh ones, and those last started are of the lowest kind. It seems pretty evident that the Police either cannot or will not interfere."

We lay this report before you as it comes to us, and beg leave to submit for your consideration that the establishment of a Police camp between Darn Creek and Cockle Creek would be a likely means of checking the mischief.

We are, &c.,
A. & R. AMOS,
(*Pro* WM. LIGGINS.)

Referred to Superintendent Sanderson.—E.F., 23/5/84. Referred to Mr. Thorpe for report. He will be good enough to let me know what steps he has taken in this matter since receiving my memo. of the 31st March attached.—C. SANDERSON, Superintendent, 24/5/84. Inspector Thorpe, Newcastle.

Mr. Inspector Thorpe to Mr. Superintendent Sanderson.

Sir,

Police Station, Newcastle, 30 May, 1884.

With reference to Mr. Amos's complaint of grog shanties, I do myself the honor to report that I have engaged men with a view of obtaining convictions against the parties engaged in this illicit trade, but up to the present have been unsuccessful. One and all exercise the greatest caution, and will not sell to strangers, consequently I am powerless. The Inspector-General being averse to members of the Police acting in the matter, and the expressed dread of civilians attempting to obtain convictions, fearing personal violence, notwithstanding being promised half the fine, I fail to see what I can do to prevent the numerous breaches of the law, otherwise than by obtaining search warrants for each suspected place, by virtue of sec. 83, p. 74, Licensing Act of 1883.

I have, &c.,
C. THORPE,
Inspector.

Memo. from Mr. Superintendent Sanderson to Inspector-General of Police.

West Maitland, 31 May, 1884.

PERHAPS Mr. Superintendent Read might be able to send a man to do this work.

C. SANDERSON,
Superintendent.

Acknowledge Messrs. Amos's letter, and say the difficulty experienced is in obtaining the services of men to act as informers; but Police have used their best endeavours, and will continue to do so.—E.F., 2/6/84. Done, 2/6/84.

I should be glad if Mr. Read or Mr. Ryeland could find a man to act as informer, and go along the line with a strange constable in plain clothes. Not Orlando.—E.F., 2/6/84. Inspector Read. Noted and forwarded to Mr. Superintendent Ryeland.—GEORGE READ, 3/6/84.

A man named Robert Young, of Ryde, is willing to proceed along the line, or where required, in company of a constable in plain clothes, to detect sly-grog sellers, as per minute of Inspector-General of Police. Young has obtained two convictions at Ryde, and acted faithfully. Shall I send him for the purpose; and, if so, when and where?—JAS. RYELAND, Superintendent, 9/6/84. Superintendent Sanderson, West Maitland.

Will Mr. Ryeland be good enough to send the man Robert Young to Newcastle as soon as practicable. Mr. Thorpe has been informed that he may expect him in a few days.—FRANCIS DUFFY, Sub-Inspector (in absence of Superintendent), 10/6/84. Superintendent Ryeland, Depot. Not sent, in consequence of James Gorman being selected.—JAMES RYELAND, Superintendent, 20/6/84.

No. 4.

Memo. from Inspector-General of Police to Under Secretary of Justice.

It will be seen by previous papers, that Superintendent Ryeland's communication to Inspector Thorpe was written in February last, long before Orlando's further employment was forbidden by me. However, I have since notified in the *Police Gazette* that he is not to be again employed by the Police.

It is extremely difficult to obtain the services of reliable men to act as informers to suppress illicit traffic in liquor, by which not only the revenue suffers but the community are demoralized.

EDMUND FOSBERY,
I.G.P., 20/6/84.

[*Enclosures.*]

[Enclosures.]

Memo. from Mr. Superintendent Sanderson to Inspector-General of Police.

Memo. re Orlando.

Police Department, Superintendent's Office, North-eastern District, West Maitland, 19 June, 1884.
Mr. THORPE's report will arrive in Sydney by same post as this.C. SANDERSON,
Superintendent.

Mr. Inspector Thorpe to The Inspector-General of Police.

Re A. Orlando.

Sir,

Police Station, Newcastle, 19 June, 1884.

In accordance with instructions contained in attached telegram of this date, from Superintendent Sanderson, I do myself the honor to report, for your information, that my first interview with Orlando took place at my office on the 26th ultimo, when he introduced himself, and handed me a letter from Mr. Superintendent Ryeland, dated the 25th of February last, of Sydney, who stated therein that Orlando was desirous of trying the Newcastle District for the purpose of obtaining convictions against sly-grog sellers, and that any assistance he received from the police might prove of service to the Revenue; that he had carried out similar duties in the Eastern District satisfactorily. You, sir, are aware that serious complaints have been made by the Messrs. Amos of the numerous sly-grog shanties existing on the railway line under construction by them between Newcastle and Homebush, and how powerless the Police are to cope with the evil. Consequently, I gave Orlando information as to names of persons suspected of selling spirits without license. He, accompanied by a man named Georginson, visited the railway works. They were absent several days, when they returned and reported having succeeded in catching four persons selling spirits without license. Informations were at once laid by Sergeant Vizzard, of Lambton, who is a Sub-Inspector under the Licensing Act, the parties charged being in his sub-district. The cases were tried before the Licensing Bench at Waratah, on Tuesday last; but Orlando's mate (Georginson) not putting in an appearance, the first case was dismissed and the others withdrawn, owing to Orlando's prevarication and absence of corroborative evidence.

Subsequent to Orlando's visit to the railway line, and while the cases were pending, he, on Sunday, the 8th instant, informed me that he intended visiting the public-houses in Newcastle, with a view of detecting Sunday selling, at the same time informing me that he had been similarly engaged in Sydney. He also asked me to allow a constable to accompany him and Georginson as guide round the city. I informed him that I would send a plain clothes man for that purpose; but I could not allow the constable to take any part in his proceedings. He eventually informed me that he had detected eleven persons (publicans) who had infringed the Act. I, as Licensing Inspector, laid the informations. Cases were heard on Friday, the 15th instant, when I distinctly informed the Bench that the Police had nothing whatever to do with the informer, other than my laying the informations. The attached list of convictions are forwarded for the Inspector-General's information, being six out of the eleven only. Orlando did not benefit in any way by the transaction, for in each case the Licensing Bench awarded the various fines—one-half to General Revenue, the other to the Police Reward Fund.

Hoping that this explanation will be sufficient for the Inspector-General's information,—

I have, &c.,
C. THORPE,
Inspector.

[Sub-enclosures.]

RETURN of convictions obtained at Newcastle, 13th June, 1884, against holders of Publicans' Licenses, for breaches of the Licensing Acts, viz., Sunday Selling.

Licensee.	Amount.		Remarks.
	Fine.	Costs.	
Hardy, George	£ s. d. 2 0 0	£ s. d. 0 5 6	Paid.
Brent, Daniel	2 0 0	0 5 6	Paid.
Hopes, Mary	0 10 0	0 5 6	Paid.
Hollinshead, J. T.	2 0 0	0 5 6	Paid.
Boyd, John	2 0 0	0 5 6	Paid.
Chadwick Christina	2 0 0	0 5 6	Paid.
	£10 10 0	1 13 0	

Telegram from Inspector-General of Police to Mr. Inspector Thorpe.

Sydney, 14 June, 1884.

I HAD given instructions in Sydney for Orlando not to be further employed by Police. Have nothing more to do with him.

Telegram from Mr. Inspector Sanderson to Mr. Inspector Thorpe.

West Maitland, 19 June, 1884.

SEND your report direct to the Inspector-General to-night without fail, and send me a copy to-morrow. Also, send the Inspector-General any paper you may have relating to the matter.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RENEWAL OF PUBLICANS' LICENSES.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 16 September, 1884.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated 18th June, 1884, That there be laid upon the Table of this House,—

“Copies of all communications, if any, between the Inspectors of Police
“and the Superintendents referring to the renewal of Publicans' Licenses
“at the Central or Water Police Courts held this month.”

(*Mr. Abigail.*)

NO.	SCHEDULE.	PAGE.
1.	Inspector-General of Police to Principal Under Secretary, enclosing Report of Inspectors Anderson and Waters and Sub-Inspector Atwill respecting the difficulties encountered in enforcing the provisions of the Licensing Act in Sydney. Minutes thereon. 10 June, 1884	1
2.	Stipendiary Magistrates, Water Police Court, to Under Secretary of Justice, reporting on No. 1. 1 July, 1884 ...	2
3.	Minute of Minister of Justice respecting Nos. 1 and 2. 8 July, 1884	3
4.	Mr. G. O'Malley Clarke, S.M., Central Police Court, to Under Secretary of Justice. 4 August, 1884.....	3

No. 1.

The Inspector-General of Police to The Principal Under Secretary.

Sir, Police Department, Inspector-General's Office, Sydney, 10 June, 1884.

I have the honor to transmit, for the information of the Colonial Secretary, a report addressed to me by Inspectors Anderson and Waters and Sub-Inspector Atwill, through the Superintendent of the Metropolitan Police, respecting the difficulties encountered in enforcing the provisions of the Licensing Act in Sydney. Probably Mr. Stuart may see fit to refer the same to the Minister of Justice for his consideration.

Letters are constantly reaching me from unfortunate persons, complaining of the flagrant disregard of the law by many publicans, and the very injurious results to wives and families who suffer ill-treatment and destitution in consequence of husbands and fathers wasting their wages in Sunday drinking, and also thereby unfit themselves for their week-day labour.

Respectable citizens frequently complain of the drunkenness and disorder which prevail in the neighbourhood of such ill-conducted public-houses, especially on Sundays, and which the Police, from the extent of their beats, are unable at all times to repress.

I see no hope, under existing circumstances, of the Police being able to apply any effectual remedy to the evasion of the law complained of.

I have, &c.,
EDMUND FOSBERY,
Inspector-General of Police.

[*Enclosure.*]

Inspectors Anderson and Waters and Sub-Inspector Atwill to Mr. Superintendent Read.

Sir, No. 7 Police Station, Sydney, 9 June, 1884.

We have the honor to report, for your information, that, in consequence of the systematic manner in which some of the publicans in the Metropolitan District have violated the law for some time past by supplying persons with liquor on Sundays, and finding it impossible to get convictions against them on account of the extraordinary precaution that they take in watching the Police, we lodged objections to the renewals of the licenses of some of these publicans who had systematically broken the law on Sundays.

A number of the applications for renewals to which objections were made came on for hearing at the Water Police Court on the 5th instant, and we regret to say that the Magistrates granted a renewal of all the licenses to which we objected on the ground of Sunday trading. In one case the publican had only held his license about two months, and evidence was given that he had been convicted of suffering gaming for stakes on his licensed premises, and that there was a case for Sunday selling pending against him. It was also proved that every Sunday there were a great many persons, some of them of the vagrant class, going in and out of the house; and on one occasion two men of that class were found on the premises considerably under the influence of liquor; and on the same date a man was seen making water out of a window on to the street.

In other two cases it was proved that a continuous stream of persons were going in and out of the houses all day on Sundays, but the arrangements for watching the Police were so complete that it was impossible to get a case against the publicans.

In all these cases renewals were granted, the Chairman (Mr. Addison) remarking that the Bench could not take notice of the "surmises of the Police." When one witness was giving evidence as to the number of persons that he had seen going out and into a public-house on Sunday, the Chairman said, "How do you know that they were not going to see the publican or some of his lodgers?"

In the other cases to which objections were lodged for Sunday trading the Magistrates were told that similar and even stronger evidence could be given, but the renewals in each case were immediately granted.

The law-breaking publicans are jubilant at the great victory they achieved, and last Sunday some of them had all their scouts out and appeared to be doing a roaring trade.

We may state that for some time past we have had more complaints from the law-abiding hotel-keepers against the publicans who systematically violate the law on Sundays than from any other class in the community.

About nine months ago the then Chairman of the Licensing Court (Mr. Dillon) stated on the Bench that publicans who kept a watch on the Police and systematically broke the law would be refused a renewal of their licenses.

We have always understood that the cardinal object of the present Licensing Act was the complete suppression of the Sunday traffic in intoxicating drink, and our utmost energies have been directed to obtain that object.

By the 19th section of the Licensing Act we are strictly enjoined to use all due vigilance to enforce compliance with the provisions of the Act, and we solemnly declare that we have done so; but the action of the Magistrates on Thursday last will neutralise our best efforts, and eventually render the Act, as far as Sunday selling is concerned, a dead letter.

The latter part of the 36th section of the Act provides that any objection whatsoever, not being of a frivolous or vexatious nature, may be taken to the renewal of publicans' licenses, so that the Magistrates must have considered our objections either frivolous or vexatious. We can only say that similar objections were sustained by the Magistrates who administered the repealed Act.

We have, &c.,

ROBERT ANDERSON, Inspector.

GEO. WATERS,

ALEXANDER ATWILL, Sub-Inspector.

Forwarded to the Inspector-General of Police.—GEO. READ, Supt., 10/6/84.

Submitted, 11/6/84. The Minister of Justice.—A.S., 12/6/84. The Under Secretary of Justice, B.C., 13 June, /84.—C.W.

I have had a personal interview with Mr. Addison, S.M., and these papers may now be forwarded to the Licensing Bench for consideration and such observations as they may deem expedient. The Inspector-General has also seen me on the subject.—H.E.C., 20/6/84.

G. W. F. Addison, Esq., S.M., Water Police Office, B.C., 23 June, /84.—W. E. PLUNKETT. Report forwarded herewith.—G. W. F. ADDISON, S.M., 1 July, /84.

No. 2.

The Stipendiary Magistrates, Water Police Court, to The Under Secretary of Justice.

Sir,

Water Police Office, Sydney, 1 July, 1884.

We have the honor to acknowledge the receipt of your communication of the 24th June last, requesting that the information asked for with reference to the endorsed Order of the Legislative Assembly may be forwarded as early as convenient.

It is unnecessary for us to refer at length to the communications of the Inspector-General and Inspectors of Police with regard to the matter in question, viz., the action of the Licensing Court held at the Water Police Office on the 5th ultimo; but we will briefly state the grounds upon which we failed to sustain the objections raised by the Police authorities to the renewal of certain publicans' licenses.

The evidence in all these cases went mainly to show that an evasion of the provisions of the Act as to Sunday trading was *suspected* by the Police from the fact of their seeing persons enter certain public-houses during prohibited hours; but the system of watching the Police was stated to be so well arranged that on their entering nothing was seen to indicate that such was the case, and no offence under the Act could be proved. This was the substance of all the evidence offered, and with every desire on our part to carry out the provisions of the Act in its integrity, we certainly thought that we would be straining its powers and provisions by acting on what was after all only a suspicion, however well founded. We thought, and still think, that some direct breach of the Act, or one of the objections specifically laid down, should have been reasonably proved to exist, and did not consider that the power to entertain other objections extended to such as those raised, unless fairly substantiated, which we were of opinion could not be held to have been done in the cases mentioned. We may add that the non-official member of the Court, the Hon. John Macintosh, fully endorsed our views in this matter.

In conclusion, we respectfully submit, for the consideration of the Honorable the Minister of Justice, that the tone of the letter of the Police Inspectors is not such as should be permitted in relation to the action of the Bench; and we certainly deprecate such comments as have been made therein upon our proceedings as highly disrespectful.

We have, &c.,

G. W. F. ADDISON, S.M., Chairman.

WHITTINGDALE JOHNSON, S.M.

Submitted.—W.E.P., 5/7/84.

No. 3.

Minute of Minister of Justice.

It is of course for the Court to be satisfied that there is sufficient evidence to support any objections taken to a license before they decide against its issue or renewal. To me it appears that the employment about their premises by licensees of "scouts" on a Sunday, when the sale of liquors by licensed publicans is prohibited, and the continuous entrance and exit into and out of such premises at the same time of persons who are not lodgers or travellers, form strong grounds for presuming that the law is being evaded, and might be deemed sufficient to throw the onus of proof that there was no infringement of the law upon the licensee. It must, on the other hand, be conceded that the Court cannot act upon mere surmises or suspicion, and the quantity and quality of the evidence given in support of any objection is for their consideration; but it is obvious that the well-laid plans of publicans who carry on Sunday trading are such as to render it impossible in most, if not in all, such cases to adduce testimony of actual selling, and they may thus, as they seem to have already done successfully, avoid conviction for breaches of the Licensing Act about which little moral doubt can exist unless the Court regards such evidence as is above alluded to sufficient to establish a *prima facie* case against the alleged offender.

Whilst, however, giving expression to these views, I do not desire them to be taken as any direction to the Bench as to the light in which they should regard the evidence which it is reported was adduced before it; for I have no desire to unduly interfere with their judicial discretion, which should be carefully guarded from such interference.

I do not think that there was, and the Inspector-General, in an interview with me upon the subject matter of the Police reports and before the Licensing Court was communicated with, disclaimed any intention to speak disrespectfully of the Court in the reports of the Police. These reports appear to have been made by the officers concerned in their own justification, and merely to show the efforts they had made to secure a compliance with the Licensing Acts and the result of their action. Any intention by the officers of the Police to make improper criticisms upon the conduct or decisions of the Court I should strongly censure and deprecate.

H.E.C.,
8/7/84.

The Stipendiary Magistrates, Water Police Office. Informed in terms of above minute, 15/7/84.
Copy also sent to Under Secretary, Colonial Secretary's Department, 16/7/84.

No. 4.

G. O'M. Clarke, Esq., S.M., to The Under Secretary of Justice.

Sir,

Central Police Office, Sydney, 4 August, 1884.

In reference to your letter of the 24th ultimo, asking for certain information respecting the renewal of publicans' licenses, I have the honor to inform you that it is purely a Police matter, and on inquiry I find that the required information has been supplied by the Police Department.

I have, &c.,

GEO. O'MALLEY CLARKE, S.M.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SPIRITS, WINE, AND BEER.
(CONVICTIONS UNDER THE LICENSING ACT.)

Ordered by the Legislative Assembly to be printed, 7 May, 1884.

RETURN (*in part*) to an Order of the Legislative Assembly of New South Wales, dated 15 February, 1884, That the following Returns be laid upon the Table of this House, for the years 1881, 1882, and 1883 respectively:—

- “ (1.) The quantity (in gallons) of spirits, wines, and beers, respectively,
“ imported into this Colony.
“ (2.) The quantity (in gallons) of spirits, wines, and beers, respectively,
“ manufactured in this Colony.
“ (3.) The quantity (in gallons) of spirits, wines, and beers, respectively,
“ imported and manufactured per head of the population of the Colony.
“ &c., &c., &c.*
“ That such Returns in future be laid upon the Table of this House and
“ printed as soon after the close of the year as possible.”

(Mr. Hutchinson.)

* This refers to the “Convictions” portion of the Return, which will no doubt be laid on by the Justice Department.

Year.	Imported into this Colony.			Manufactured in this Colony.			Imported per head of population.			Manufactured per head of population.		
	Spirits.	Wines.	Beers.	Spirits	Wines.	Beers.	Spirits.	Wines.	Beers.	Spirits.	Wines.	Beers.
	gallons	gallons	gallons	gallons	gallons	gallons	gallons	gallons	gallons			gallons
1881	1,459,913	218,728	1,073,342	81,186	604,000	9,642,800	1·86	·28	1·37	3 gills.	2½ quarts.	11
1882	1,430,719	246,302	1,323,350	121,546	513,600	10,800,000	1·75	·30	1·61	1 quart.	2½ ”	13
1883	1,285,785	267,657	1,591,113	153,923	543,000	12,175,300	1·48	·30	1·33	1¼ ”	2½ ”	14

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CONDITIONAL PUBLICANS' LICENSES GRANTED AT
WEST KEMPSEY.

(APPLICATIONS, PETITIONS, &c.)

Ordered by the Legislative Assembly to be printed, 27 March, 1884.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 13th February, 1884, That there be laid upon the Table of this House,—

“Copies of all applications, petitions, and evidence in connection with the granting of two Conditional Publicans' Licenses at West Kempsey on Tuesday, 15th January, 1884.”

(Mr. Abigail.)

SCHEDULE.

NO.	PAGE.
1. Under Secretary of Justice to Licensing Bench, Kempsey. 19 February, 1884	1
2. Clerk of Petty Sessions, West Kempsey, to Under Secretary of Justice, with enclosures. 3 March, 1884.....	1

No. 1.

The Under Secretary of Justice to The Licensing Bench, Kempsey.

Sir,

Department of Justice, Sydney 19 February, 1884.

I am directed by the Minister of Justice to transmit to you herewith a copy of an Order of the Legislative Assembly, dated 13th February, 1884, for certain information respecting conditional publicans' licenses, granted at West Kempsey, and to request that you will have the goodness to furnish to this Department, with the least possible delay, the information asked for, with a view to the Return being laid upon the Table of this House at an early date:—

8. CONDITIONAL PUBLICANS' LICENSES GRANTED AT WEST KEMPSEY (*Formal Motion*):—Mr. Abigail moved, pursuant to Notice, That there be laid upon the Table of this House copies of all applications, petitions, and evidence in connection with the granting of two conditional publicans' licenses at West Kempsey on Tuesday, 15th January, 1884.

Question put and passed.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 2.

The Clerk of Petty Sessions, West Kempsey, to The Under Secretary of Justice.

Sir,

Police Office, West Kempsey, 3 March, 1884.

In consonance with the instructions contained in your letter of 19th ultimo, numbered in the margin 84-2,033, I do myself the honor to forward herewith copies of all applications, petitions, and evidence in connection with the granting of two conditional publicans' licenses at this Office on Tuesday, 15th January last.

By

By order of the Licensing Court I forward, under separate cover, the copy of plans referred to in the applications. The other papers were ready for some time waiting for the plans.

I have, &c.,

G. STEVENSON,
Clerk of Petty Sessions.

[Enclosures.]

Notice of application for a Publican's License.

I, GEORGE COOPER, senior, of Frederickton, Macleay River, do hereby give notice that I desire to obtain, and will at the next Licensing Court, to be holden at West Kempsey, on the 15th day of January next, apply for a certificate authorizing the issue of a conditional publican's license for premises to which I propose to make additions and alterations, situate in Belgrave-street, Kempsey, to contain twenty rooms, exclusive of those required for the use of the family.

Dated the 12th day of December, 1883.

GEORGE COOPER, SENR.

Filed, 18/12/83.—G. STEVENSON, Clerk of Licensing Court.

Their Worships the Licensing Court, West Kempsey,—
Gentlemen,

West Kempsey, 3 January, 1884.

I beg to give notice that it is my intention to oppose the application of Mr. George Cooper, senr., for a publican's license, for premises situate in Belgrave-street, Kempsey, on the following grounds:—

That the requirements of the neighbourhood do not justify the granting of such license.

B. BENNETT,

Sub-inspector under the Licensing Act of 1883.

Filed, 3/1/84.—G. STEVENSON, Clerk of Licensing Court.

To the Licensing Court for the Macleay River District,—

Gentlemen,

Kempsey, 10 January, 1884.

The petition of the undersigned residents (or householders) of Central Kempsey, humbly sheweth:—That your petitioners object to the granting of a conditional license to George Cooper, senr., for a house situate in Central Kempsey, on the following grounds, viz.:—

1. That the reasonable requirements of the neighbourhood do not justify the granting of such license.
2. That the quiet and good order of the neighbourhood in which such premises are situated will be disturbed if a license be granted.

We therefore humbly pray that you will refuse to grant the said application.
And your petitioners, as in duty bound, will ever pray.

O. O. Dangar, J.P.

E. L. Baldwin.

John Watt.

Saml. —

P. C. Hill, J.P.

William Murphy.

William Rowe.

J. Emms.

A. Fanning.

George Cook.

David Anderson.

J. G. May.

J. B. Paten.

Thomas Nance.

J. E. Emerson.

S. C. Baldwin.

Philip Hill.

G. N. Johnson.

John Kenny.

S. Piggott.

J. L. Waddell.

J. Notley.

W. Huggett.

H. Bennett.

William Anderson.

Geo. Fee.

S. Russell.

Thomas Emerson.

Filed, 10/1/84.—G. STEVENSON, Clerk of Licensing Court.

*By Mr. Kerrigan: George Cooper, being sworn, states:—*I reside near Frederickton; I am the applicant for a publican's license for premises proposed to be enlarged, at Kempsey, in accordance with the plans lodged in Court; I held a publican's license before for two years in this district, at Frederickton; I am a farmer; I believe that the reasonable requirements of the neighbourhood require another public-house; the premises are those occupied at present by Mrs. Coleman, to which I propose to make additions; I was not prosecuted during the two years I held a license.

By Sub-inspector Bennett: I visit Kempsey mostly every week; I never required accommodation.

his

GEORGE x COOPER, SENR.
mark.

Taken and sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., L.M.

C. SUTHERLAND, J.P.

*By Mr. Kerrigan: Thomas Kerrigan, being sworn, states:—*I am an ex-inspector of police, and reside in Sydney; under the present Publican's Act I was appointed Inspector for the districts of The Clarence, Richmond, and Tweed Rivers; from my knowledge of the country, further and better accommodation is required in Kempsey; in Kempsey gentlemen are required to sit down to meals with larrikins; last February twelve months Mr. Ruthven asked me, when stationed at Kempsey, to obtain accommodation for himself and wife; I was unable to obtain accommodation, except at a private place; at present I believe that further accommodation is absolutely required for the general public in Kempsey; I am the owner of the property on which the proposed premises are to be erected; the house will contain about twenty-six rooms.

By Sub-inspector Bennett: At the time Mr. Ruthven applied to me was during the Exhibition; there has been additional accommodation since then to Mr. Johnson's house, and Mr. Barrie's has been made larger by the erection of a new house; I do not believe there is yet sufficient.

THOMAS KERRIGAN.

Taken and sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Acting L.M.

C. SUTHERLAND, J.P.

*David Cooper, being sworn, states:—*I am a son of George Cooper, the applicant, and reside with my father at Frederickton; I remember the 10th of this month—Thursday; I was in Kempsey on the evening of that day; I left about 11:30; I tried to get accommodation in Kempsey that night but could not get it; I tried at the "Star Hotel," the "Commercial," and the "Harp of Erin"; a young man named James Mallon was with me, and he also applied for accommodation; we were compelled to go home to Frederickton.

By Sub-inspector Bennett: At the "Star Hotel" Mr. Johnson said there was plenty of room, afterwards when we went to go to bed the place was full; it was about 10 minutes to 11 o'clock when I went there; I applied to Mr. Basch about 10 o'clock; it was to a female I applied; she said she didn't think that we could get a bed; she did not go to inquire; I applied at Barrie's, and Mrs. Barrie said the beds were all full with one exception, and she thought a woman was going to stop in it; there was a Freemasons' banquet in Kempsey that evening; I come to Kempsey about once or twice a month; I generally go home when I have company; I was perfectly sober, and my companion was sober; it is between 4 and 5 miles from Kempsey to where I reside; I put my horse in Mrs. Coleman's stable.

By Mr. Kerrigan: The female at Basch's said she knew Mrs. Basch had refused accommodation to several that night; I also applied to my sister, who keeps a boarding-house, and she said the beds were full.

DAVID COOPER.

Sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Actg. L.M.

C. SUTHERLAND, J.P.

James Mallon, being sworn, states :—I am a labourer, and reside at Frederickton ; I remember the 10th of this month ; I was in Kempsey that day in company with the last witness, David Cooper ; I desired to stay in Kempsey that night ; I did not stay because I could not get accommodation ; I tried at Basch's, then at Barrie's, then at Johnson's ; I was refused at each except the "Star," but when we went to bed we met the servant, and she said there was no room ; I afterwards tried at Mrs. Coleman's boarding-house ; I was refused there also, as all the rooms were occupied ; all this time David Cooper was with me.

By Sub-Inspector Bennett : David Cooper was with me when Mr. Johnson promised us the beds at 9 o'clock ; it was when we were going to bed that the servant said there was no bed ; I have occasionally stayed overnight at Kempsey ; I did not try any other boarding-house.

JAS. MALLON.

Sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

Robert Hayes, being sworn, states :—I am a grazier, and reside at Frederickton ; I have resided in this district for 18 or 19 years ; I come to Kempsey often, and have had occasion to stay overnight ; on one occasion I did not remain in Kempsey because I could not get accommodation ; this was in 1881 ; I did not try in all the houses ; I think a good hotel is very much required in Kempsey, one superior to those at present in existence ; I believe it would be an advantage to the public ; I know the applicant, he is a man of very good reputation ; I have known him for a number of years ; he kept a respectable house at Frederickton ; the night I could not get accommodation in 1881 I slept on board my steamer at Greenhills.

By Sub-Inspector Bennett : At the time I could not get accommodation there was a show in Kempsey ; I applied at "Barrie's" and the "Star" ; there was a hotel at West Kempsey, but I did not apply there.

R. HAYES.

Taken and sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Acting L.M.
C. SUTHERLAND, J.P.

Mary Ann Smith, being sworn, states :—I reside at Turner's Flat ; I came to Kempsey with my little boy, who had a broken leg ; I brought the boy down to the doctor ; I tried at Basch's, Barrie's, and the "Star," and they could not let me have a room, as they had not one to spare ; I stayed at a private house.

By Sub-Inspector Bennett : I believe the reason I did not get the accommodation was on account of the illness of the child ; this was a year and seven months ago ; they said they could not let me have a room.

MARY ANN SMITH.

Sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Acting L.M.
C. SUTHERLAND, J.P.

The following evidence was given in opposition to the application :—

Bennett Bennett, being sworn, states :—I am Sub-Inspector under the Licensing Acts of 1882 and 1883 for the Macleay River Licensing District ; I lodged an objection in proper time to Mr. Cooper's application for a conditional license for premises—and additional premises to be erected—at Belgrave-street, Kempsey ; I oppose the application on the ground that the requirements of the neighbourhood do not justify the granting of such license ; about 4 chains from the premises proposed to be licensed is Mr. Barrie's "Commercial Hotel" ; his building contains 11 bed-rooms ; in one of these rooms 20 to 30 beds could be fixed ; there are 6 parlors besides other rooms ; about 4 chains from the premises proposed to be licensed is the "Star Hotel," which contains 18 bed-rooms, 6 parlors, besides other rooms connected with the house ; about 16 or 17 chains further down Smith-street is the "Harp of Erin Hotel," kept by Mr. Basch, containing 15 bed-rooms, 4 parlors, and other rooms ; about 20 yards from the premises proposed to be licensed is Mr. Rowe's boarding-house ; on the opposite side of the road is Mr. McGowan's accommodation house ; at the lower end of Smith-street there is another boarding-house kept by Mr. Scott ; during the last 18 months great improvements and additions have been made to the "Star Hotel," and Mr. Barrie has erected a large and commodious building to which his license has been transferred ; the only times that I have heard complaints about getting beds were—at the Agricultural Show, and at the visit of Mr. R. B. Smith, and at the opening of the Hospital ; from complaints at not receiving accommodation I have gone late at night and inquired into the matter ; the parties complaining I found were drunk and quarrelsome ; none of these people have given evidence here to-day.

Cross-examined by Mr. Kerrigan : After hearing the evidence I am satisfied that there is sufficient accommodation ; Dunn was one of the parties who complained to me ; no respectable persons have complained of want of accommodation except at the Agricultural Show, Mr. Smith's visit, and at the opening of the Hospital ; there has been an increase both in buildings and population in both the Kempseys ; there has been a wine license granted.

B. BENNETT.

Taken and sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Acting L.M.
C. SUTHERLAND, J.P.

Carl Basch, being sworn, states :—I am licensee of the "Harp of Erin Hotel" situate at Kempsey ; I was at home on the 10th instant ; I do not remember David Cooper and another young man coming to my house that night ; I had sufficient accommodation had they asked for it ; I did not authorize any of my servants to say that there was no accommodation ; I have accommodation for gentlemen apart from working men ; I keep two dinner tables ; I have sufficient accommodation for all ordinary times ; there may be one day in the year that I would not have accommodation.

By Mr. Kerrigan : I was absent from home that night until about half-past 8 or 9 o'clock ; I know the house was not full ; I cannot say that Cooper and Mallon did not call at my house.

By Sub-Inspector Bennett : I came here on summons, and would not have come without.

By the Court : I have got from 27 to 30 beds—generally speaking, I have 4 or 5 beds empty.

CARL BASCH.

Sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Acting L.M.
C. SUTHERLAND, J.P.

John Barrie, being sworn, states :—I am licensee of the "Commercial Hotel," situate at Kempsey ; it is a new building, and I recently had my license transferred to it ; I was not at home on the 10th instant ; I never refused accommodation to customers, and it has not been done to my knowledge ; I could accommodate 22 or 25 with beds.

By Mr. Kerrigan : Mrs. Barrie looks after the bedrooms ; I don't know what rooms are taken up ; I refer them to Mrs. Barrie.

JOHN BARRIE.

Sworn at Kempsey, this 15th January, 1884, before us,—

J. W. WILSON, J.P., Acting L.M.
C. SUTHERLAND, J.P.

Otho O. Dangar, being sworn, states :—I am a Justice of the Peace, and reside at Central Kempsey ; I have lived at Kempsey for the past 24 years ; I know the "Star," "Harp of Erin," and "Commercial" hotels, Mr. Scott's, Mr. Rowe's, Mrs. Coleman's, and Mrs. McGowan's boarding houses ; I am in the habit of meeting people in each of the hotels ; I have no hesitation in saying, as a matter of fact, that there is sufficient accommodation for all requiring same, and it is better than it has ever been in the Macleay District ; as regards the three hotels named, they are more respectably conducted and

the

the attendance is better than at any previous time; commercial travellers and others are now receiving superior accommodation; I have not heard any complaints as to lack of accommodation, except in the case of a person who was drunk, but he was subsequently accommodated.

O. O. DANGAR, J.P.

Sworn at Kempsey, this 15th January, 1884, before us,—
J. W. WILSON, J.P., Acting L.M.
C. SUTHERLAND, J.P.

Application granted,—

J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

To the Worshipful the Licensing Bench in and for the district of the Macleay River,—
Re George Cooper's application for license.

Gentlemen,

Kempsey, 21 January, 1884.

From instructions received from the petitioners who signed against the granting of the above application, I beg respectfully to protest against the issuing of the conditional certificate to Mr. George Cooper, senr., as the issuing of such certificate would be illegal, and in direct opposition to the forty-first section of the principal Licensing Act. Should your Worships decide on the issuing of the said certificate to Mr. Cooper, I would then respectfully ask to be heard by your Worships before doing so.

I have, &c.,

D. B. WALKER,
Solicitor for petitioners.

Filed 22/1/84.—G. STEVENSON, Clerk of Licensing Court.

We decline to hear Mr. Walker,—

Police Office, West Kempsey, 22nd January, 1884.

J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

Notice of Application for a Publican's License.

I, ROBERT MASTERTON, of West Kempsey, Macleay River, do hereby give notice that I desire to obtain, and will at the next Licensing Court, to be holden at West Kempsey, on the 15th day of January next, apply for a certificate authorizing the issue of a conditional publican's license for premises which I propose to erect, situate at the corner of Kemp and Belgrave Streets, West Kempsey, to be known by the sign of "The Royal Hotel," and to contain ten rooms, exclusive of those required for the use of the family.

Dated the 31st day of December, 1883.

ROBERT MASTERTON.

Filed 31st December, 1883.—G. STEVENSON, Clerk of Licensing Court.

Their Worships the Licensing Court, West Kempsey,—

Gentlemen,

West Kempsey, 3 January, 1884.

I beg to give notice that it is my intention to oppose the application of Mr. Robert Masterton, for the granting of a conditional publican's license for premises proposed to be erected at the corner of Kemp and Belgrave Streets, West Kempsey, on the following grounds:—

- 1st. That the reasonable requirements of the neighbourhood do not justify the granting of such license.
- 2nd. That the premises are in the immediate vicinity of a place of public worship and a public school.

B. BENNETT,

Sub-Inspector under the Licensing Act, 1883.

Filed 3/1/84.—G. STEVENSON, Clerk of Licensing Court.

To the Licensing Court for the Macleay River District,—

Gentlemen,

Kempsey, 10 January, 1884.

The petition of the undersigned residents (or householders) of Central Kempsey, humbly sheweth:—That your petitioners object to the granting of a conditional license to Robert Masterton for a house situate in Belgrave and Kemp Streets, on the following grounds, viz:—

1. That the reasonable requirements of the neighbourhood do not justify the granting of such license.
2. That the quiet and good order of the neighbourhood in which such premises are situate will be disturbed if a license be granted.
3. That the site proposed for the intended licensed house is contiguous to a public school and two places of public worship.

We therefore humbly pray that you will refuse to grant the said application.

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

P. C. Hill, J.P.

E. L. Baldwin.

W. Huggett.

John Long.

O. O. Dangar, J.P.

J. B. Paton.

S. Russell.

Thomas Nance.

George Cook.

J. L. Waddell.

Samuel Maurice.

G. N. Johnson.

J. Notley.

Philip Hill.

J. Emms.

S. Piggott.

William Anderson.

David Anderson.

J. C. May.

H. Bennett.

Thos. Emerson.

J. E. Emerson.

S. C. Baldwin.

Wm. Rowe.

John Kenny.

William Murphy.

Filed 10/1/84.—G. STEVENSON, Clerk of Licensing Court.

The Court, by majority, refused to entertain this petition, Mr. Sutherland dissenting.

G. STEVENSON,

15/1/84.

Clerk of Licensing Court.

Mr. Kerrigan appeared for applicant.

Robert Masterton, being sworn, states:—I am a contractor, and reside at West Kempsey; I am the applicant for a conditional license in accordance with the plan filed in the Court; I have complied with the requirements of the Act in regard to giving notices; the proposed house will contain ten rooms in addition to those required for the use of the family; the premises are on the corner opposite the lock-up; I have never held a publican's license; I have resided in this district six years; during that time I stayed three and a-half years in the "West Kempsey Hotel"; I believe another public-house is necessary for the convenience and accommodation of the people; I believe it would be an advantage to the public attending the Court.

By the Court: The proper notice was published in one of the local papers; the proposed building is to be of brick, two stories high, and all the necessary stabling and outhouses.

By Sub-inspector Bennett: The proposed building would be 800 or 900 yards from the "West Kempsey Hotel"; it would be about 300 yards from the Public School; it is on the opposite corner from the Police quarters and the Public School; the Police quarters and the Public School are separated by a fence; it would be about 800 yards from the Roman Catholic Chapel, and about 600 yards from the Primitive Methodist Church, and about 350 yards from the foundation laid for a Church of England.

By Mr. Kerrigan: These churches are on the opposite side of the street.

ROBERT MASTERTON.

Taken and sworn at Kempsey, this 15th January, 1884, before us,—

F. GOULBURN PANTON, J.P., Chairman, L.C.

J. W. WILSON, J.P.

C. SUTHERLAND, J.P.

Alexander

Alexander Cochrane, being sworn, states :—I reside between Central and West Kempsey ; I know the applicant ; so far as I know him he is a respectable man ; I have resided in the neighbourhood for a number of years, and I think the granting of the application would be a convenience to the public, especially those attending the Court ; I believe that it would be under police protection, and no disorder would be allowed.

By Sub-inspector Bennett : I know the "West Kempsey Hotel" ; it is a large commodious building ; I frequently visit the "West Kempsey Hotel," and have never seen anyone refused accommodation ; there are two places of worship in the same street.

By the Court : The proposed building is about 10 chains from the places of worship, and about 8 chains from the Public School ; all these buildings are on the opposite side of the street.

A. COCHRANE.

Sworn at Kempsey, this 15th January, 1884, before us,—

F. GOULBURN PANTON, J.P., Chairman, L.C.
J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

Bennett Bennett, being sworn, states :—I am a sub-inspector under the Licensing Acts of 1882 and 1883 ; I filed my objection to this application, objecting to the license on the grounds that the reasonable requirements of the neighbourhood do not justify the granting of such license ; that it is in the immediate vicinity of a place of public worship, and also a Public School ; it is in a corner from 80 to 100 yards from the Public School ; it is 85 yards from fence to fence ; it is also about 350 yards, at the outside, from the Primitive Methodist Church ; I have made every inquiry, and from my knowledge of the locality I believe the granting of the license would be a source of great annoyance to children coming and going from the Public School, also to persons attending the places of worship ; the "West Kempsey Hotel," which is about 9 chains distant, contains twenty bedrooms and seven parlours besides other rooms ; I have not known any person to complain of want of accommodation except at show time.

By Mr. Kerrigan : The premises would be contiguous to the Police Barracks, about 1½ chain away ; five years since there were two public-houses in West Kempsey ; the place has increased considerably in population and buildings ; I take no objection to applicant's character.

B. BENNETT.

Sworn at Kempsey, this 15th January, 1884, before us,—

F. GOULBURN PANTON, J.P., Chairman, L.C.
J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

Charles Waters, being sworn, states :—I am a clergyman of the Primitive Methodist Church, and reside in West Kempsey ; I know the position of the site for which a license is applied ; it is near to my church ; it is about 200 or 300 yards off ; I think the public-house would be a source of annoyance to the children and adults attending my Church ; it is nearer to the Public School ; I do not think the reasonable requirements of the neighbourhood would justify the granting of such license.

By Mr. Kerrihan : I have not been in the "West Kempsey Hotel" after night.

C. WATERS.

Sworn at Kempsey, this 15th January, 1884, before us,—

F. GOULBURN PANTON, J.P., Chairman, L.C.
J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

Charles Farrell, being sworn, states :—I am licensee of the "West Kempsey Hotel," and reside at West Kempsey ; I have held a license for that place about ten months ; it is a brick building ; there are eighteen bedrooms that I know of ; there might be more ; I have never refused accommodation to anyone except one or two drunken men ; I have always had plenty of accommodation ; I have plenty of spare rooms ; I generally keep three tables.

CHARLES FARRELL.

Sworn at Kempsey, this 15th January, 1884, before us,—

F. GOULBURN PANTON, J.P., Chairman, L.C.
J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

Application granted,—

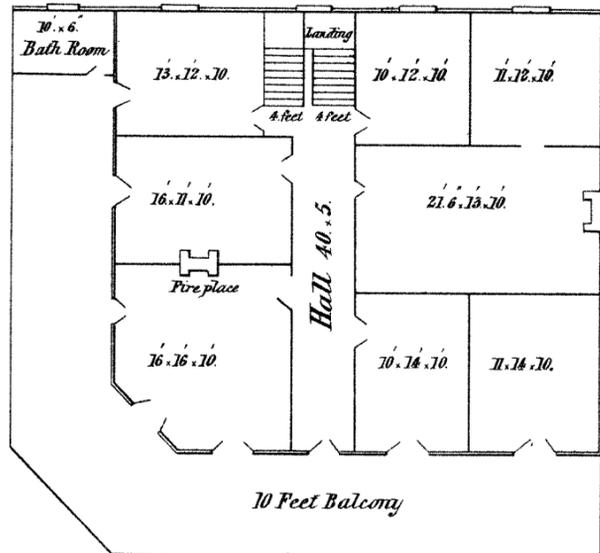
F. GOULBURN PANTON, J.P.
J. W. WILSON, J.P.
C. SUTHERLAND, J.P.

I certify the foregoing to be a true copy of the records in the applications of George Cooper, senior, and Robert Masterton, at the Licensing Court for Macleay River, on the 15th day of January, 1884.

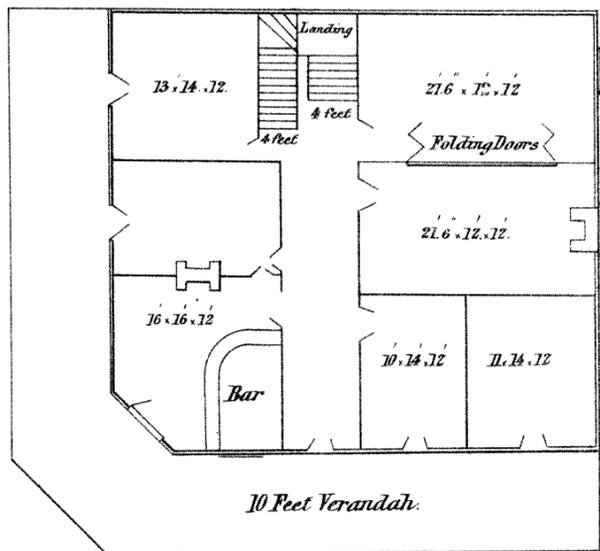
Police Office, West Kempsey, 3rd March, 1884.

G. STEVENSON,
Clerk of Licensing Court.

[Two plans.]

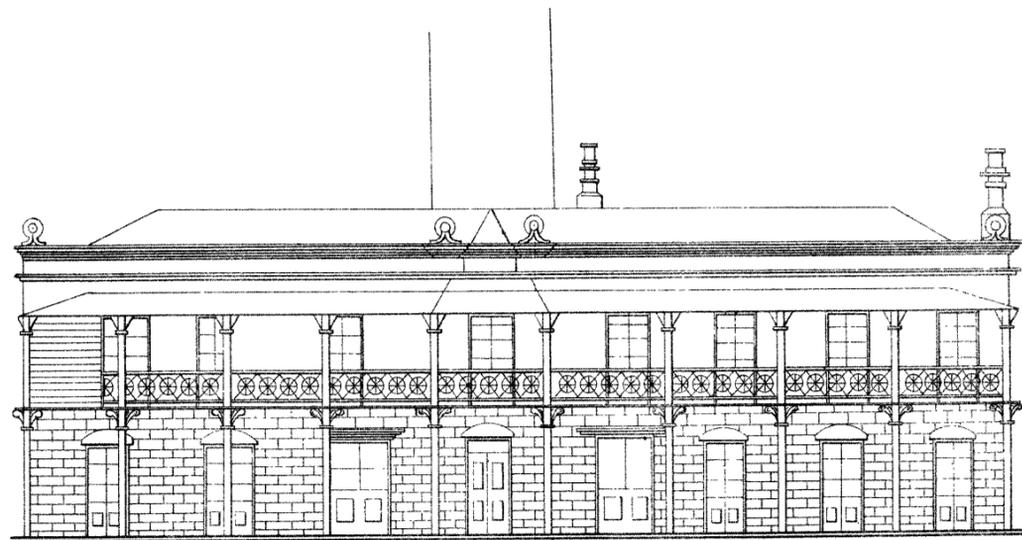
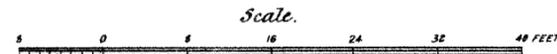


FIRST FLOOR PLAN



GROUND PLAN

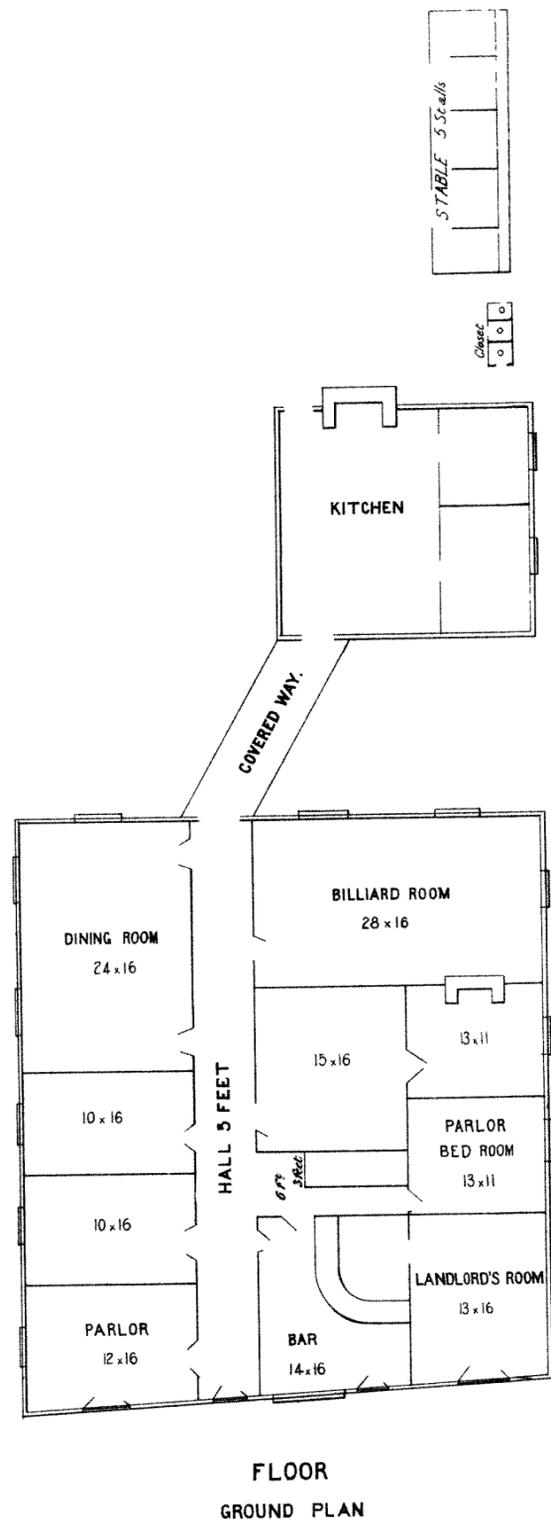
PLAN,
 ETC.
OF PROPOSED TWO-STORY BUILDING TO BE ERECTED
 AT THE CORNER OF
KEMP AND BELGRAVE STREETS WEST KEMPSEY
 FOR
M^R R. MASTERTON



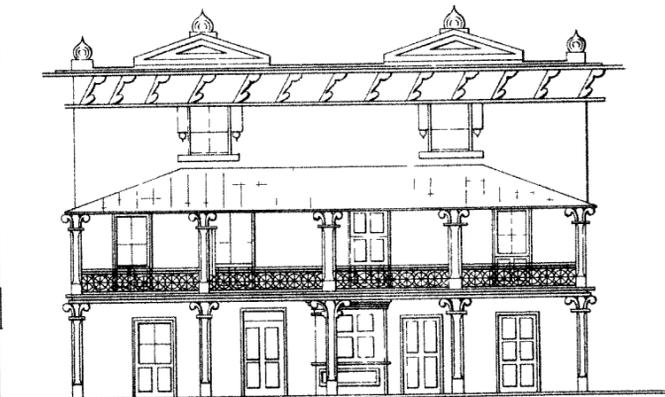
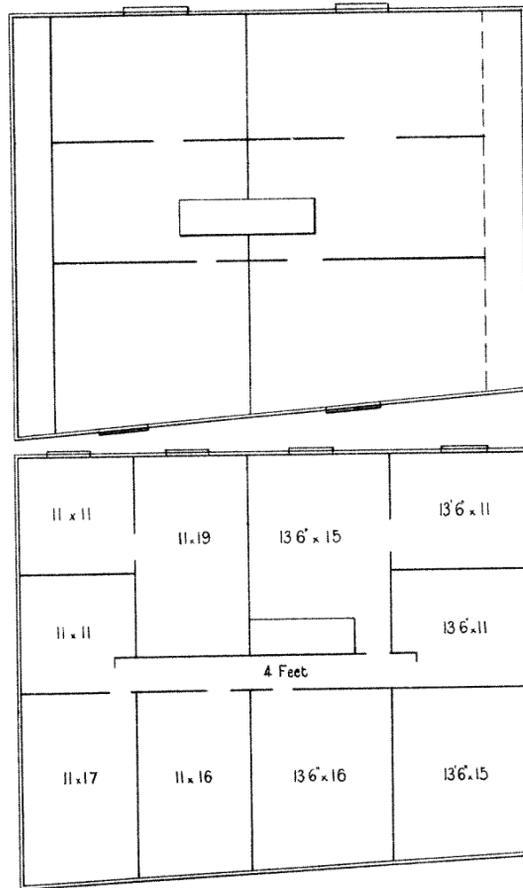
TO KEMP STREET CORNER ELEVATION TO BELGRAVE ST

PLAN
 OF ADDITIONS AND ALTERATIONS:
 TO
G.COOPER SENR'S HOUSE
 in Belgrave Street, Kempsey

*Building to be of wood and iron.
 Height of Rooms 9 feet and upwards.*



2nd FLOOR PLAN.



1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MR. RUSSELL'S APPLICATION FOR A PUBLICAN'S LICENSE.
(PAPERS, POLICE OBJECTIONS, EVIDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 6 February, 1884.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 20th November, 1883, That there be laid upon the Table of this House,—

“Copies of all letters, papers, police objections, evidence, or other documents, having reference to the case of Mr. Russell's application for, and the refusal of the Bench of, a renewal of license for the ‘Great Northern Hotel,’ North Shore, tried at the Water Police Court in 1881; also, reports of the police as to the general conduct of the house, together with a copy of the Police cases for this district during the time he held the license, and the same since.”

(*Mr. Abigail.*)

Mr. Sub-Inspector Johnson to The Licensing Bench, Sydney.

No. 4 Police Station, Sydney, 9 April, 1881.

To the Worshipful the Justices of the Peace, acting in and for the District of Sydney, Colony of New South Wales,—

Gentlemen,

I beg to give notice that I hereby object to the renewal of his publican's general license to Henry Russell for the house at present licensed under the sign of the “Great Northern Hotel,” situate at Lane Cove Road, North Willoughby, on the ground that the said Henry Russell has been duly convicted at the Water Police Court, in the City of Sydney, of the following offences, and on other grounds, namely:—

On the 14th April, 1880, he was fined 5s. and 5s. 6d. costs, or 24 hours gaol, for knowingly permitting disorderly conduct in his licensed house, on the 29th March, 1880.

On the 14th April, 1880, he was fined 20s. and 26s. 6d. costs, or 7 days' gaol, for keeping his licensed house open during prohibited hours on 26th March, 1880.

On the 5th May, 1880, he was fined 40s. and 5s. 6d. costs, or fourteen days' gaol, for keeping his licensed house open during prohibited hours on the 25th April, 1880.

On the 2nd June, 1880, he was fined 10s. and 5s. 6d. costs, or four days' gaol, for keeping his licensed house open for the sale of liquor during prohibited hours on the 16th May, 1880.

On the 22nd February, 1881, he was fined 2s. 6d. and 5s. 6d. costs, or two days' gaol, for neglecting to keep lighted and burning a lamp over the door of his licensed house, or within 20 feet thereof, from sunset to sunrise, 14th February, 1881.

On the 23rd February, 1881, he was fined 40s. and 5s. 6d. costs, or fourteen days' gaol, for knowingly permitting drunkenness in his licensed house, on the 10th February, 1881.

That since obtaining a license for the “Great Northern Hotel,” the said Henry Russell turned his alleged lawful wife, Mrs. Elizabeth Russell, out of his house, and took another woman, named Margaret Robinson, in her place, and that since then, up to the present time, he has been living apart from his alleged wife.

That the said Henry Russell has been keeping disreputable women in his licensed house from time to time, two of which have been well known to the police as common prostitutes, namely, Louisa White and Honora Pallace.

That on general holidays the said Henry Russell advertises sports to be holden on his premises and grounds for the purpose of bringing together drunken and disreputable persons. That on last Boxing Day, 27th December, 1880, the said Henry Russell, by means of an advertisement, brought together in his licensed house and grounds a large number of persons, and that during this day his house and grounds were more like a butcher's shambles than anything else. Half-drunken men were fighting in every place around the premises, several being armed with any weapon they could lay hold of.

That there has been no less than 200 convictions against persons found drunk, drunk and disorderly, and behaving in a riotous manner in and about the house and premises of the said Henry Russell.

That therefore the said Henry Russell is not a fit and proper person to be the holder of a publican's license.

I have, &c.,

S. D. JOHNSON,

Sub-Inspector of Police.

Approved.—J. READ, 11/4/81. Treasury, 13/5/81.

Postponed till 26th April, 1881. 22nd April, 1881.

S. D. Johnston, Sub-Inspector, sworn (26 April, 1881).	Peter Robins, constable, sworn.
Henry Kirby, Senior-constable, sworn.	John Dawson, sergeant, sworn.
Edward Green, constable, sworn.	Joseph Hammond, butcher, sworn.

Bench require no more evidence.

Contra—

Dr. Valentine Brown, sworn.	John Bryson, sworn.
James Squire Farnell, sworn.	John Ramsey, affirmed.
Francis Adams, sworn.	Arthur Davies, sworn.
Bernard Otto Holtermann, sworn.	Henry Bryan, sworn.
James Patrick Garvan, M.L.A., sworn.	Elizabeth Russell, sworn.
Henry Stuart Russell, sworn.	Mary Ann Robinson, sworn.
Richard Selwyn, sworn.	Henry Russell, sworn.
William Hanson, sworn.	Arthur Julian, sworn.
Henry Woods, sworn.	Robert Pinkerton, sworn.

Being now quite dark, case adjourned till to-morrow at 10 o'clock a.m., Sydney, 26th April, 1881.

Alexis Mackenzie, sworn.	Richard Arthur Willoughby Green, sworn.
Matthew Ryan, sworn.	Frederick O'Neil, sworn.
Charles Johnston, sworn.	Robert M'Lennon, called.
Thomas Waterhouse, sworn.	

Rebutting—

Henry Russell, called and re-sworn.	Sergeant Abercrombie, sworn.
James Kennedy, sworn.	

Served a copy of the within objections on Henry Russell, at his residence, Lane Cove Road, North Willoughby, on 9th April, 1881.

W. CALDWELL,
Constable.

J. Dalton, Esq., to The Presiding Magistrate.

Dear Sir,

River View, Lane Cove River, 26 April, 1883.

I have been summoned as a witness in reference to Russell's public-house. This public-house is 3 miles from my residence. I have not seen the house (to the best of my recollection) once these twelve months. I know nothing of the house, except on hearsay, and I really have no evidence to give.

Under these circumstances I would respectfully ask the Bench to free me from any further attendance.

I have, &c.,

J. DALTON.

Present at commencement of Russell's case, 26th April, 1881:—

Penfold	M'Lean
Calvert (went)	Jenkins
Gray (went)	Pulmer (went)
Hoare	Robinson
Stanley	Canter
Hourigan (went)	Hyam (went)
Dean (went)	Bird
Cocks (went away)	Senior (went)
Lester (went)	Playfair (went)
O'Connor (went).	

Present at adjournment, on 26th April, 1881:—

Penfold	M'Lean
Jenkins	Hoare
Robinson	Stanley
Canter	Bird.

End of Russell's case.

Present

Present at resumption, on 27th April, 1881 :—

Penfold	Hunt
M'Lean	O'Connor
Robinson	Playfair
Jenkins	Hogan
Bird	Charlton
Stanley	Falser
Hoare	Senior
Carter	Burdekin
Hourigan	

Depositions.

Johnston v. *Re* Henry Russell—26th April, 1881—Fifteen Magistrates present.

Sub-Inspector S. D. Johnston, sworn : Has had to send extra constables ; produces six convictions.

Senior-Constable Henry Kirby, sworn : Fighting twelve hours Boxing Day ; in and out of house streaming with blood ; defendant did not try to suppress it ; turned his wife out ; keeps a woman ; low characters, barefoot ; bricklayers ; prostitutes live there ; names two ; seen indecent behaviour through window ; Russell telling man to take her on the sofa ; 200 convictions ; thirty on Boxing Day ; heard Russell say if his wife interfered with his Mary Ann he would pitch her on her bloody head ; people dropped down dead drunk in his hotel ; others walked over them ; chapel windows broken.

Constable Edward Green, sworn : Fighting all day up till 11.30 p.m. ; very low characters, men and women ; open dance ; people cut and bleeding ; pick-axes, handles, and forks.

Constable Peter Robins, sworn : Fighting and disturbance in defendant's presence ; heard Russell order his wife out of his house, and say if she interfered with his Mary Ann he would break her neck ; has seen men having connection with bad characters on his premises, in shed adjoining skittle alley, within 30 feet of house, adjoining kitchen ; saw him go into kitchen after bad women ; known four bad women to live in house at one time ; has seen men and women having connection in his pleasure grounds, open till 4 a.m. ; has summoned eleven drunkards from his house in one day ; no respectable person could gain admission ; stones were thrown from his house on to the Wesleyan Church during Divine service ; badly conducted house.

Constable William Caldwell, sworn : Ditto.

Sergeants Dawson and Abercrombie tendered to corroborate, and several civilians.

Sergeant John Dawson, sworn : Has seen disreputable females there since June last ; had spoken to him about the way he kept the house.

Joseph Hammond, butcher, sworn : House adjoins Russell's ; house badly conducted ; Russell uses obscene language constantly.

Other witnesses tendered by Mr. Johnston ; Bench consider unnecessary.

Contra.

Dr. Valentine Brown, medical attendant of family : There at all hours ; well conducted house generally, as far as he could see.

James Squire Farnell, sworn : Has visited the house, and had a meeting there ; had tea ; knows nothing good, bad, or indifferent.

Francis Adams, assistant manager J.S. Bank, sworn : Been in house three times ; in Russell's house ; passed it five or six times ; lives 3 or 4 miles this side ; known him eight or nine years ; thought it an excellent house ; thought Russell a good man.

Bernard Otto Holtermann, sworn : Have frequently visited Russell's house ; first class house ; called there with his wife.

James Patrick Garvan, M.L.A., sworn : Knows Russell a little ; has been in his house a dozen times in last two years ; house clean and well conducted.

Henry Stuart Russell, sworn : Knows Russell's hotel ; have stopped there three or four times to lunch—three years ; house seemed well conducted ; and took his family into lunch Naval Review day ; knows nothing of his moral character or his wife.

Richard Selwyn, sworn : Was five years Mayor of Willoughby ; passes his house several times a day ; house well conducted ; frequent visitor.

William Hanson, sworn : Was once part proprietor of the *Empire* ; has been through the whole of Russell's premises ; known him twenty years ; house well conducted ; visit Russell's once a week perhaps ; never there at night time ; lives 4 miles off.

Henry Woods, sworn : Lives on Surry Hills ; has visited Russell's frequently between 10.30 a.m. and 6.30 p.m. ; never later ; house well conducted.

John Bryson, sworn : Carpenter ; lives opposite Russell's ; the house is respectably conducted.

John Ramsey, affirmed : Knew the house well two years ago ; has been there frequently ; fitted his house with gas ; house well conducted ; three times there at night-time till 10 o'clock.

Arthur Davies, sworn : Timber merchant ; frequent visitor—not at night ; house well conducted.

Henry Bryan, sworn : Was a commercial traveller ; called at Russell's occasionally ; dined there ; house well conducted ; never slept there.

Elizabeth Russell, wife, sworn : Great dislike to live in public-house ; lived in a place near the hotel with her son ; now lives with married daughter ; lives happily with him ; he visits and I visit occasionally ; good husband and father ; never turned her out or threatened her ; knows Mary Ann Robinson ; she considered her a respectable, honest woman ; she has two children—13 and 7 ; has had no children at Russell's ; he has agreed to give me £1 per week and what I want besides ; I do not call it separation ; I adopted a child ; I could not say it was my husband's.

Mary Ann Robinson, sworn : Lives at Mr. Russell's as housekeeper and general servant ; nothing improper between her and Russell ; well conducted house ; men will get drunk ; knows Louisa White ; she was there good fortnight ; does not know Pallace ; knows Armstrong ; she was engaged by Russell from Mrs. Stevenson's.

Henry

Henry Russell, sworn: Never turned Mrs. Russell away; never had improper connection with Robinson, or Armstrong, or White; thinks Armstrong must be Pallace; well conducted girls; never had prostitutes in the house; never had anything to do with Mrs. Parker; Constable Kirby laid her down beside the School of Arts; there is no truth in Kirby's evidence; never told a man to take a woman in on the sofa; knows nothing of a man having connection with Stuart, nor men taking women out of dancing saloon to bush for immoral purposes.

Arthur Julian, solicitor, sworn: Remarkably well-conducted house; have been there twenty times.

Robert Pinkerton, watchmaker, sworn: Been there till 12 o'clock; well-conducted house.

[Adjourn till 27.]

Alexis Mackenzie, sworn: Managing clerk to Stephen, Laurence, & Jacques; knows Russell twelve months; knows nothing wrong of him.

Edward Oram, sworn: Visited twice; nice, comfortable, well kept.

Matthew Ryan, sworn: Waggonette proprietor; calls at Russell's daily; house conducted very fair; has taken ladies and gentlemen there, who praise him; knows Russell sixteen years.

Charles Johnson, sworn: Frequent visitor till midnight; worked at the building; never saw house better conducted; has seen fighting and drunkenness, especially on Boxing Day.

Thomas Waterhouse, sworn: Not a finer house in Australia; never saw anything wrong in his life; known him eighteen or nineteen years; was not convicted of obscene language on 27th December, 1880; was not fighting; his brothers were not convicted at this Court on that day.

Richard Arthur Willoughby Green, sworn: Knows Russell twenty years; frequently visited his house at all hours; first-class house; well-conducted; general character very good.

Frederick O'Neill, sworn: Butcher; serves Russell; visits three times a week at least.

Robert M'Lennon, called, does not answer.

Rebutting.

Henry Russell, re-called and re-sworn, denies going into Mrs. Collyer's at night; Kirby has got a verdict £25 and costs against him.

Rev. Father James Kennedy, R.C. priest, sworn: Passes house frequently; never been in it often; seen drunken people there; has seen men and women dead drunk lying on road; have often insulted people on Russell's verandah; seen and heard disorderly conduct there—people incapable of locomotion; therefore dead drunk, and people fighting.

Sergeant Abercrombie, sworn: Eight years on North Shore; knows Russell; he used to stay at Mrs. Collyer's; his character is bad enough seven years ago; seen him at Mrs. Olsen's alone; both of those women are very bad characters; could not be worse; better now.

By Bench:—

Henry Russell states it was not him who insulted the priest.

Certificate of Conviction. 22 Vic. No. 7.

I, THE undersigned, Clerk of Petty Sessions at the Water Police Office, in the city of Sydney, in the Colony of New South Wales, being the officer having ordinarily the custody of the documents and proceedings showing the convictions, sentences, or orders had, passed, or made before the Justices of the Peace for the said Colony, sitting in Petty Sessions at the said Water Police Office, do hereby certify that on the fourteenth day of April, in the year of our Lord one thousand eight hundred and eighty, Henry Russell was convicted at the said Police Office by P. Stanley and H. P. Palsler, Esquires, two of Her Majesty's Justices of the Peace for the said Colony, for that, on the twenty-ninth day of March, one thousand eight hundred and eighty, he then being the keeper of a house of public resort wherein liquors are sold, situate at North Willoughby, in the District of Sydney, did knowingly permit in such house disorderly conduct, and was sentenced by the said Justices for his said offence to forfeit and pay the sum of five shillings, together with the sum of five shillings and sixpence for costs in that behalf; and it was thereby ordered that if the said several sums should not be paid the same should be levied by distress and sale of the goods and chattels of the said Henry Russell, and it was thereby also adjudged that in default of sufficient distress the said Henry Russell should be imprisoned in the Gaol at Sydney for the space of twenty-four hours unless the said sums and all costs and charges of the said distress should be sooner paid.

Given under my hand at the Water Police Office, in the said city of Sydney, this seventh day of April, in the year of our Lord one thousand eight hundred and eighty-one.

P. C. LUCAS, C.P.S.

Certificate of Conviction. 22 Vic. No. 7.

I, THE undersigned, Clerk of Petty Sessions at the Water Police Office, in the city of Sydney, in the Colony of New South Wales, being the officer having ordinarily the custody of the documents and proceedings showing the convictions, sentences, or orders had, passed, or made before the Justices of the Peace for the said Colony, sitting in Petty Sessions at the said Water Police Office, do hereby certify, that on the fourteenth day of April, in the year of our Lord one thousand eight hundred and eighty, Henry Russell was convicted at the said Police Office by P. Stanley and H. P. Palsler, Esquires, two of Her Majesty's Justices of the Peace for the said Colony, for that on Good Friday, the twenty-sixth day of March, one thousand eight hundred and eighty, at twelve o'clock at midnight, the said Henry Russell, then being a person holding a publican's license for the house known by the sign of the "Great Northern Hotel," situate in North Willoughby, in the district of Sydney, did keep his said licensed house open for the sale of liquors to persons therein who were not really lodgers or inmates thereof, nor travellers on a journey seeking refreshment, and was sentenced by the said Justice for his said offence to forfeit and pay the sum of twenty shillings, and twenty-six shillings and sixpence for costs in that behalf; and it was thereby ordered that if the said several sums should not be paid, the same should be levied by distress and sale of the goods and chattels of the said Henry Russell; and it was thereby also adjudged that in default of sufficient distress the said Henry Russell should be imprisoned in the gaol at Sydney for the space of seven days, unless the said several sums and all costs and charges of the said distress should be sooner paid.

Given under my hand at the Water Police Office, in the said city of Sydney, this seventh day of April, in the year of our Lord one thousand eight hundred and eighty-one.

P. C. LUCAS, C.P.S.

Certificate

Certificate of Conviction. 22 Vic. No. 7.

I, THE undersigned, Clerk of Petty Sessions at the Water Police Office, in the city of Sydney, in the Colony of New South Wales, being the officer having ordinarily the custody of the documents and proceedings showing the convictions, sentences, or orders had, passed, or made before the Justices of the Peace for the said Colony, sitting in Petty Sessions at the said Water Police Office, do hereby certify, that on the fifth day of May, in the year of our Lord one thousand eight hundred and eighty, Henry Russell was convicted at the said Police Office, by P. Stanley and F. R. Robinson, Esquires, two of Her Majesty's Justices of the Peace for the said Colony, for that on Sunday, the twenty-fifth day of April, one thousand eight hundred and eighty, at ten minutes after seven o'clock in the afternoon, the said Henry Russell then being a person holding a publican's license for the house known by the sign of the "Great Northern Hotel," situate at North Willoughby, in the district of Sydney, did keep his said licensed house open for the sale of liquors to persons therein who were not really lodgers, nor inmates thereof, nor travellers on a journey seeking refreshments, and was sentenced by the said Justice for his said offence to forfeit and pay the sum of forty shillings, together with five shillings and sixpence for costs in that behalf; and it was thereby ordered that if the said several sums should not be paid, the same should be levied by distress and sale of the goods and chattels of the said Henry Russell; and it was thereby further adjudged that in default of sufficient distress the said Henry Russell should be imprisoned in the gaol at Sydney for the space of fourteen days, unless the said several sums and all costs and charges of the said distress should be sooner paid.

Given under my hand at the Water Police Office, in the said city of Sydney, this seventh day of April, in the year of our Lord one thousand eight hundred and eighty-one.

P. C. LUCAS, C.P.S.

Certificate of Conviction. 22 Vic. No. 7.

I, THE undersigned, Clerk of Petty Sessions at the Water Police Office, in the city of Sydney, in the Colony of New South Wales, being the officer having ordinarily the custody of the documents and proceedings showing the convictions, sentences, or orders had, passed, or made before the Justices of the Peace for the said Colony, sitting in Petty Sessions at the said Water Police Office, do hereby certify, that on the second day of June, in the year of our Lord one thousand eight hundred and eighty, Henry Russell was convicted at the said Police Office, by Thomas Henry Browne, and Patrick Stanley, Esquires, two of Her Majesty's Justices of the Peace for the said Colony, for that he did, on Sunday, the sixteenth of May, one thousand eight hundred and eighty, at twenty-three minutes after twelve o'clock in the forenoon, the said Henry Russell, then being holder of a publican's license for the house known by the sign of the "Great Northern Hotel," situate at North Willoughby, in the district of Sydney, did keep the said licensed house open for the sale of liquor to persons therein, who were not really lodgers or inmates thereof, nor travellers on a journey seeking refreshment, and was sentenced by the said Justice for his said offence to forfeit and pay the sum of ten shillings, and five shillings and sixpence for costs in that behalf; and it was thereby ordered that if the said several sums should not be paid, the same should be levied by distress and sale of the goods and chattels of the said Henry Russell; and it was thereby further adjudged that in default of sufficient distress the said Henry Russell should be imprisoned in the gaol at Sydney for the space of four days, unless the said several sums and all costs and charges of the said distress should be sooner paid.

Given under my hand at the Water Police Office, in the said city of Sydney, this seventh day of April, in the year of our Lord one thousand eight hundred and eighty-one.

P. C. LUCAS, C.P.S.

Certificate of Conviction. 22 Vic. No. 7.

I, THE undersigned, Clerk of Petty Sessions at the Water Police Office, in the city of Sydney, in the Colony of New South Wales, being the officer having ordinarily the custody of the documents and proceedings showing the convictions, sentences, or orders had, passed, or made before the Justices of the Peace for the said Colony, sitting in Petty Sessions at the said Water Police Office, do hereby certify, that on the twenty-second day of February, in the year of our Lord one thousand eight hundred and eighty-one, Henry Russell was convicted at the said Police Office, by E. T. Penfold, Benjamin Jenkins, and S. H. Hyam, Esquires, three of Her Majesty's Justices of the Peace for the said Colony, for that from sunset on the thirteenth day of February, one thousand eight hundred and eighty-one, to sunrise on the fourteenth day of February, one thousand eight hundred and eighty-one, he then being the holder of a publican's license for the house known as the "Great Northern Hotel," situate at Lane Cove Road, at the district of Sydney, did not keep lighted and burning a lamp over the door of his licensed house, or within 20 feet thereof, and was sentenced by the said Justices for his said offence to forfeit and pay the sum of two shillings and sixpence, together with five shillings and sixpence for costs of that behalf, to be recovered by distress and sale of the goods and chattels of the said Henry Russell; in default of sufficient distress to be imprisoned in Her Majesty's gaol at Sydney for the space of two days, unless the said several sums should be sooner paid.

Given under my hand at the Water Police Office, in the said city of Sydney, this seventh day of April, in the year of our Lord one thousand eight hundred and eighty-one.

P. C. LUCAS, C.P.S.

Certificate of Conviction. 22 Vic. No. 7.

I, THE undersigned, Clerk of Petty Sessions at the Water Police Office, in the city of Sydney, in the Colony of New South Wales, being the officer having ordinarily the custody of the documents and proceedings showing the convictions, sentences, or orders had, passed, or made before the Justices of the Peace for the said Colony, sitting in Petty Sessions at the said Water Police Office, do hereby certify, that on the twenty-third day of February, in the year of our Lord one thousand eight hundred and eighty-one, Henry Russell was convicted at the said Police Office, by R. A. Hunt and P. Stanley, Esquires, two of Her Majesty's Justices of the Peace for the said Colony, for that on the tenth day of February, one thousand eight hundred and eighty-one, he then being the keeper of a house of public resort, wherein liquors were sold, to wit, the "Great Northern Hotel," situate at Lane Cove Road, in the district of Sydney, did knowingly permit drunkenness

drunkenness therein, and was sentenced by the said Justices for his said offence to forfeit and pay the sum of forty shillings, together with five shillings and sixpence for costs in that behalf; and it was thereby ordered that if the said several sums should not be paid, the same should be levied by distress and sale of the goods and chattels of the said Henry Russell; and it was thereby further adjudged that in default of sufficient distress the said Henry Russell should be imprisoned in the gaol at Sydney for the space of fourteen days, unless the said several sums and all costs and charges of the said distress should be sooner paid.

Given under my hand at the Water Police Office, in the said city of Sydney, this seventh day of April, in the year of our Lord one thousand eight hundred and eighty-one.

P. C. LUCAS, C.P.S.

[6d.]

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

SALE OF LIQUOR AT RAILWAY REFRESHMENT ROOMS. (REGULATIONS.)

Presented to Parliament, pursuant to the 19th section of the "Licensing Act of 1883."

Department of Justice,
Sydney, 21st July, 1883.

NOTICE is hereby given that His Excellency the Governor, with the advice of the Executive Council, has been pleased, in pursuance of section 19 of the "Licensing Act of 1883," to approve of the following Regulations for the sale of liquor at Refreshment-rooms at Stations on the Government lines of Railway.

H. E. COHEN.

WHEREAS by section 19 of the "Licensing Act of 1883" it is enacted that the Governor-in-Council may sanction and issue a license for the sale of liquor at such refreshment-rooms or stalls at such Railway Stations as he may deem fit, and that such license and the holder thereof shall be subject to such regulations and such penalties as the Governor-in-Council may make or impose: Now, I, Lord Augustus William Frederick Spencer Loftus, the Governor of the Colony of New South Wales, with the advice of the Executive Council, do hereby make and promulgate the following Regulations for licenses for the sale of liquor at refreshment-rooms on the Government Railways of this Colony:—

1. Authorities for licenses for the sale of liquor at refreshment-rooms or stalls at Railway Stations on any of the Government lines of Railway (hereinafter termed "Railway Refreshment Licenses") will be issued by the Governor-in-Council.

2. Railway refreshment licenses will only be issued to lessees of the refreshment-rooms at the various railway stations, and upon the cancellation, forfeiture, or other determination of any such lease, the railway refreshment license shall be void.

3. Applications for railway refreshment licenses must be made in writing to the Commissioner for Railways. Upon the receipt of an authority issued as aforesaid the Colonial Treasurer will issue to the holder of such authority a railway refreshment license in the form of Schedule A hereto, on the payment by such holder of the fee of £30 to such Treasurer, or some officer authorised by him to receive license fees.

4. Every railway refreshment license shall be in force for a period of twelve calendar months unless sooner determined by forfeiture, cancellation, or otherwise, and shall during its currency authorise the licensee therein named to sell liquor (which in these regulations means "liquor" as defined by the "Licensing Act of 1882") at the refreshment-rooms or stalls at the station therein named, to persons arriving at or departing by rail from such station, at any time during the day or night.

5. Except as hereinafter provided no such license shall be transferable or assignable, but a new license may be issued on or before the expiration of the original or preceding license on payment of a fee of £30, on an authority applied for and granted in like manner as in the case of an original application for a license.

6. Every authority issued as aforesaid shall be void unless the sum hereby required to be paid to the Colonial Treasurer or officer authorised to receive license fees for the license thereby authorised be so paid within twenty-eight days after the issue of such authority. And such Treasurer or officer shall forthwith after the receipt of any such authority and payment of the sum prescribed by this Act issue the license.

7. If any licensee shall die or become insolvent before the expiration of his license his executors or administrators, or his official assignee, as the case may be, may by an agent specially authorized in writing by the Colonial Treasurer, carry on the business of such licensee until the expiration of his license, and the widow of such licensee, or if he shall not have left a widow, any member of his family of the age of twenty-one years, or any person on behalf of such family, may carry on the business for a period not exceeding three months from his death if probate of his will or administration of his estate shall not be previously granted, or his license previously expire, and such agent, widow, or person shall be subject to the same obligations as if he or she were the licensee named in the license. In case of the decease of a licensee within the period of two calendar months before the expiration of his license a renewal of such license for one year may, subject to payment of the proper annual fee, be granted to and in the name of his executor or administrator, or if probate of his will or administration in his estate shall not have been granted, then to such person as the said Treasurer shall consider entitled to obtain such probate or administration; and if there be more than one such executor or person then to such one of such executors or persons as such Treasurer may think fit.

8. Any Inspector, within the meaning of the Licensing Acts 1882-1883, may at all times enter the premises of a licensee, and may examine every room and part of such premises and take an account of all liquor therein, and may demand, select, and obtain any samples of liquor which may be in or upon such premises, such samples to be sealed by the Inspector in the presence of the licensee, or person in charge of such premises, and if such licensee or person shall so desire (with the seal of such licensee or person), and on paying or tendering payment for such samples may remove the same for the purpose of analysis or otherwise. And if any such licensee or person refuses or fails to admit any Inspector demanding to enter any premises in pursuance of this section, or refuses to permit any Inspector to select or obtain such samples, or

obstructs or causes or permits such Inspector to be obstructed or delayed in the discharge of his duty, such licensee or person shall be liable to a penalty not exceeding fifty pounds.

9. Any of the persons hereinafter described having reasonable cause for suspecting unlawful or disorderly proceedings to be carried on, or any breach of these regulations to have been committed, or to be in process of commission, in the premises of any licensee, at any time during the day or night, may demand entrance into such premises, *viz.* :—

(i.) Any Superintendent, Inspector, Sub-Inspector, or Sergeant of Police.

(ii.) Any Inspector as aforesaid, or any station-master or other officer employed in the Railway Department.

And if admittance be refused or unreasonably delayed to any such person as aforesaid so demanding entrance such person may break into such premises with such assistance as may be deemed requisite; and the licensee and every other person who refuses or delays admittance to any person authorised under this section shall be liable to a penalty not exceeding ten pounds.

10. If any licensee suffers any gaming for stakes, or any unlawful game whatsoever, to be carried on on his premises, or if such holder or any servant or person in charge of such premises connives at the playing of any such game therein, or in the appurtenances thereof, or if any such holder opens, keeps, or uses, or suffers his premises to be opened, kept, or used in contravention of the Act thirty-ninth Victoria, number twenty-eight, intituled "An Act for the Suppression of Betting-houses," as amended by the Act forty-third Victoria, number thirty, every such person so offending shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second and any subsequent offence twenty pounds.

11. If any licensee supplies liquor to any person who is at the time in a state of intoxication he shall for the first offence be liable to a penalty not less than two nor more than five pounds, and for any subsequent offence to a penalty not less than ten nor more than twenty pounds, and in the latter case to the cancellation of his license.

12. Any licensee may refuse to admit into and may turn out of his premises any person who is then drunk, violent, quarrelsome, disorderly, or who is using disgusting, profane, or foul language, or any person whose presence on his premises would subject him to a penalty under these Regulations.

13. If any licensee shall supply or allow to be supplied with liquor any engine-driver, fireman, guard, signalman, porter, or other servant or person employed in the department of Government Railways, and being on duty, such licensee shall be liable to a penalty not exceeding fifty pounds and not less than ten pounds. And every engine-driver, foreman, guard, signalman, porter, or other such servant or employé who, being on duty, shall demand to be supplied with liquor by any licensee or his servant or agent shall be liable to be dismissed.

14. Every licensee who knowingly sells or keeps, or exposes for sale, any liquor mixed with any deleterious ingredient, that is to say, any *Cocculus Indicus*, copperas, opium, Indian hemp, strychnine, tobacco, darnel-seed, extract of logwood, salts of zinc, or lead, alum, or any extract or compound of any of such ingredients, or any other ingredient injurious to health, shall be liable for the first offence to a penalty of not less than ten pounds nor more than fifty pounds, and for the second or any subsequent offence to a penalty not exceeding one hundred pounds, and shall also in the case of the first as well as any subsequent offence forfeit all adulterated liquor, together with all such ingredients as aforesaid in his possession, with the vessels containing the same, and in the case of a second offence his license shall be cancelled.

15. The conditions, requirements, and penalties imposed by these regulations on licensees shall be in addition to and not in substitution of any conditions, requirements, or penalties contained in the lease under which any such licensee may hold the refreshment-rooms therein specified.

16. For every breach of these regulations for which no penalty is prescribed the licensee shall be liable to a penalty not exceeding five pounds. And proceedings for a penalty for the breach of any of these regulations may be instituted before a Licensing Court or Court of Petty Sessions sitting within the licensing district in which such breach was committed.

17. The Governor-in-Council upon being satisfied that any licensee has committed any two or more breaches of any of these regulations, and whether the licensee has been convicted thereof or not under the 16th regulation, may cancel the license of such licensee.

SCHEDULE A.

Form of Railway Refreshment License.

WHEREAS A.B. of _____ has deposited in this office an authority of the Governor-in-Council, dated the _____ day of _____ one thousand eight hundred and _____ empowering me to issue to the said A.B. a Railway Refreshment License for the Railway Station of _____

And whereas the said A.B. has paid the sum of _____ pounds sterling as the fee on such license: Now I do hereby issue this license to the said A.B. to sell fermented and spirituous liquors in any quantity at the said Station but not elsewhere, and subject to the Regulations in force for the time being, made in pursuance of the provisions of the 19th section of the "Licensing Act of 1883." This license shall commence upon the first day of _____ next and continue in force until the _____ day of _____ then next ensuing, both days inclusive, provided it be not forfeited or cancelled in the meantime.

Given under my hand and seal at Sydney, this _____ day of _____ one thousand eight hundred and _____ N.O. (I.S.)

Colonial Treasurer [or Officer authorised to issue Licenses].

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE LICENSING ACT.

(PETITION—RESIDENTS OF WATSON'S BAY.)

Received by the Legislative Assembly, 30 October, 1883.

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

The humble Petition of the undersigned, Residents of Watson's Bay,—

RESPECTFULLY SHOWETH:—

That your Petitioners, whilst admitting that, as an experiment, the passing of the Licensing Act of the last Session of Parliament was commendable as an effort to abate the evils of drunkenness on the Sabbath Day, yet, believing that it has failed to effect the objects intended, and, on the contrary, has led to the introduction of evil practices not then foreseen, consider that the travellers' clauses in the Act should be repealed, and a provision more suited to the requirements of this Colony substituted therefor.

That your Petitioners, who are not of the class sought to be reformed by the Act, yet made to suffer equally with those of it, feel aggrieved that they cannot on a Sunday command the means of rational enjoyment, by reason of the restriction imposed upon hotels and taverns, by the enforcing of the law of Sunday closing.

That your Petitioners are not of those who desire to have drink for the love of it, but in order to enable them and their families to visit any of the many lovely and attractive places that surround the metropolis, they must, with any prospect of enjoyment, be able to command the *entrée* to hotels and inns, and avail themselves of the accommodation and conveniences for the public which by law these institutions are obliged to provide.

That at present, by reason of the state of legislation on this subject, very many citizens are deterred from running the risk of taking their families on Sundays to any place situate at any appreciable distance from town, lest they may become ill before being able to get home, or get overtaken by a storm, and have no place of refuge or shelter to go to, or be subject to numberless inconveniences acutely felt but not easily expressed.

That if a travellers' clause is by Parliament deemed necessary it appears to us that it should not be more stringent than that existing in England; and that, as there, having travelled 3 miles, either on business or for pleasure, should be held to constitute a person a *bona fide* traveller. We only ask the same rights as Englishmen possess.

Your Petitioners therefore humbly pray that your Honorable House will consult their wishes on this important subject by making such alterations and amendments in the Licensing Act as they have above referred to.

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

[Here follow 259 signatures.]

Similar Petitions were received:—

On 30th October, 1883, from Residents of Manly and Sydney; 433 signatures.
 " " from Residents of Sydney and Suburbs; 259 signatures.
 " " from Residents of Botany and Waterloo; 269 signatures.
 " " from Residents of Sandringham, Newtown, and Cook's River; 512 signatures.
 " " from Residents of Coogee, Bondi, and Waverley; 575 signatures.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(PETITION, TRAVELLERS' CLAUSE—RESIDENTS OF MANLY AND OTHERS.)

Received by the Legislative Assembly, 14 November, 1883.

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

The humble Petition of the undersigned Residents of Manly, Sydney, and Suburbs,—

RESPECTFULLY SHOWETH:—

That your Petitioners feeling aggrieved by the restrictions placed on hotels and taverns on Sundays, which prevent them and their families from visiting the rural places around Sydney on that day, consider that it is time that the travellers' clause in the late Licensing Act should be repealed.

That if your Honorable House consider that any other travellers' clause should be substituted, we think it should not be more stringent than that in force in England; and that having travelled three miles, either on business or for pleasure, should constitute a person a *bona fide* traveller.

That if by larrikins or other such persons the opening on Sundays of these institutions is abused, we consider that the action of the police and the Magistrates should be quite sufficient to repress the evil; but we feel confident there would not be more drunken persons on Sundays than there are now.

Your Petitioners therefore humbly pray that your Honorable House will consider their wishes, and grant them the relief they ask.

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

[Here follow 249 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(PETITION—TRAVELLERS' CLAUSE—SYDNEY AND SURROUNDING DISTRICTS.)

Received by the Legislative Assembly, 20 November, 1883.

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

The humble Petition of the undersigned residents of Sydney and surrounding Districts,—

RESPECTFULLY SHOWETH:—

That your Petitioners, feeling aggrieved by the restrictions placed on hotels and taverns on Sundays, which prevents them and their families from visiting the rural places around Sydney on that day, consider that it is time that the travellers' clause in the late Licensing Act should be repealed.

That if your Honorable House consider that any other travellers' clause should be substituted for the present one, we think it should not be more stringent than that in force in England, and that having travelled three miles, either on business or for pleasure, should constitute a person a *bona fide* traveller.

That if by larrikins or other such persons the opening on Sundays of these institutions is abused, we consider that the action of the Police and the Magistrates should be quite sufficient to repress the evil; but we feel confident that there would not be more drunkenness on Sunday than there is now.

Your Petitioners therefore humbly pray that your Honorable House will consider their wishes, and grant them the relief they seek.

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

[Here follow 261 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACT.

(PETITION, TRAVELLERS' CLAUSE—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 29 November, 1883.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That your Petitioners, feeling acutely the restrictions placed on hotels and taverns on Sundays, which prevent them and their families from visiting the rural places around Sydney on that day, consider that it is time that the travellers' clause in the late Licensing Act should be repealed.

That if your Honorable House consider that any other travellers' clause should be substituted for the present one we think it ought not be more stringent than that in force in England; and that having travelled three miles, either on business or for pleasure, should constitute a person a *bona fide* traveller. We only ask the same rights as Englishmen possess.

That if by larrikins or other such persons the opening on Sundays of these institutions is abused we consider that the actions of the police and the Magistrates should be quite sufficient to repress the evil; but we feel confident that there would not be more drunken persons than there are now.

Your Petitioners therefore humbly pray that your Honorable House will consider their wishes, and grant them the relief they seek.

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

[*Here follow 165 signatures.*]

Similar Petition received:—

On 29th November, 1883, from Residents of Sydney and Suburbs; 127 signatures.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(PETITION, TRAVELLERS' CLAUSE—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 5 December, 1883.

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

The humble Petition of the undersigned residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That your Petitioners feel that they have cause to complain of the present state of the Licensing Law in this Colony as regards Sunday closing.

That they consider that a travellers' clause such as that in the English Act, should be the law here, namely, that any person who has travelled, whether on business or for pleasure, three miles from his home or from where he slept the preceding night, should be deemed a *bonâ fide* traveller.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 168 signatures.*]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(PETITION, SUNDAY CLOSING AND TRAVELLERS' CLAUSE—RESIDENTS OF ST. LEONARDS.)

Received by the Legislative Assembly, 12 December, 1883.

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

The humble Petition of the undersigned Residents of St. Leonards and surrounding Districts,—
RESPECTFULLY SHOWETH:—

That your Petitioners are anxious that the law as regards Sunday closing of licensed houses should be altered so as to make it more in accordance with the wishes and wants of the people of this Colony.

That as it now stands it is exceedingly oppressive, being unnecessarily restrictive of their liberty and injurious to the health of themselves and their families, who, by reason of the present state of the law, cannot on Sundays go into the country with any prospect of enjoyment.

That it appears to them that the cause of morality has not been served by the Act of last Session, but, on the contrary, that drunkenness has increased, and the sense of public decency has been shocked, by reason of the want of sanitary arrangements at seaside and other resorts, and the closing of licensed houses which would afford such accommodation as is required.

That they consider that the travellers' clause in the Bill now before Parliament should be amended by substituting three miles for five as the distance necessary to be travelled over to constitute a person a *bona fide* traveller.

That they further consider that the principle of local option should not be extended to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 205 signatures.*]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACT.

(PETITION—SUNDAY CLOSING AND TRAVELLERS' CLAUSE—INHABITANTS OF CANTERBURY.)

Received by the Legislative Assembly, 13 December, 1883.

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

The humble Petition of the undersigned inhabitants of Canterbury and districts,—

RESPECTFULLY SHOWETH :—

That your Petitioners feel that they have cause to complain of the present state of the Licensing Law as regards Sunday closing.

That they consider that a travellers' clause, such as that in the English Acts, should be the law here, namely, that any person who has travelled, whether on business or for pleasure, three miles from his home, should be considered a *bond fide* traveller.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 134 signatures.*]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACT.

(PETITION, TRAVELLERS' CLAUSE—RESIDENTS OF SYDNEY AND SURROUNDING DISTRICTS.)

Received by the Legislative Assembly, 18 November, 1883.

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

The humble Petition of the undersigned Residents of Sydney and surrounding Districts,—

RESPECTFULLY SHOWETH :—

That your Petitioners, feeling aggrieved by the restrictions placed on hotels and taverns on Sundays, which prevent them and their families from visiting the rural places around Sydney on that day, consider that it is time that the travellers' clause in the late Licensing Act should be repealed.

That if your Honorable House consider that any other travellers' clause should be substituted for the present one we think it should not be more stringent than that in force in England ; and that having travelled three miles, either on business or for pleasure, should constitute a person a *bona fide* traveller.

That if by larrikins or other such persons the opening on Sundays of these institutions is abused, we consider that the action of the police and the Magistrates should be quite sufficient to repress the evil ; but we feel confident there would not be more drunkenness on Sunday than there is now.

Your Petitioners therefore humbly pray that your Honorable House will consider their wishes, and grant them the relief they seek.

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

[*Here follow 223 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACT.

(PETITION AGAINST AMENDMENT OF—NATIONAL DIVISION OF AUSTRALIA, S.O.T.)

Received by the Legislative Assembly, 1 April, 1884.

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

HUMBLY SHOWETH:—

That we, the undersigned, on behalf of the Members of the National Division of Australia, Sons of Temperance, residing in this Colony, view with deep concern the attempt now being made by a section of the community to relax some of the restrictions in the present licensing law.

We, as representing a very large temperance organization, would respectfully pray that no alteration be sanctioned by your Honorable House to open public-houses for any time on the Sunday, nor to extend the hours of opening on the week-days; for we are sure that to afford any additional facilities than now exist for the sale of intoxicating liquors, would be an injury to society, and tend to demoralize the community, as the reports of our police authorities clearly demonstrate.

We earnestly pray that steps will be taken to enforce compliance with the present law, which is now notoriously violated.

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

[Here follow 28 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(PETITION AGAINST—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 26 June, 1884.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 217 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT.

(PETITION AGAINST—LICENSED PUBLICANS OF NEWCASTLE.)

Received by the Legislative Assembly, 31 July, 1884.

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

The Petition of the undersigned Licensed Publicans of the city of Newcastle and surrounding district, and others interested in the trade,—

HUMBLY SHOWETH:—

1. That, in the estimation of your Petitioners, the liquor trade would be brought within more legitimate bounds if the present system of granting wine licenses and licenses to grocers was abandoned, and wholesale licenses issued to wine, beer, and spirit merchants as such only.

2. That your Petitioners consider the compulsory closing of public-houses against the general public during the whole of Sunday deprives the operative classes of those reasonable comforts which are enjoyed by wealthier sections of the community, and that the law as to Sunday-closing, and the limitation put upon the hours of selling on week days, after a fair test, is not in consonance with the views and wishes of the people of this Colony.

3. That, in the opinion of your Petitioners, it is not desirable that the principle of local option should be applied to the renewal or removal of publicans' licenses.

Your Petitioners therefore respectfully pray that your Honorable House will favourably regard their wishes and representations, and take such steps as to your Honorable House may seem meet.

And your Petitioners will ever pray.

[Here follow 108 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACTS AMENDMENT BILL.

(PETITION—CHAIRMAN OF CONFERENCE CITY AND SUBURBAN LODGES I.O.G.T.)

Received by the Legislative Assembly, 30 October, 1883.

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

The humble Petition of the undersigned Delegates from the various City and Suburban Lodges of the Independent Order of Good Templars in Conference, held at the Temperance Hall, Sydney, on the 27th day of October, A.D. 1883,—

HUMBLY SHOWETH:—

1st. That the present Licensing Act in its essential features has been affirmed by two successive Parliaments.

2nd. That the Act has not been in operation sufficiently long to fairly test its provisions.

3rd. That there has been no demand on the part of the public for a relaxation of any of its restrictive clauses.

Your Petitioners therefore humbly pray that you will give the foregoing premises your favourable consideration, and reject the amending Bill recently introduced into your Honorable House as uncalled for by the people of the country.

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

Signed on behalf of Delegates,

E. D. CLARK, Chairman.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACTS AMENDMENT BILL.

(PETITION—PRESIDENT N.S.W. LOCAL OPTION LEAGUE.)

Received by the Legislative Assembly, 31 October, 1883.

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

The Petition of the undersigned,—

HUMBLY SHOWETH:—

That your Petitioner, understanding that there is a Bill before your Honorable House containing proposals to amend the Licensing Acts, humbly prays that the restrictions which at present surround the sale of intoxicating drinks may not be in any way lessened.

And your Petitioner therefore humbly prays that your Honorable House will take the premises into favourable consideration, and grant such relief as may seem meet to your Honorable House.

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

JOHN H. GOODLET,

President of the New South Wales Local Option League.

30th October, 1883.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACTS AMENDMENT BILL.

(PETITION AGAINST—PUBLIC MEETING OF INHABITANTS OF BATHURST.)

Received by the Legislative Assembly, 7 November, 1883.

To the Honorable the House of Legislature of New South Wales, in Parliament assembled.

The Petition of Inhabitants of Bathurst in public meeting assembled,—

SHOWETH :—

That your Petitioners are of opinion that the alterations in the Licensing Acts proposed to be made by a Bill now before your Honorable House are uncalled for and unwise.

They therefore pray your Honorable House to reject the said Bill.

And your Petitioners will ever pray.

Signed on behalf of the meeting,

EBENEZER PRICE,

Baptist Minister,

Chairman.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACTS AMENDMENT BILL.

(PETITION—CHAIRMAN AND SECRETARIES OF CONGREGATIONAL UNION.)

Received by the Legislative Assembly, 7 November, 1883.

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

The Petition of the undersigned,—

RESPECTFULLY SHOWETH:—

That the Congregational Union representing the Congregational Churches of New South Wales at their Annual Session in October last considered the question of the present Licensing Act; and while cordially approving the clauses which determine the hours for the sale of intoxicating drinks, yet by resolution approved the amending of the Act so as to incorporate the clause in the English Act making it an offence for any person, excepting *bonâ fide* lodgers, to be found on licensed premises during prohibited hours.

Your Petitioners therefore humbly pray that the Legislative Assembly will be pleased not to allow any alteration in the time determined on for the sale of intoxicating drinks; and that in the event of any amending Bill being brought in that the clause be incorporated from the English Act subjecting all persons found on licensed premises other than *bonâ fide* lodgers to fine or imprisonment.

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

6 November, 1883.

[*Here follow 3 signatures.*]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACTS AMENDMENT' BILL.
(PETITION—PRESIDENT, N.S.W. AND QUEENSLAND CONFERENCE OF THE AUSTRALASIAN WESLEYAN
METHODIST CHURCH.)

Received by the Legislative Assembly, 8 November, 1883.

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

The humble Petition of the undersigned William Moore, Minister and President of the New
South Wales and Queensland Conference of the Australasian Wesleyan Methodist Church,
for himself and for the Ministers and Laymen of the Sydney District in Committee assembled,
and by unanimous resolution,—

RESPECTFULLY SHOWETH:—

That, in the opinion of your Petitioners, the Licensing Act of 1881-2 has conferred great
moral and social benefits upon this Colony, and they view with regret and deprecate certain alterations
now proposed to be made in the said Act by the Licensing Act Amendment Bill introduced by Mr. Olliffe,
and now before your Honorable House.

Your Petitioners therefore most respectfully and earnestly pray your Honorable House to maintain
in their integrity the provisions of the Act which regulate the time of opening and closing on the six
business days of the week and entire closing on Sundays.

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

For self and others, as above set forth,
WILLIAM MOORE.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACTS AMENDMENT BILL.

(PETITION AGAINST—OFFICERS OF WOMAN'S CHRISTIAN TEMPERANCE UNION.)

Received by the Legislative Assembly, 8 November, 1883.

To the Honorable the Members of the Legislative Assembly, in Parliament assembled.

The Petition of the Officers of the Woman's Christian Temperance Union of New South Wales,—

HUMBLY SHOWETH:—

That your Petitioners view with profound regret the fact that a Bill has recently been introduced into your Honorable House, proposing to alter the present Licensing Law by permitting public-houses to open earlier in the morning and later in the evening than they do at present; also to permit them to open for a time on the Sunday, and curtail the distance now required by the law for a traveller to be supplied on Sunday with drink.

The experience of the past has shown very clearly that to alter the Licensing Law in the way proposed will do a large amount of injury to the community; and no necessity has arisen why the present beneficent and restrictive provisions of the Licensing Law should be altered. The hours they are now opened are sufficiently long. To open them on Sunday would have a most demoralizing tendency, and bring untold misery to many families.

To make the distance for a traveller on Sunday 5 miles would make as before many of the suburbs and environs of Sydney the scenes of drunken revelry and dissipation.

We therefore pray, in view of the best and highest interests of the entire community, that your Honorable House will not pass the Bill proposing to alter the Licensing Law in those particulars.

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

[Here follow 9 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LICENSING ACTS AMENDMENT BILL.
(PETITION—RESIDENTS OF SYDNEY.)

Received by the Legislative Assembly, 8 November, 1883.

To the Honorable the Members of the Legislative Assembly of New South Wales

The humble Petition of the undersigned residents of Sydney and Districts surrounding,—

RESPECTFULLY SHOWETH:—

That your Petitioners consider that the traveller's clause in the Licensing Act of last Session should be repealed, and an Act more in keeping with the wants of the people of this Colony be substituted.

That it is not so much for the sake of drink—because we are not drunkards—that we ask for this change; but we want to be able to spend our Sundays in the country without inconvenience or risk to ourselves or our families, which at present we cannot do by reason of hotels and taverns being closed on that day.

That we consider that any person who has travelled three miles should be considered a traveller, and be entitled to rest and refreshment.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to take this matter into your consideration, and grant them their request.

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

[Here follow 209 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSING ACT AMENDMENT BILL.

(PETITION, SUNDAY CLOSING--MEETING OF LICENSED VICTUALLERS.)

Received by the Legislative Assembly, 16 November, 1883.

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

The humble Petition of the undersigned Licensed Victuallers of New South Wales, in Meeting assembled this 13th November, 1883,—

RESPECTFULLY SHOWETH:—

That your Petitioners feel very much aggrieved by reason of the Licensing Act of the last Session of Parliament having been passed.

That expecting that the Licensing Act of 1882 would be altered so as to benefit persons in our position and conduce to the convenience of the public, and relying on the assurance we all felt that it could not be altered for the worst, some of us expended large sums, many of us our all, in fitting up and improving our establishments, and we think that to alter the law as regards Sunday closing, so as to make it what it is, is doing us a great wrong, whilst it has not in the least tended to improve the tone of public morals.

That as holders of property to a very considerable amount, and as industrious, hard working, and respectable citizens, we think we should be as well entitled to be allowed to earn the means of living, and of bringing up our children, as any other individuals or class of individuals in the State, and we respectfully say that Parliament should not, unless coerced by considerations of the gravest nature for the public welfare, have passed a law which is of a most confiscatory character, and which, if left unrepealed, is certain to bring ruin on most of us.

That no such reason as that referred to has been proved to exist, but on the contrary experience of the working of the Act has shown that it has aggravated the evil it sought to mitigate, and can never remove it.

That we consider that the law in this country should, in this respect, be the same as in England; we too like the public only ask the same right as Englishmen possess.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to grant their request.

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

R. B. READ,
Chairman.

1883-4.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
LOCAL OPTION.
 (DESPATCHES, MINUTES, LETTERS, PAPERS, &c.)

—
Ordered by the Legislative Assembly to be printed, 9 July, 1884
 —

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 29th May, 1884, That there be laid upon the Table of this House,—

“ A copy of the Report of the Inspector-General of Police upon Local Option, dated 28th August, 1883, as well as copies of despatches, minutes, letters, and all other papers relating thereto.”

(Mr. Abigail.)

—
 The Secretary of State for the Colonies to His Excellency the Governor.

My Lord,

Downing-street, 22 April, 1882.

I have the honor to transmit to you, for communication to your Lordship's Government, a copy of a letter from the Home Office, expressing the desire of the Secretary of State for the Home Department to obtain an official report from the Government of New South Wales upon the working of the Colonial Licensing Act, and I request that you will take steps to procure such a report for me.

I have, &c.,
 KIMBERLEY.

[Enclosure.]

Godfrey Lushington to The Under Secretary of State.

Sir,

I am directed by the Secretary of State to acknowledge the receipt of your letter of the 11th instant, enclosing an extract from the *Sydney Morning Herald* of 25th January last, relating to the operation of the Licensing Act of New South Wales, and I am to acquaint you in reply that the Secretary of State will be glad to receive any further information on the subject which may be received at the Colonial Office, and I am to request that you will move the Secretary of State for the Colonies to be so good as to cause Sir Wm. Harcourt to be furnished with an official report from the Colony on the working of this Act.

I am, &c.,
 GODFREY LUSHINGTON.

—
 Colonial Secretary, who might cause the necessary report to be made.—A.L., 1/7/82. The Minister of Justice.—JOHN R., 10/7/82. The Under Secretary of Justice, B.C., 10/7/82.—C.W.

—
 The Inspector-General of Police to The Principal Under Secretary.

Sir,

Police Department, Inspector-General's Office, Sydney, 8 August, 1882.

Believing that it would be of public interest and likely to be of service to the Government in considering the question of the working of the Licensing Act of 1882, I have deemed it advisable to call for reports from the various Superintendents of Police in charge of Districts respecting the number of arrests during the half-year ending the 30th June last, compared with similar particulars for the corresponding half-year in 1881.

This information I submit herewith for the Colonial Secretary's consideration.

It will be seen that there have been 2,532 apprehensions less during the last past half-year than in 1881.

This may I think be fairly attributed almost entirely to the working of the Licensing Act.

It must be borne in mind that the population is largely increasing, that extensive public works are in progress, and wages have been extremely high, all of which are circumstances which would naturally contribute to an increase of intemperance and of what usually follows—crime.

[865 copies—Approximate Cost of Printing (labour and material), £33 11s. 3d.]

The diminution of the number of offences is therefore very satisfactory.

The Superintendents of Police were asked to express their views upon the working of the Licensing Act, and as the matter is one of such importance I think it right to submit their reports for the Colonial Secretary's information.

They generally state that in their opinion the operation of the Act has been productive of benefit to the community, and in this view I concur.

It may not I trust be considered out of place, or beyond my province, if I proceed to suggest certain modifications of the law which in my opinion would be beneficial both to the public and the holders of licenses.

With regard to the accommodation clause No. 30, I beg to point out that there is no limitation regarding the number of beds, or rather of guests, to be placed in each sleeping room. Small bedrooms, well ventilated, each to accommodate one traveller, would be far more desirable than rooms of the dimensions required by the Act, in which several persons have to sleep.

In regard to the hearing of complaints against publicans, there is at present considerable hardship entailed upon licensees, who have to travel in some cases long distances with their witnesses to answer before a Licensing Court some trivial charge, such as having no external lamp alight, a similar inconvenience being experienced by the police. To meet this difficulty, I suggest that all charges not involving a forfeiture of license may be heard and determined by a Police Magistrate sitting alone, or by two Justices in Petty Sessions.

It is also found quite impracticable to provide a sufficient number of sergeants of police to perform the duties of inspectors and sub-inspectors under the Act (sec. 18), the consequence being in some instances that an inspector has to act for two or more Licensing Districts, and it is impossible for him to make the requisite inspections or attend the Courts. The difficulty might be overcome by authorizing the appointment of senior-constables as inspectors or sub-inspectors.

Senior-constables of police are, as a rule, men quite qualified for the positions of sergeants, and I do not think there would be any lack of confidence as to their ability and trustworthiness for the office.

I have every reason to confirm my opinion that roadside inns should be taken out of the ordinary category of licensed public-houses when they are required for the *bona-fide* accommodation of travellers, and situate beyond a certain distance, say 15 miles from any other licensed house.

Several of such houses have been brought under my notice when travelling on roads where the traffic is not great, but where some halting-places are required by the public. The business and profits being very small, the proprietors can scarcely pay the licensing fee of £30, and certainly cannot afford to rebuild or alter their premises to accord with the requirements of the Act. The result will, I fear, be that not only will the *bona-fide* traveller suffer inconvenience, but roadside shanties for the illicit sale of liquors will increase.

If the Act be amended, the boundaries of the Metropolitan Licensing District as the county of Cumberland (sec. 5) should be altered so as either to include the whole of the police districts of Camden, Penrith, and Windsor, or, what would be more convenient in administration, to exclude them from the Metropolitan District and erect them into separate licensing districts.

It should be made clear that brewers are not authorized to sell beer retail.

A penalty should also be specially enacted for holders of packet licenses selling liquors when at wharfs or moorings.

Hereto I append copy of an order issued to the police generally when the Act came into operation, warning them against over-officiousness in enforcing the law, and I have no reason to think that the caution has been disregarded, though there were certainly some instances at the outset of undue strictness in carrying out the letter of the law, for which the adjudicating Magistrates as well as the police were of course responsible.

Considerable difficulties have naturally been experienced by the police in obtaining evidence required to convict for infractions of the Act. The employment of constables in plain clothes (or disguised as informers in fact) cannot be permitted, as the Force would thereby be demoralized and the police lose the confidence and respect of the public.

Short of this the action of the police has scarcely been equal to the suppression of Sunday selling or other breaches of the law. The serious consequences to the licensees who are convicted of offences influence them not only to take special precautions to prevent detection, but further, to bring forward questionable evidence in many cases to evade conviction.

Numerous complaints are addressed to me by citizens of the disregard of the provisions of the Act by certain publicans, and the holders of licenses who do observe the law also complain, and justly too, of the loss and injury they sustain by customers leaving them to deal with houses where they can obtain liquor on Sundays and at prohibited hours.

I can suggest no remedy, but trust that by a firm and judicious administration of the Act, and by the forfeiture of licenses when the circumstances warrant that course, in time the publicans will see that it is proper and to their interests to observe the law.

I have, &c.,

EDMUND FOSBERY,
Inspector-General of Police.

I would suggest that this report be referred to the Department of Justice.—C.W., 10/8/82.
JOHN R., 10/8/82. The Under Secretary of Justice.—C.W., B.C., 10/8/82.

[Enclosures.]

Memo. from Mr. Superintendent Lydiard to Inspector-General of Police.

Police Department, Superintendent's Office, Bathurst, 31 July, 1882.

RETURN as directed by circular 652, forwarded herewith for the whole of the Western District.

The Inspector-General will observe, in large towns, that the increase of crime is less than for 1881 in proportion to the population. I attribute this to the Railway extension, also to the Licensing Act. I append reports from the officers in charge of the Sub-Districts, which the Inspector-General might wish to see.

C. T. P. L.,
Superintendent.
Memo.

Memo. from Sub-Inspector Carter to Mr. Superintendent Lydiard.

The progress of the railway works has caused a great increase of people over last year, yet the persons arrested are two short of first half year of 1881.

Mudgee Police Station, 20 July, 1882.

GEO. C. CARTER,
Sub-Inspector.

Sub-Inspector Stephenson to Mr. Superintendent Lydiard.

Sir,

Police Station, Forbes, 27 July, 1882.

I have the honor to report, that since the operation of the Licensing Act of 1882 the number of arrests have decreased in this Sub-district by ninety-seven for the six months ending June, 1882, as compared by the apprehensions during the six months ending June, 1881, and no doubt this decrease has been caused by the operation of the Licensing Act. I think that the new Licensing Act is a great improvement on the old one, but I think less accommodation at bush inns sufficient, and that a £10 license in the bush would be advantageous to the public. There have been fifteen inns closed at the end of June last; the owners would not bring their premises up to the standard of the new Licensing Act.

I have, &c.,

J. STEPHENSON,
Sub-Inspector.

Memo. from Sub-Inspector Garwin to Mr. Superintendent Lydiard.

Police Station, Orange, 5 July, 1882.

The figures for first half year of 1882, under drunkenness, show an increase in Orange return upon corresponding period of 1881. I can account for it this way:—After opening of Dubbo Railway there was a considerable exodus of people from Orange, at which time there must have been 100 houses empty in town, but since commencement of 1882 the population of the town has increased, and I don't believe there is an empty house in it at the present time. Therefore in reality in point of population there is a decrease.

THOS. GARWIN,
Sub-Inspector.

Memo. from Sub-Inspector Grainger to Mr. Superintendent Lydiard.

Police Station, Dubbo, 8 July, 1882.

I HEREBIN forward return of arrests as requested by circular No. 62. The Superintendent will observe that there is an increase of sixty-seven arrests for drunkenness; this is owing to Coonamble station, where the number arrested for the period in 1881 was only eighty-four, but in 1882 the number is 148.

E. GRAINGER,
Sub-Inspector.

Inspector Ryeland to The Inspector-General of Police.

Sir,

Police Department, Eastern District, Superintendent's Office, Sydney, 22 July, 1882.

I beg to report, with reference to the attached return, that the apprehensions during the half year ended June, 1882, being nearly equal to those of the half year ended June, 1881, is accounted for by the large increase of population to the various works, both public and private, at different parts of the district.

As regards the working of the Licensing Act of 1882, it appears to have been productive of much good, the majority of the licensees having willingly complied with its provisions, and are pleased with the change; so that drunkenness and offences leading therefrom have much decreased, especially on Sundays. The licensed houses generally present a much better appearance as to cleanliness and accommodation, and will more so when the necessary alterations and additions have been completed in accordance with the Act.

Many of the licensees complain of having to entertain persons calling themselves travellers from so short a distance as 5 miles, and would prefer a more stringent section.

There is also a perceptible decrease of persons being supplied with liquor when in a state of intoxication, and the closing being an hour earlier it has made an improvement as regards those having billiard or bagatelle licenses.

I have, &c.,

JAS. RYELAND,
Inspector.

Mr. Superintendent Morisset to The Inspector-General of Police.

Sir,

Police Department, Superintendent's Office, N.E. District, Maitland, 12 July, 1882.

In accordance with instructions conveyed in your circular of 2nd June, 1882, No. 652, I have the honor to forward a comparative return of the number of apprehensions made by the police of this district during the first halves of the years 1881 and 1882 respectively.

The return shows an increase in the number of arrests for the last half year of 114 for all offences, and among them an increase of sixty-one cases of drunkenness.

I can state, however, the arrests on Sundays have considerably decreased, and the towns on those days, particularly in the evenings, are much more quiet and orderly than before the passing of the present Act.

On the whole I am of opinion that the Act in time will prove a great boon to the public generally, and to the travelling portion of the public in particular.

As superintendents in charge of districts are invited in the circular above referred to to make any observations regarding the working of the Act they may deem fit, I may state that it is difficult to obtain convictions under the 49th section, as the police can rarely prove that the gaming is for stakes, as the people gambling can, and as a matter of fact do, play for pieces of paper or counters, each of which represent a certain value, though of course the value is unknown to the police.

Convictions under the 52nd, 84th, and 87th sections would also be greatly facilitated were the licensees made absolutely responsible under these sections instead of it being necessary for the police to prove that offences under them were committed with the knowledge of the publicans.

Under these sections it would appear if an intoxicated person were served with liquor by a publican's wife or servant (section 52), or a constable is allowed to remain in a licensed house during hours he should be on duty (section 84), or if thieves or drunken or disorderly persons, &c., are allowed to assemble or continue on his licensed premises (section 87), the publican is not liable unless it can be proved that these offences were committed with his knowledge.

Two cases under the 87th section have lately been dismissed here because the publicans pleaded they were asleep at the time the offences were committed.

I believe the Act is generally appreciated by the public, and not considered oppressive by any, excepting perhaps by a few of the publicans, who would trade and grow rich on the improvidence and vices of the intemperate and abandoned portion of the community.

I have, &c.,

E. V. MORISSET,
Superintendent of Police.

Mr. Superintendent Sanderson to The Inspector-General of Police.

Sir,

Superintendent's Office, Tamworth, 10 July, 1882.

I have the honor to report, for your information, *in re* the working of the Licensing Act of 1882, that so far as I am able to judge, the Act works well. I am of opinion some of the licensing districts are too large, the police at times are at a disadvantage to prove their case "where witnesses, other than the police, are required"; they will not travel long distances, particularly as there is no provision made to defray their expenses. The Sunday closing in large towns is a great boon to the law-abiding community, not so in the petty far away towns, many of which consist of two or three public-houses, their customers being station hands living outside the boundary prescribed by section 64, which defines the distance a person must travel to make him a *bona fide* traveller. If the distance was (say) 15 or 20 miles it would be better.

I have, &c.,

C. SANDERSON,
Superintendent.

Mr.

Mr. Superintendent Orridge to The Inspector-General of Police.

Sir, Police Department, Superintendent's Office, Northern District, Armidale, 2 August, 1882.
In reply to circular No. 652, dated Inspector-General's Office, Sydney, 2nd June, 1882, I have the honor to forward the return called for, which has been rather delayed for returns from distant stations, also reports from the district inspectors and sub-inspectors under the Act, with the exception of that of Sub-inspector Kerrigan, who has been on leave in consequence of a family affliction, and being a very old and experienced officer I consider his opinion of value, and will forward his report as soon as I receive it. I have already transmitted one from Sub-inspector Wright.

On the whole I think the Act is working satisfactorily, but being desired to make such observations as I may deem fit with reference to it, I beg to submit the following. My remarks are of course confined to the country, and have no reference to the Metropolitan district:—

1. Whilst confining the granting of licenses to the Licensing Courts, I would recommend that the local benches be empowered to deal with offences under the Act. In support of my opinion I will take the Armidale Licensing district as an example.

The Court is held at Armidale, and there are four other Courts of Petty Sessions: Bundarra, 50 miles distant; Bendemcer, 47 miles; Walcha, 40 miles; and Uralla, 15 miles.

2. I recommend that senior constables should be empowered to do the duties of sub-inspectors under the Act, and that any member of the Police Force may be eligible for a general authority under the seal of a Licensing Court, the same as a senior constable under sub-section 2 of section 21 is now.

3. As regards the cubical air space this can be and is evaded by placing two or three beds in a room where there was only one previously.

4. The difficulty of having liquor analysed and cases proved in the country districts is apparent.

5. The Sunday-closing and closing on week-days at 11 p.m., I consider most beneficial, also the limitation of the hours during which billiards and bagatelle can be played.

I have, &c.,
J. W. ORRIDGE,
Superintendent, N. District.

Mr. Superintendent Read to The Inspector-General of Police.

Sir, Superintendent's Office, Sydney, 7 August, 1882.
In compliance with the instructions of circular No. 652 of the 2nd June last, I have the honor to report that the operation of the Licensing Act of 1882 has, in my opinion, been a great moral benefit to the community, there having been a decrease in the total number of arrests in my district during the six months ending on the 30th June last, as compared with the number in the corresponding period of the previous year, of 2,347.

There is also a marked improvement in the quiet and good order of the streets by night, especially in those adjacent to theatres and other places of public resort.

The number of convictions for selling on Sundays, and during prohibited hours on other days of the week, has been considerable.

The habit of Sunday selling under the old Act had become so inveterate that I fear it will take a long time to entirely suppress the practice. The watch maintained for the police by many licensees is so vigilant and unremitting that detection in numerous instances by police in uniform is found to be impossible; and apart from its supposed tendency to demoralize the Force, public sentiment is so strongly opposed to the employment of police in plain clothes for the purpose of detection, that, except in extremely bad cases, it has not been considered advisable to resort to the practice.

I learn, however, from men who have recently served in the London Force, that the extensive employment of police in plain clothes is there considered an indispensable and legitimate means of enforcing the Publicans Act, and were it not adopted the liquor law would inevitably prove a complete failure.

I should be glad to see such an amendment of the Act as would make the general conduct of a house, although there have been no convictions, a legal ground for cancellation of a license or refusal to renew it. The Police would frequently have no difficulty in proving that large numbers of persons are seen entering and leaving a public-house on Sundays, within a very short period, whose visit they are morally certain is for the purpose of obtaining drink; and it appears to me that where the evidence of violating the law is so circumstantially conclusive the license should be made liable to forfeiture.

The provision of the Act giving only one Licensing Court for the whole county of Cumberland has been found most inconvenient and unsatisfactory in its operation.

Publicans and their witnesses, in consequence of frequent adjournments of their cases, have to incur the expense of coming several times to Sydney to answer a charge of neglecting to keep a lamp burning over their door, or other petty offence.

It would be a great advantage if the boundaries of the Sydney Licensing Court were more identical with those of the Metropolitan Police District.

I have, &c.,
GEO. READ,
Supt. of Police.

Mr. Superintendent Zouch to The Inspector-General of Police.

Police Department, Superintendent's Office, Southern District, Goulburn, 29 July, 1882.
In compliance with circular, 2nd June, 1882, No. 652, I herewith forward the half-yearly return of apprehensions, ending 30th June. I believe it would materially improve the working of the Act to interdict the practice of lighting up the bars of public-houses on Sunday evenings, though the doors be closed and the shutters up. This I am aware is a common ruse amongst publicans in the towns, and is carried on after the closing hour on week days.

H. ZOUCHE,
Supt., Southern District.

Mr. J. D. Brown to The Inspector-General of Police.

Sir, Deniliquin, 2 August, 1882.
I do myself the honor to forward herewith a comparative return of the number of apprehensions made by the Police in this district (South-western) for the first half of the years 1881 and 1882. I may mention that I consider the new Publicans Act for 1882 on the whole works well, and although up to the present time there is not much difference in the number of arrests in 1881 and 1882, and, with the exception of a few places, that the arrests for drunkenness are slightly increased this year, but I may remark that at least one month of this year elapsed before any stringent measures were taken to enforce the Act. But on the whole the larger towns in the district are far more quiet on Sundays and after 11 o'clock at night than formerly.

I have, &c.,
J. DOWLING BROWN.

Police Inspector Creaghe to The Inspector-General of Police.

Sir, Police Department, Inspector's Office, Narrabri, 14 July, 1882.
I do myself the honor to forward herewith the return called for by circular No. 652, 2/6/82.
It will be observed that there is a slight increase in the number of apprehensions for drunkenness and disorderly conduct, &c., for the half-year ending 30th June last, as compared with the corresponding period in 1881. This I consider in a great measure due to the increase of population, and to the fact that the provisions of the new Licensing Act—prohibiting publicans from allowing inebriates to remain on their licensed premises—are more strictly enforced than under the former Act.

I have, &c.,
RICHARD CREAGHE,
Inspector.

NEW

NEW SOUTH WALES POLICE.

COMPARATIVE Return of the number of Apprehensions made by the New South Wales Police for the first half of the years 1881 and 1882.

Districts.	Number of Apprehensions for the Half-year ending 30th June, 1881.			Total Number of Apprehensions, 1881.	Number of Apprehensions for the Half-year ending 30th June, 1882.			Total Number of Apprehensions, 1882.
	Drunkenness	Riotous and disorderly behaviour, assaults, and similar offences.	Felonies and other serious offences.		Drunkenness	Riotous and disorderly behaviour, assaults, and similar offences.	Felonies and other serious offences.	
Metropolitan	6,997	3,491	951	11,439	5,260	2,819	1,013	9,092
Northern	425	298	113	836	398	286	89	773
North-eastern	624	527	161	1,312	685	593	148	1,426
North-western	169	134	98	401	159	137	72	368
Southern	434	565	255	1,254	404	561	214	1,179
South-western	327	329	158	814	317	341	94	752
Eastern	596	815	150	1,561	549	814	150	1,513
Western	795	975	364	2,134	824	926	384	2,134
Namoi	197	122	87	406	233	162	80	480
Murray	216	417	152	785	195	369	129	693
Total	10,780	7,673	2,489	20,942	9,029	7,008	2,373	18,410

Total decrease 2,532.

[General Order No. 639.]

Police Department, Inspector-General's Office, Sydney, 2 February, 1882.

HAVING in view the serious consequences to the holders of publicans' licenses should they be convicted of offences under the new statute, it will be desirable to impress upon the police generally the necessity for exercising extreme discretion in proceeding in such cases. They should be well assured, not only that an offence has been committed but also that there is clear and sufficient evidence to support a prosecution.

Further, the members of the police force authorized either generally or specially to enter licensed houses should not exercise that right capriciously, or without being clearly satisfied that the law is being violated, and that it is their duty to act.

EDMUND FOSBERY,

Inspector-General of Police.

[Despatch.]

The Secretary of State for the Colonies to His Excellency the Governor.

My Lord,

Downing-street, 8 November, 1882.

With further reference to your despatch No. 140, of 30th August last, I request that I may be furnished, for the use of the Secretary of State, for the Home Department, with such further particulars you are able to supply, affording more complete information as to the working of the Act passed in the last Session of the Legislature of New South Wales for regulating the trade in intoxicating liquors, which was referred to in the 4th paragraph of your Speech on opening the present Session.

I have, &c.,

KIMBERLEY.

Colonial Secretary, with a request for the information desired.—A.L., 16/1/83.

The Inspector-General of Police may be able to report upon this, as I see he did on the first six months' experience of the Act.—A.S., 4/2/83. The Inspector-General of Police, B.C., 6/2/83.—C.W.

The Inspector-General of Police to The Principal Under Secretary.

Sir,

Police Department, Inspector-General's Office, Sydney, 13 February, 1883.

In reporting upon the working of the Licensing Act of 1882, I beg to invite the attention of the Colonial Secretary to the reports I have already furnished upon the subject (quoted in the margin), of which I append copies.

Letter No. 82/518
8 August, 1882.
(No. 2.)

As far as I can gather the opinions of the Magistracy, Officers of Police, Clergy, and other members of the community whose views on the subject are worthy of consideration, the operation of the Act has been found in the main extremely salutary in promoting good order and temperance.

General order,
No. 639, 2 Feb-
ruary, 1882.
Enclosure to
No. 2.

The procedure under the Act, and its machinery, were difficult of introduction, and have been found to require modification. The large extent of country necessarily included in some of the licensing districts has involved difficulties of administration, and no doubt in many instances hardship to individuals, but to these a cure can readily be applied.

Inspector-Gen-
eral's Annual
Report for 1882.
—Sig. 29.

The provision made for ensuering a better class of houses and to require better accommodation for the public has been productive of advantage.

Respectable hotel-keepers have not been affected by the new legislation, except as regards the limitation of the hours of selling, and as far as I have been able to learn from them generally their only complaint is that they lose custom and their business is injured by the determination of other licensees to disregard the provisions of the Act by selling during prohibited hours.

This is the chief difficulty in administering the Act, the constant complaints on the one hand that the police are lax in enforcing the law, especially against the sale of liquors on Sundays, and on the other, that in attempting to do so they are persecuting respectable citizens, and acting as spies and informers.

The police dislike the duty, and I believe many would resign their appointments rather than undertake it. The prospective penalty against the publican of a forfeiture of his license after certain convictions is a serious matter, and it is not surprising therefore that the contradictory evidence given provokes severe comment from the Bench.

The limitation of a journey to 5 miles to constitute a "traveller" has been productive of a considerable amount of intemperance and disorderly conduct by large numbers of persons taking trips of that distance to entitle them to demand refreshment on Sundays, but this may be removed by extending the distance, which would not affect the legitimate traveller.

With

With regard to the sale of deleterious liquors, without conjecturing how far the penalties imposed by the Act may have served as a preventive to adulteration, I need only refer here to the reports furnished through the police and the Government Analytical Chemist to the Honorable the Minister of Justice, which show that although inferior liquors are sold by some dealers, liquors of course more injurious to the consumer than purer spirits, wines, and beer would be, there has not been a single sample taken of such a deleterious quality as would justify a prosecution under the Act.

The statistics given in the reports referred to will after all allowances are made for the difficulties I have enumerated afford substantial grounds for concluding that the Act has worked beneficially for the community, and I am sanguine that by the Licensing Magistrates continuing to act firmly in refusing to grant or renew licenses to persons who will not regard the law, the hotelkeepers will be content with a legitimate trade, instead of aiming at a profit secured by the abasement and ruin of their fellow creatures.

As the administration of the Licensing Act has been entrusted to the Honorable the Minister of Justice, with whose department there has no doubt been considerable correspondence and reports, the Honorable the Colonial Secretary may deem it advisable to forward these papers for his observations on the subject.

I have, &c.,

EDMUND FOSBERY,

Inspector-General of Police.

The Minister of Justice.—A.S., 14/2/83. The Under Secretary of Justice, B.C., 14/2/83.—C.W.

By Minister of Justice:—Having been the Ministerial Head of this Department for a very few weeks it is impossible for me to make any report of value based upon my own experience, and I therefore would recommend that the report of the Inspector-General be forwarded to the Home authorities, as it appears to touch upon the salient features of our present Licensing Act.—H.E.C., 22/2/83.

The Under Secretary of Justice to The Principal Under Secretary.

Sir,

Department of Justice, Sydney, 1 March, 1883.

With reference to your blank cover communication of the 14th ultimo, forwarding report of the Inspector-General of Police, respecting the administration of the Licensing Act of 1882, for such observations as the Minister of Justice might desire to make, I am directed to state, for the information of the Colonial Secretary, that Mr. Cohen has written a minute thereon, of which the following is a copy, viz. :—

“ Having been the Ministerial head of this Department for a very few weeks, it is impossible for me to make any report of value, based upon my own experience, and I therefore would recommend that the report of the Inspector-General of Police be forwarded to the Home authorities, as it appears to touch upon the salient features of our present Licensing Act.”

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

His Excellency.—A.S., 9/3/83. Minute by His Excellency the Governor:—Read Inspector-General of Police's report with much interest, and will send a copy to the Secretary of State.—A.L., 14/3/83.

[Despatch.]

The Secretary of State for the Colonies to His Excellency the Governor.

My Lord,

Downing-street, 30 April, 1883.

I caused to be communicated to the Secretary of State for the Home Department a copy of your despatch No. 46 of 19th February, forwarding three copies of the Licensing Act passed in 1881, with observations on its operation, and I have the honor to transmit to you, for communication to your Government, a copy of a letter from the Home Office, in which it is stated that what is particularly desired is a report on the working of the local option clause, section 24 of the Act, and how far the popular vote has been exercised to restrain licenses.

I should be glad if you would enable me to furnish Sir William Vernon Harcourt with the information which he asks for.

I have, &c.,

DERBY.

Colonial Secretary, for the desired information on the workings of the local option clause, section 24 of the Licensing Act, and how far the popular vote has been exercised to restrain licenses.—A.L., 9/7/83.

Submitted.—17/7/83. The Inspector-General of Police can perhaps give some information on this subject.—A.S., 23/7/83. More especially as to the working of the local option clauses.—A.S., B.C., 25/7/83.—C.W.

[Enclosure.]

Mr. G. Lushington to The Under Secretary of State, Colonial Office.

Sir,

Whitehall, 24 April, 1883.

With reference to your letter of the 14th instant, forwarding a despatch from the Governor of New South Wales, enclosing a copy of the Colonial Licensing Act of 1882, with observations on its operation, I am directed by the Secretary of State to acquaint you, for the information of the Earl of Derby, that what he particularly wishes is a report on the working of the local option clause, section 24 of the Act, and how far the popular vote has been exercised to restrain licenses.

I am, &c.,

GODFREY LUSHINGTON.

The Secretary of State for the Colonies to His Excellency the Governor.

My Lord,

Downing-street, 25 June, 1883.

I have the honor to transmit to you, for communication to your Government, a copy of a letter from the Home Office, explaining certain particulars upon which the Secretary of State for that Department desires to be supplied in regard to the working of the Licensing Act in the Australian Colonies.

In

In view of the importance attached by the Secretary of State of the Home Department to the points referred to in the enclosed letter, I should be glad if you will enable me to furnish Sir Wm. Vernon Harcourt with the information which he requires upon the above points.

I have, &c.,
DERBY.

[Enclosure.]

The Home Office to The Colonial Office.

Sir,

Whitehall, 28 April, 1883.

With reference to your letter of the 16th instant, forwarding a copy of a despatch from the Governor of Victoria, with the accompanying copy of a report by the Chief Inspector of Distilleries on the working of the Licensing Act of that Colony, I am directed by the Secretary of State to request that you will point out to the Earl of Derby that the report in question does not contain all the information which he is desirous of obtaining on the question of licensing under the Colonial Acts. What the Secretary of State particularly desires to know is whether the public-houses have increased or diminished in number since the passing of the Licensing Act in the Colony; whether drunkenness is greater or less; whether public-houses are closed on Sundays; whether the local option clauses, giving a popular vote, have been acted upon or not; and, generally, whether the Act has done much to improve the sobriety of the people; and whether its action is popular or the reverse with the community.

I am to add that Sir William Harcourt considers that information on the above points is of great importance, and I am to request that you will move the Earl of Derby to be so good as to call upon the Colonial authorities to afford all the information in their power with respect to the foregoing questions as affecting the several Colonies.

I am, &c.,
GODFREY LUSHINGTON.

Minute by His Excellency the Governor.

INFORMATION requested by the Secretary of State in regard to the working of the Licensing Acts, in the form of questions:—

1. Whether the public-houses have increased or diminished in number since the passing of the Licensing Acts?
2. Whether drunkenness is greater or less?
3. Whether public-houses are closed on Sundays?
4. Whether the local option clauses giving a popular vote have been acted upon or not?
5. Whether the Acts have done much to improve the sobriety of the people? And
6. Whether its action is popular or the reverse with the community? Also,
7. The number of convictions, *before and after* the date on which the Act came into force, for drunkenness at certain hours?

A.L., 29/8/83.

The Secretary of State for the Colonies to His Excellency the Governor.

My Lord,

Downing-street, 9 July, 1883.

I have the honor to transmit to you, to be laid before your Lordship's Government, copies of a letter from Mr. J. C. Stevenson, M.P., and of the reply which I caused to be addressed to him, respecting the operation of the New South Wales Licensing Act of 1882.

I should be glad to receive any information which it may be in the power of your Government to supply on the points referred to by Mr. Stevenson.

I have, &c.,
DERBY.

[Enclosures.]

Mr. J. C. Stevenson to The Colonial Office.

Dear Mr. Ashley,

Reform Club, Pall Mall, S.W., 26 June, 1883.

The promoter of the Sunday Closing Bill would feel much indebted to you if the Colonial Office could procure, for the information of Parliament, the following particulars:—

The sections of the New South Wales Licensing Act of 1881 which apply to Sunday closing?

The number of cases of punishable drunkenness—drunk and disorderly, drunk and incapable—for the twelve (or eighteen) months previous to the Act coming into operation, on the 1st day of January, 1882, and the number of such cases for the same period after that day?

Also, during these respective periods the number of cases occurring between 8 o'clock a.m. on Saturdays and 8 o'clock a.m. on Sundays; from 8 a.m. on Sundays to 8 a.m. on Mondays; and from 8 a.m. on Mondays to 8 a.m. on Tuesdays?

Lastly, what opinion the Colonial authorities have formed as to the practical operation of the Sunday-closing clauses of the Act?

Believe me, &c.,
JAMES C. STEVENSON.

The Colonial Office to Mr. J. C. Stevenson.

Sir,

Downing-street, 9 July, 1883.

In reply to your letter of the 26th of June, I am directed by the Earl of Derby to transmit to you a copy of section 63 of the New South Wales Licensing Act of 1882, with extracts from reports by the Inspector-General of Police at Sydney on the working of the Act.

Lord Derby is not in possession of the information which you desire respecting the number of convictions, before and after the date on which the Act came into force, for drunkenness at certain hours, but he has addressed a despatch to the Governor of the Colony requesting to be supplied, if possible, with the particulars desired.

A further communication will be addressed to you on the receipt of Lord A. Loftus' reply.

I am, &c.,
JOHN BRAMSTON.

The Inspector-General of Police to The Principal Under Secretary.

Police Department, Inspector-General's Office, Sydney, 8 August, 1883.

I beg to transmit to the Colonial Secretary a carefully prepared report from the District Inspector under the Licensing Act in Sydney regarding the working of the local option clauses in the Metropolitan District.

Information on the point has been called for as regards the country districts, but it will take some time to procure, and will probably not be of importance, though the results will be reported.

It has taken some time to obtain the information required in Sydney.

EDMUND FOSBERY,
I.G.P.

His Excellency.—A.S., 9/8/83.

[Enclosures.]

[Enclosures.]

METROPOLITAN DISTRICT.

Sub-Inspector Lenthall to Mr. Superintendent Read.

Sir,

Woolloomooloo Police-station, Sydney, 8 August, 1883.

With reference to the request of the Imperial Government for information on the working of the local option clause in the Licensing Act of 1882, and asking how far the popular vote has been exercised to restrain licenses, I do myself the honor to report that there is no doubt that where the vote has resulted in the negative it has restrained persons who would otherwise have applied for licenses from doing so, as their request could not have been granted by the Licensing Bench except in cases where they have twenty-six rooms for the accommodation of the public in addition to decent accommodation for the family of the licensee. Very few existing houses contain such accommodation, and applicants for such have invariably asked for a conditional license under the 33rd section before building new or altering old premises.

In April, 1882, there were in the Metropolitan Licensing District, which then embraced the whole of the county of Cumberland, and contains an area of 1,429 square miles, 943 licensed public-houses, 848 of that number being within the police district of Sydney, which contains an area of 250 square miles; on the 2nd of July last the total number was 911, showing a decrease of 32.

I cannot say that I think this decrease (which is far smaller than I anticipated would be the result when the Act first came in force) has been caused by the operation of the local option clause, although that may have contributed, as there are several other causes more noticeable; among others are the accommodation requirements of the 31st section, which many could not comply with. Then some small houses having been enlarged necessitated a heavier rent, which the tenants could not afford, and a number of houses in the city have been pulled down and the sites used for other purposes, easily accounting for the reduced number.

I beg to attach a return of the result of the only local option vote which has yet been taken within the Metropolitan Licensing District, which shows that out of 37,909 voters only 10,691 (or 28 per cent.) exercised the privilege the Act conferred upon them. In the city of Sydney it will be seen that out of 6,936 voters only 990 voted, and in that portion of the district the majority of the public-houses are located. This result may, I think, be attributed to there not being any great interest taken in the matter. There are no public holidays proclaimed as for Parliamentary elections, and there is little or no canvassing in the matter except it may be where some persons are interested in the locality where the granting of a new license or the removal of an old one is desired. In two such cases—namely, in Macquarie Ward, Sydney, and at Five Dock—the votes were carried in the affirmative and licenses afterwards obtained.

The Licensing Court has persistently refused to grant new licenses even where the local option vote has been in the affirmative, in localities where the inhabitants have before the Court shown good grounds for their objections, and for various reasons they have since the Act came into operation refused forty-three applications for publicans' licenses.

I have, &c.,

W. E. LENTHALL,

Sub-Inspector,

District Inspector, Metropolitan District.

Result of Local Option Vote in Metropolitan Licensing District taken in 1882.

Municipality.	No. of Votes on Municipal List.	Total No. of Votes polled.	Votes polled in negative.	Votes polled in affirmative.	Result.	
					Majority negatived.	Majority affirmative.
Alexandria	593	193	191	2	189	
Ashfield	1,524	520	425	95	330	
Balmain	4,200	1,268	926	342	584	
Botany West	316	61	55	6	49	
Burwood	908	265	176	89	87	
Campbelltown	282	145	91	54	37	
Camperdown	579	336	286	50	236	
Canterbury	764	197	137	60	77	
Darlington	217	133	101	32	69	
Five Dock	249	57	12	45		33
Glebe	1,340	182	158	24	134	
Hunter's Hill	338	206	103	103		Equal
Leichhardt	1,231	340	209	131	78	
Liverpool	580	184	69	115		46
Marrickville	1,045	283	252	31	221	
Manly	350	179	141	38	103	
Macdonaldtown	338	164	134	30	104	
Newtown	2,397	704	516	188	328	
North Willoughby	541	171	116	55	61	
Paddington	2,350	829	619	210	409	
Parramatta	1,567	536	340	196	144	
Penrith	495	290	202	88	114	
Petersham	762	346	255	91	164	
Prospect and Sherwood	863	31	27	4	23	
Randwick	447	112	90	22	68	
Redfern	1,232	354	212	142	110 in 3 wards.	40 in 1 ward.
Richmond	222	158	124	34	90	
Ryde	377	75	51	24	27	
St. Leonards	469	87	71	16	55	
St. Leonards East	527	207	157	50	107	
St. Peters	418	77	64	13	51	
Sydney	6,936	990	701	289	471 in 7 wards.	9 in 1 ward
Victoria	480	182	142	40	102	
Waterloo	803	204	154	50	104	
Waverley	747	297	229	68	161	
Windsor	386	198	163	35	128	
Woollahra	1,036	130	118	12	106	
Grand Total	37,909	10,691	7,817	2,874	5,121	128

W. LENTHALL, Sub-Inspector,
District Inspector, Metropolitan District.

The

The Inspector-General of Police to The Principal Under Secretary.

Sir, Police Department, Inspector-General's Office, Sydney, 28 August, 1883.
Referring to my B.C. report of the 8th instant, on C.S. papers 83, M. 4,162, 1,960, and 1,381, forwarding report of the working of the local option clause in the Metropolitan Licensing District, I have now the honor to enclose herewith, for the information of the Colonial Secretary, reports obtained from country districts respecting the clause.

I have, &c.,

EDMUND FOSBERY,
Inspector-General of Police.

His Excellency.—A.S., 3/9/83.

[Enclosures.]

WESTERN DISTRICT.

Senior-sergeant Musgrove to Mr. Superintendent Lydiard.

Police Station, Bathurst, 13 August, 1883.
SENIOR-SERGEANT Musgrove reports for the information of the Superintendent that in the year 1883 the "Local Option Vote" was taken in the city of Bathurst three wards voted in the negative and one (the north) in the affirmative.

Very little interest was manifested by the citizens in the matter, very few going to the poll.

There have been no new licenses granted in the North Ward, but two new licenses were granted in other wards under section 35 of Licensing Act of 1882.

R. MUSGROVE,

Senior-Sergeant and District Licensing Inspector.

Sub-inspector Carroll to Mr. Superintendent Lydiard.

Police Station, Bathurst, 12 August, 1883.
SENIOR-SERGEANT Carroll respectfully reports, for Mr. Superintendent Lydiard's information, that the local option clauses of the Licensing Act are *not in force* in the licensing district of Bathurst, outside the city, there being no other Municipality than Bathurst within the district.

D. CARROLL,

S. S. & Sub-inspector under Licensing Act.

Sub-inspector Garwin to Mr. Superintendent Lydiard.

Police Station, Orange, 31 July, 1883.
MEMO.—The local option clause of the Licensing Act has been in operation in the town of Orange since 1882; the principle has I consider worked well. No removals or new licenses have been granted or applied for since it came in force.

JNO. GARWIN,

Sub-inspector.

Sergeant Francis to Sub-inspector Garwin.

Police Station, Carcoar, 30 July, 1883.
SERGEANT Francis begs to report, for Mr. Garwin's information, *re* local option clause of Licensing Act, the vote of ratepayers were taken at Carcoar, and result was against granting any fresh licenses for a period of three years. There have been two houses closed at Carcoar since the new Act came into force, and drunkenness on the whole seems to be on the decrease; whether attributable to local option or not the sergeant cannot say. At Blayney the result of ratepayers voting was in the affirmative, or favourable to the granting of fresh licenses.

So far as the sergeant's opinion goes he does not think that the local option clause has anything to do with decrease in drunkenness, but would be inclined to think it attributable to scarcity of money.

R. G. FRANCIS,

Sergeant.

Sergeant Hanly to Sub-inspector Garwin.

Molong Police Station, 31 July, 1883.
SERGEANT Hanly reports, with reference to the local option clause of the Licensing Act of 1882, that the voting for the clause to be in force in the Molong Municipality took place in February, 1882, and the majority of the votes were in favour of an increase of public-houses. Therefore the clause is not in force in Molong.

M. HANLY.

Sub-inspector Stephenson to Mr. Superintendent Lydiard.

Police Station, Forbes, 30 July, 1883.
Sir, I beg to report that the local option clauses of the Licensing Act of 1882 has been in operation in the licensing district of Forbes since February, 1882, and it has worked well. There have been no applications for new licenses within the Municipality of Forbes since the Act came in force.

J. STEPHENSON, S.-I.

Sub-inspector Carter to Mr. Superintendent Lydiard.

Mudgee Police Station, 6 August, 1883.
MEMO.—Respecting the local option vote under the Licensing Acts in the district of Mudgee, I beg to report for your information that there are three municipalities, *i.e.*, Mudgee, Gulgong, and Cudgegong in that district, in each of which a vote was taken in 1882. That for Mudgee was in the affirmative, consequently new licenses can be granted. The votes for Gulgong and Cudgegong were in the negative. As far as I know the system has worked well in this district, although it did seem to me at the time that very little interest was taken in the matter.

GEO. C. CARTER,

Sub-inspector.

Mr. Superintendent Lydiard to Sub-inspector Carter.

Police Department, Superintendent's Office, Western District, Bathurst, 28 July, 1883.
MEMO.—Will Mr. Carter inform me if the local option clauses of the Licensing Act or amendment have been in operation in his district, and if so will he report how the principle has worked.

C.I.P.L.,

Superintendent.

Mr. Superintendent Lydiard to Sub-inspector Grainger.

Police Department, Superintendent's Office, Western District, Bathurst, 28 July, 1883.
MEMO.—Will Mr. Grainger inform me if the local option clauses of the Licensing Act or amendment have been in operation in his district, and if so will he report how the principle has worked.

C.I.P.L.,

Superintendent.

In Dubbo and Coonamble, where the local option vote was taken, the ratepayers (by majority) voted against it, and at Wellington no vote was taken, so that the local option clauses are not in operation in the Dubbo sub-district.—E. GRAINGER, Sub-inspector, 7/8/83. The Supt. of Police, Bathurst.

District-Inspector Ford to Mr. Superintendent Lydiard.

Re Licensing Act of 1882 and 1883.

Police Office, Bourke, 6 August, 1883.
Sir, In answer to your Memorandum of the 23th ultimo, I beg to inform you that the local option clauses of the Licensing Act or amendment have not been in operation in my sub-district.

I have, &c.,

MARK E. DYETT FORD,

District Inspector, Licensing Act.

Mr.

Mr. Superintendent Lydiard to The Inspector-General of Police.

Police Department, Superintendent's Office, Western District, Bathurst, 21 August, 1883.
 MEMO.—Herewith are the different reports from inspectors and sub-inspectors under the Licensing Act relative to the working of the local option clauses where they are in operation in my district. Each report speaks for itself; therefore it is unnecessary for me to make any comments.
 C. I. P. LYDIARD,
 Superintendent.

The Inspector-General of Police to Mr. Superintendent Lydiard.

Police Department, Inspector-General's Office, Sydney, 28 July, 1883.
 WILL Superintendent Lydiard please inform me if the local option clauses of the Licensing Act or amendment have been in operation in this district, and if so will he report how the principle has worked.

E. F.,
 Inspector-General of Police.

I have sent to all the districts for information, which will be sent as soon as received.—C.I.P.L., Superintendent, 28th July, 1883.

The Inspector-General of Police to Mr. Superintendent Orridge.

Sir, Police Department, Inspector General's Office, Sydney, 22 August, 1883.

In drawing your attention to a report in the *Sydney Morning Herald* of the 18th instant, of a deputation which waited upon the Minister of Justice in reference to the administration of the Licensing Act, I have the honor to request that you will, after reference to the members of the Force in charge of stations, favour me with a report on the allegation made, that the Police do not enforce the law in the country, and that, in fact, the Act is a dead letter.

Your early attention is requested as I desire to supplement the report I have already made to the Government with regard to the administration of the Act in Sydney.

I have, &c.,
 E. FOSBERY,
 Inspector-General of Police.

[*Similar circular addressed to officers in charge of other districts.*]

[*Enclosures.*]

SOUTH-WESTERN DISTRICT.

Mr. Superintendent Brown to The Inspector-General of Police.

Sir, Deniliquin, 20 October, 1883.

In reference to your letter of 22nd August, No. 83-701, I do myself the honor to report that I have received a special report on the working of the Licensing Act from members of the Force in charge of stations in this district. In the whole of my district the Act seems to work well, and the police are very efficient in their duties, and allow of no breach of the law to pass unpunished.

Sunday trading appears the most difficult for the police to detect, and I would strongly recommend, if the Act is to be amended, that when one or more persons are found in a public-house, not *bona fide* travellers, or lodgers, that it be a *prima facie* case that they are drinking. I would also recommend that the public-house lamps be burning the *whole* night in *all* towns. Where a town is not lit with gas the lights from public-house lamps are a great assistance to the police to detect crime.

I attach reports from all stations, not necessarily, and though not called for you might wish to see them.

I have, &c.,
 J. DOWLING BROWN,
 Superintendent.

Sergeant Rowe to Mr. Superintendent Brown.

Police Station, Deniliquin, 6 October, 1883.

SERGEANT George Rowe begs to report, for the information of his Superintendent, in reference to circular 83-701, re Licensing Act:—During the time the Sergeant has been stationed here the Act has been strictly carried out. A good many convictions have been obtained against publicans, chiefly for selling liquor on Sundays and during prohibited hours on week days, also for allowing cards and dice to be used for stakes. Two cases are now pending—one for allowing dice to be used, the other for selling after hours. The publicans are now very careful, and no doubt in a very short time breaches of the Act will be a thing of the past. As the Police here are one and all determined to put a stop to breaches of the Act with regard to the quality of liquors sold in this town and district no complaints have been made. No doubt it is adulterated with water, but the sergeant is of opinion that that is all that is used, and nothing that would be injurious to health. The publicans close their hotels at the appointed time, but sometimes have side-entrances to allow persons to go in, when the above-stated offences are committed.

GEORGE ROWE,
 Sergeant, 2,372.

Constable Baynes to Mr. Superintendent Brown.

Police Station, Mathoura, 25 September, 1883.

WITH reference to circular 83-701, drawing attention to report in the *Sydney Morning Herald* of the 18th instant, Constable Baynes would beg respectfully to report, for the information of Mr. Superintendent Brown, that in this sub-district the Licensing Act is no dead letter, and has been enforced in its integrity.

The allegation that liquors are allowed to be sold during prohibited hours is entirely without foundation; the *exception* is for the public-house to be *open* up to 11 o'clock p.m. In these remote country districts very little business at the best of times is being done, and the publican is only too glad to close his house at an early hour.

Constable Baynes has had two cases at Mathoura for sale of liquor during prohibited hours, but through a legal technicality the cases were dismissed. The prosecution however has had the effect of making the publicans very cautious about infringing the Act.

Sunday trading is a thing comparatively unknown here, for constable Baynes can conscientiously say that every Sunday during the last twelve months he has twice patrolled the village, first in the afternoon and again at night, and he has always found the public-houses closed, and no noise or disturbance of any kind inside. No doubt the licensees of the houses are very respectable people, which would account for their desire to conform to the Act.

The adulteration of liquor is doubtless practised by unscrupulous publicans, and until a more strict supervision is instituted in this particular department the ordinary constable in country districts is powerless to suppress it. At the same time, in this immediate locality, Constable Baynes has no hesitation in stating that the practice is entirely unknown to the publicans.

Constable Baynes begs to add that his efforts in carrying out the spirit of the Licensing Act has been greatly facilitated by the support and encouragement he has always received from his superior officers.

WM. P. BAYNES,
 Constable, 1 c.
 Senior-constable

Senior-constable Robertson to Mr. Superintendent Brown.

Police Station, Moama, 2 October, 1883.

SENIOR-CONSTABLE Robertson most respectfully begs to report, for his Superintendent's information, with reference to circular 83-701, re administration of Licensing Act, there is no selling after prohibited hours in the hotels at Moama, as there is not much business of an evening done. The hotels generally close about 10-30 p.m. Sunday trading is not carried on, but all houses kept strictly closed.

The Senr.-Const. has never heard any complaints of deleterious or inferior liquor kept by any of the hotels.

JAMES ROBERTSON,
Senior-Constable, 2,811.

Senior-constable Wilson to Mr. Superintendent Brown.

Police Station, Jerilderie, 27 September, 1883.

SENIOR-CONSTABLE D. A. Wilson, No. 2,810, reports that only in one instance, and prior to his appointment as Inspector of Licensing District, did he receive verbal complaint of bad liquor having been sold in the Jerilderie Licensing District, and that by a publican named F. M. Moir. At a special meeting of the Licensing Court on the 12th June, for the renewal of publicans' licenses, the senior-constable informed the licensing Magistrates of the complaint he received. Moir has then cautioned by the Bench; since which time no complaints have been received. Moir has since been summoned by the senior-constable on four charges—first, selling liquor during prohibited hours; second, allowing dancing and music on his licensed premises; third, throwing dice for drink on bar of licensed premises; fourth, not having sufficient light in outside lamp, to be heard on the 10th of next month.

All the public-houses are closely watched with regard to selling after hours and on Sundays; but the surrounding district of Jerilderie being a large squatting country there are always numbers of travellers passing through, especially during the shearing season, when shearers travel at all hours and on all days, making from one shed to another. The senior-constable begs to inform the Superintendent that all the publicans in the Jerilderie district know well that if in any instance they are caught breaking the law they will be summoned.

D. A. WILSON,
Senior-constable, 2,810.

Senior-constable Burman to Mr. Superintendent Brown.

Police Station, Tocumwal, 29 September, 1883.

SENIOR-CONSTABLE Burman respectfully reports, for the information of his Superintendent, that there has been no breaches of the Licensing Act in this sub-district (to the senior-constable's knowledge) since he has been in charge of this station, and the liquors that the publicans are selling is of a very fair quality.

ALBERT BURMAN,
Senior-constable.

Sub-Inspector Baker to Mr. Superintendent Brown.

Police Station, Hay, 25 September, 1883.

No doubt inferior liquor is sold, but it seems the law does not provide for inferior liquor but for that which is injurious to health. It is very difficult to get evidence in cases of selling during prohibited hours. The publicans watch the police; besides they can sell to inmates and lodgers, and very often the public think that publicans are committing a breach of the law when they are not.

The Act has been enforced here. The publicans close punctually at 11 (which is only about half-past 10 by Sydney time). Samples of liquor have been sent to Sydney for analysis, and there have been prosecutions against publicans for Sunday selling, &c., &c.

W. THOS. BAKER,
Sub-inspector.

First-class Constable Piggott to Mr. Superintendent Brown.

Re Hotel, sub-district of Maude.

Police Station, Maude, 27 September, 1883.

CONSTABLE Piggott begs to report, for the information of his officer, that there is only one hotel at Maude, and he has not seen any sale of liquor during prohibited hours or on Sundays.

There are two hotels at Oxley which the constable has visited at different times, and has not seen any infringement of the Licensing Act.

The constable cannot make any statement as to the quality of the liquor sold at these hotels.

W. T. PIGGOTT,
First-class Constable, 2,934.

Forwarded.—W.T.B., S.I., Hay, 28/9/83.

Senior-constable Gallagher to Mr. Superintendent Brown.

Police Barracks, Carrathool, 25 September, 1883.

SENIOR-CONSTABLE Gallagher most respectfully begs to acknowledge the receipt of circular No. 83-70, referring to the Licensing Amending Act of 1883, and also the quality of liquors sold by them.

The Senior-Constable begs to state that the present Act is strictly observed by the publicans in his sub-district, but as to the inferior quality of the liquors the Senior-Constable cannot say anything about it as he is not appointed an Inspector of Public-houses.

EDWARD GALLAGHER,
Senior-Constable, No. 1,969.

Forwarded through Sub-Inspector Baker, Hay.—W.T.B., S.I., Hay, 26/9/83.

Senior-constable R. G. Jamieson to Mr. Superintendent Brown.

Police Station, Mossgiel, 2/10/83.

SENIOR-CONSTABLE Jamieson respectfully reports, for the information of his officer with reference to the Inspector-General's letter, dated 22nd August last, reference No. 83-71, referring to the enforcement of the Licensing Act in country districts, that as far as the Senior-Constable can learn the liquor is not bad that is sold in this district, and as regards the selling of liquor at prohibited hours, there is drink sold on Sundays, but only to coach passengers or other travellers. In fact it is only travellers that support the hotels in this district.

R. G. JAMIESON,
Senior-Constable.

Senior-constable O'Reilly to Mr. Superintendent Brown.

Police Station, Booligal, 29 September, 1883.

SENIOR-CONSTABLE O'REILLY reports, for the information of his Superintendent, in reference to circular 83-701, from Inspector-General's Office, that there are no breaches of the Licensing Acts in the Booligal sub-district as stated; in fact there is not one-fourth as much liquors sold this year as was two years ago.

The police have no means of testing the quality of the liquors sold by the publicans.

P. O'REILLY,
Senior-constable, 1,615.

Sergeant Harper to Mr. Superintendent Brown.

Police Station, Hillston, 1 October, 1883.

SERGEANT HARPER respectfully reports, with reference to circular 83-701, that during the time he has been stationed at Hillston, the holders of publicans' licenses here have, as far as he and the members of the Force stationed here are aware, strictly observed the Licensing Act; in fact not a single instance has come under their notice in which action could have been taken, with the exception of two who were convicted for permitting music and dancing, and one for supplying drink to aboriginals.

The members of the Force here have been instructed to report every instance which may come under their notice, where the law has been violated.

As

As regards selling liquor during prohibited hours and on Sundays, such might possibly be done; if so, it is done in such a way that the police are unable to obtain convictions, but such offences must be of rare occurrence.

As regards the quality of liquor kept by the holders of publican's licenses in this district, only one case has been reported during the last twelve months; in that case due inquiry was made, the result being that the report was not of a reliable nature.

Referring to publicans residing in the sub-district, the Sergeant has visited mostly all of them, and at a time when he was unknown to them as District Inspector under the Licensing Act; they all seemed to comply with the Act; at the same time the Sergeant made careful inquiry respecting the quality of liquor they were in the habit of keeping, but nothing could be ascertained to identify them with selling bad liquor.

JAMES HARPER, Sergeant.

Forwarded.—W.T.B., S.I., Hay, 4/10/83.

Senior-constable Mouritz to Mr. Superintendent Brown.

Euabalong Police Station, 8 October, 1883.

SENIOR-CONSTABLE MOURITZ begs to report that the hotels here are closed at 11 p.m., and the Senior-Constable has no grounds to believe that liquor is sold after that hour. On Sundays they are kept always closed, except for *bona-fide* travellers. The Senior-Constable has had no complaints as to the inferior quality of the liquor, and believes the liquor sold here to be of very good quality.

The police on this station carry out the law as the Act requires, no breach of the Act being permitted, and when such does take place, proceedings are at once instituted against the person offending.

R. D. MOURITZ,
Senior-Constable, 3,495.

Senior-constable Campbell to The Superintendent of Police, Deniliquin.

Police Station, Gilgunnia, 10 October, 1883.

Re report referred to in *Sydney Morning Herald* in reference to the Licensing Act, Senior-constable Campbell respectfully reports that there have not been any complaints respecting inferior liquor. Respecting the sale of liquor at prohibited hours no grounds for complaint in Gilgunnia sub-district.

A. CAMPBELL,
S.C., No. 2,443.

Constable Filan to Mr. Superintendent Brown.

Police Station, Mount Hope, 1 October, 1883.

CONSTABLE Filan reports, for the information of his officer, that since the new Licensing Act came into force three publicans have been summoned by the Mount Hope police—one for permitting music without a permit, fined £3; one for selling drink after hours, fined 10s.; and one for keeping a disorderly house, not fined, but was refused a renewal of his license at the expiration of his old one, on the evidence of constable Filan. No report has been made to the police during that time of inferior liquor being sold, and the publicans here at present conduct their places very well.

M. FILAN,
1 C. Constable.

Senior-constable Ewen to Mr. Superintendent Brown.

Police Station, Moulamein, 8 October, 1883.

SENIOR-CONSTABLE Ewen begs to report to the Superintendent of Police, Deniliquin, with reference to the circular, No. 83-701, regarding the administration of the Licensing Act, that the senior-constable has every reason to believe that the liquors sold at the hotels in the Moulamein sub-district are not of inferior quality. As regards selling at prohibited hours, the senior-constable does not think it is carried on, as no complaints have been laid about it. Sunday-selling the senior-constable cannot deny is carried on to a certain extent, but is very hard to check. Every effort is made by the Moulamein police to carry the law into effect.

F. S. EWEN,
S.C. 3,090.

Sergeant Dowling to Mr. Superintendent Brown.

Balranald, 29 September, 1883.

SERGEANT Dowling, inspector, reports, for the information of his superintendent, relative to the administration of the Licensing Act in the licensing district of Balranald. The sergeant states that he visits and inspects the public-houses in his district regularly, and that he has not seen an infringement of the Act either by Sunday trading or selling inferior quality of liquor, nor have any of the public in the district ever made a complaint about it.

EDWARD DOWLING,
Sergeant and Inspector.

Constable Loomes to Mr. Superintendent Brown.

Police Station, Clare, 30 September, 1883.

CONSTABLE G. E. LOOMES, No. 3,940, begs to report, for the information of his officer, that liquors are not allowed to be sold at prohibited hours or on Sundays. The constable cannot make any report with reference to the quality of liquors sold by publicans, owing to his being only a short time in this district, but on making inquiries have heard no complaints.

GEORGE E. LOOMES,
Constable, 3,940.

Constable Norris to Mr. Superintendent Brown.

Police Station, Euston, 27 September, 1883.

CONSTABLE NORRIS begs to report, for the information of the superintendent, with reference to circular letter from Inspector-General's Office re the carrying out of the Licensing Act, that the publicans are closely watched and kept within the Act. With reference to inferior liquor the constable has not heard of any complaints being made.

HENRY NORRIS,
Const. 1 C. 2,782.

Senior-Sergeant Keelty to Mr. Superintendent Brown.

Police Station, Wentworth, 29 September, 1883.

SENIOR-SERGEANT KEELTY with reference to the Inspector-General's circular 83-701 of the 22nd of August, 1883, referring to strictures in the press on the manner the Licensing Act of 1882 is enforced by the Police, &c., for the information of his Superintendent reports:—

That no complaint reached the sergeant of any spirits sold or supplied by any of the licensees of this district, suspected even of containing any injurious mixture. The publicans in Wentworth close their houses very regular and show a ready willingness to comply with the Act. The Sergeant often enters the houses during Sundays, and the police here are supplied with authority from the Licensing Magistrate to enter, but no complaint could be made of any Sunday trading up to the present. The police at Euston and Pooncarie also have authority to enter and see any irregularity that may be occurring at the time, but they have nothing to complain of.

ROB. KEELTY, S.-S.

Constable Whittaker to Mr. Superintendent Brown.

Salt Creek Police Station, 28 September, 1883.

CONSTABLE JOHN WHITTAKER, No. 3,250, respectfully reports, for the information of his Superintendent, that the Licensing Acts are strictly enforced in every particular in the sub-district of Salt Creek. The constable has not heard any complaint about the quality of the liquor disposed of at the hotels in the sub-district. The constable has always considered it one of his first duties to enforce a strict observance of sections 63 and 20, 21, and 22 of the Licensing Acts.

JOHN WHITTAKER,
Constable 3,250.

Senior-constable

Senior-constable Stone to Mr. Superintendent Brown.

Pooncaire Police Station, 5 October, 1883.

SENIOR-CONSTABLE STONE reports, for the information of the Superintendent, in reference to copy of circular 83-701, dated Inspector-General's Office, Sydney, 22 August, 1883, that the Licensing Act has been carried out as far as possible in the Pooncaire portion of the district, and also that no breach of the Licensing Act has come under the senior-constables observation, and no reports of any kind have been made to the senior-constable in reference to the said Act.

MARTIN STONE,

Senior-constable.

Senior-constable Day to Mr. Superintendent Brown.

Menindie Police Station, 2 October, 1883.

Re the attached Senior-constable Day begs to report that the Licensing Act is enforced in the Menindie sub-district as far as practicable. The township is all that can be particularly answered for, and for the conduct of it as far as the Act is concerned the Bench of Magistrates can testify to its being enforced.

As to the quality of liquor sold there have been no complaints in any way that would lead to suppose that liquor was being adulterated, and the senior-constable is of opinion that it is sold as they buy it with the exception of a little water.

As to sales at prohibited hours it is only on rare occasions that the business require the hotels opened after 10 o'clock; always at 11 all hotel business is closed.

As to Sunday trading, no breach of the Act is noticed by the police; and as to the good conduct of the hotels and the observances of the Sabbath, it has been remarked by strangers for a place so far in the back country.

Roadside hotels are always well kept and conducted when the police have occasion to call.

JOHN W. DAY,

S.-C., 2,863.

Senior-constable O'Connell to Mr. Superintendent Brown.

Police Station, Umberumberka, 6 October, 1883.

SENIOR-CONSTABLE O'CONNELL reports, for the information of his Superintendent, with reference to the attached circular re the Licensing Act, the senior-constable begs to state that the Act is strictly in force in the Police District of Umberumberka.

R. O'CONNELL,

S.-C., No. 8,281.

Forwarded for the information of Mr. Supt. Brown.—NELSON B. HITCH, Sub-Inspector, Wilcannia, 9/10/83.

Sub-Inspector Hitch to Mr. Superintendent Brown.

Police Station, Wilcannia, 30 September, 1883.

Sir, I have the honor to report for your information regarding circular 83-701, Inspector-General's Office, 22 August, 1883, having reference to report in the *Sydney Morning Herald* of the 18th instant re the deputation to the Minister of Justice in connection with the administration of the Licensing Act, that so far as the portion of the 19th section is concerned referring to the powers conferred upon the Licensing Inspectors to demand, select, and obtain samples of liquor for the purpose of analysis, there have been no complaints made to me with reference to the inferior quality of liquors sold in the Wilcannia portion of the Mitchell Licensing District. As a rule I believe the same is generally good. On receipt of any complaint thereof, or upon suspicion that such is the case, I shall move immediately in the matter and procure samples for the purpose of analysis.

Relative to steps taken by me under the 63rd section of the Act, I have caused several licensed publicans in Wilcannia to be summoned for breaches of the same, who have been convicted. I am continuing the same course whenever an opportunity occurs. It is almost impossible in a place like Wilcannia to entirely suppress it, considering the peculiarly isolated position of the place and a great majority of the inhabitants comprising working men, shopkeepers' assistants, clerks, &c., finding nothing to divert their attention on Sunday will attempt to pass a portion of their time in the parlour of an hotel, and who doubtless partake of some little refreshment. Everything is very orderly, and I may confidently assert that the whole of the licensed publicans close their premises at the stipulated time and endeavour to act up to that portion of the 63rd section prohibiting the sale of liquors during prohibited hours.

I have, &c.,

NELSON B. HITCH,

Sub-Inspector.

Acting-Sergeant Saunders to Mr. Superintendent Brown.

Police Station, Milparinka, 6 October, 1883.

Sir, I have the honor to acknowledge receipt of copy circular 83-701, and in reply thereto beg to forward the attached return, showing total number of cases disposed of in the Milparinka Court of Petty Sessions under the Licensing Acts 45 Vic. No. 14 and 46 Vic. No. 24, from the 18th April, 1882, to the 6th of October, 1883, together with total amount of fines and costs inflicted under the above-named Acts, which will show that the Licensing Acts have not been allowed to remain a dead letter in this part of the country.

I have, &c.,

JOHN SAUNDERS,

Acting-Sergeant, 3,418.

RETURN showing the total number of cases disposed of at the Milparinka Court of Petty Sessions under the Licensing Acts 45 Vic. No. 14 and 46 Vic. No. 24, from the 18th of April, 1882, to the 6th of October, 1883.

Nature of the offence.	Total number	Fined.	Withdrawn.	Dismissed.	Total Fines.	Total Costs.
Sly grog-selling	36	23	4	9	£ s. d. 590 0 0	£ s. d. 29 3 4
Unlawful gaming	3	3	.....	.....	21 0 0	0 19 6
Selling during prohibited hours	3	2	.....	1	3 0 0	0 13 0
Drinking during prohibited hours	2	2	.....	.....	2 0 0	0 13 0
Failing to keep standard accommodation	3	.....	3	.....	.....	0 19 6
Abandon licensed premises	2	*	.....	.....	.....	.....
Totals	49	30	7	10	£616 0 0	£32 8 4

* Licenses cancelled.

Forwarded for Mr. Supt. Brown's information.—NELSON B. HITCH, Sub-Inspector, Wilcannia, 9/10/83.

MURRAY DISTRICT.

Mr. Superintendent Battye to The Inspector-General of Police.

Police Department, Superintendent's Office, Murray District, Albury, 23 September, 1883.

Sir,

Re allegations contained in circular 83-701 of 22nd ultimo, from the accompanying reports from the different officers and constables in charge of stations, I am quite satisfied that the members of the Force in Murray District have enforced and continue to enforce the law efficiently with reference to Licensing Act.

I have, &c.,

E. M. BATTYE,

Capt.-Supt.

[Enclosures.]

[Enclosures.]

Sergeant M'Guffie to Mr. Superintendent Battye.

Police Station, Albury, 14 September, 1883.

SERGEANT M'GUFFIE reports with reference to circular No. 83,701, dated 22nd ultimo, that since the Licensing Act of 1882 came into force there have been seventeen convictions against publicans for offences against the Act, and seven convictions for sly-grog-selling have been prosecuted in the Albury Licensing District, and that the Licensing Act is enforced in the town and district, and any breach is at once put a stop to by the police. No doubt the Act is violated in some instances, for in a border town like Albury where there are so many people arriving at late hours by train from Melbourne and Wagga Wagga, and by trains from Sydney on Sundays, which must be accommodated in several of the hotels, it is impossible to enforce the closing as strictly as it otherwise would be done.

J. M'GUFFIE,
Sergeant.

Constable Pounceby to Mr. Superintendent Battye.

Police Station, Bowna, 29 August, 1883.

CONSTABLE ALFRED POUNCEBY begs to report to his Superintendent in reference to the attached circular, that there are four public-houses in his district, viz., Harvey's "Royal Oak Hotel," Mullengandra, Hore's "Rose and Crown Hotel," Wyndham, Vincent's "Victoria Hotel," Wagra, and Baker's "White Horse Hotel," Bowna. The constable has frequently visited all these public-houses when on patrol and other duty, at different hours and days (including Sundays), and has found the licensees comply with the Licensing Act in every particular.

ALFRED POUNCEBY,
Constable.

Senior-constable Coveny to Mr. Superintendent Battye.

Police Station, Germanton, 30 August, 1883.

SENIOR-CONSTABLE COVENY, No. 1,848, reports for the information of his Superintendent with reference to the attached with regard to the administration of the Licensing Act, the Senior-constable begs leave to state that the Act is fully carried out in Germanton, and that there are no complaints with reference to the publicans.

ROBERT COVENY,
Senior-constable, 1,848.

Senior-constable Cornfoot to Mr. Superintendent Battye.

Police Station, Walbundrie, 29 August, 1883.

SENIOR-CONSTABLE CORNFOOT begs to state for the information of his Superintendent with reference to copy of circular No. 701 respecting licensed houses, that since the present Act came in force the licensed houses of the Walbundrie Police District have conformed to the said Act, and the police have strictly done their duty.

ALEXR. CORNFOOT,
Senior-constable, 3,061.

Sergeant Jones to Mr. Superintendent Battye.

Corowa Police Station, 29 August, 1883.

SERGEANT JONES respectfully begs to report for the information of his Superintendent and in answer to attached report, that he carries out the Licensing Act to the best of his ability. The Sergeant knows the Act is violated in many instances in Corowa, but he enforces the law where he gets any proof of the Act having been broken.

J. JONES,
Sergeant, 1,904.

Senior-constable Larkins to Mr. Superintendent Battye.

Police Station, Howlong, 30 August, 1883.

"Re annexed letter, No. 83,701, dated Sydney, 22nd August, 1883."

SENIOR-CONSTABLE LARKINS begs to report that the Licensing Act is strictly carried out by the publicans in the Howlong portion of the Murray district. The police have always endeavoured to see that the Act was carried out by the publicans in its integrity, and they have no complaint to make. The Inspectors under the Act, when inspecting the public-houses, were also always satisfied with the accommodation, &c., set apart for the public.

FRANCIS LARKINS,
Senior-constable.

Senior-constable Berney to Mr. Superintendent Battye.

Police Station, Mulwala, 30 August, 1883.

SENIOR-CONSTABLE BERNEY begs to report, with reference to circular No. 83,701, that the publicans in this district are not allowed to infringe against the Licensing Act, as the police compel them to carry it out in its integrity. As there are only two hotels in this district, and being contiguous to the Police Station, they are always under the vigilance of the police.

G. W. BERNEY,
Senior-constable.

Senior-constable Donaldson to Mr. Superintendent Battye.

Police Station, Tumberumba, 29 August, 1883.

SENIOR-CONSTABLE DONALDSON, No. 2,027, reports, with reference to the attached circular, that he has strictly enforced the clauses of the Licensing Act, and any breaches of the Act coming under his notice the offenders have been summoned and fined for the same. In fact complaints have been made that the Act is too strictly enforced here, and that liberties that are allowed in other places are not permitted here. The Senior-constable thinks that the Act has been very fairly enforced, without being oppressive.

R. DONALDSON,
Senior-constable, No. 2,027.

First-class Constable Hawkins to Mr. Superintendent Battye.

Police Station, Ournie, 1 September, 1883.

JOHN HAWKINS, 1st-class Constable No. 3,068, begs most respectfully to report for his Superintendent's information in reference to the attached. The constable begs to state to his Superintendent that there are only two hotels in the portion of the district in which the constable is stationed. There is the "Golden Cross Hotel" at Welcragan, a distance of 9 miles, and the "Tooma Hotel," a distance of 18 miles. The constable begs most respectfully to state to his Superintendent that he visits them both occasionally, and has always found both places well conducted, and kept very strict, according to the Licensing Act. So far the constable has had no chance to make any complaints whatever.

JOHN HAWKINS,
1st-class Constable, 3,068.

First-class Constable Downes to Mr. Superintendent Battye.

Gerogery Police Station, Murray District, 29 August, 1883.

CONSTABLE HUGH DOWNES, in reply to the attached circular, begs to report, for the information of his Superintendent, that the Licensing Act is enforced in the Gerogery sub-district, and any breach thereof is at once put a stop to by the constable.

HUGH DOWNES,
1st-class Constable, 3,258.

Sub-Inspector

Sub-Inspector Carroll to Mr. Superintendent Battye.

Sir, I do myself the honor to report, for your information, with reference to circular No. 83-701, dated the 22nd ultimo, and to state that since the Licensing Act of 1882 came into force there have been thirty cases—offences against the Act—prosecuted in the Gundagai Licensing District.

It is obvious that offences against the Act undetected by the police have occurred, and will occur in spite of all their zeal, especially in country places, where the visits of the police can only be casual, but no publican in this licensing district can feel that he may with impunity commit breaches of the Act.

The allegation that the police do not enforce the law and that the Act is a dead letter, I can say emphatically does not apply to the Gundagai district.

Tumut, in this police sub-district, is a separate licensing district, and to which Reedy Flat belongs, a report from which station has not yet reached here, but there is but one licensed house there.

I have, &c.,
JOHN CARROLL,
Sub-Inspector.

Senior-sergeant Cassin to Sub-Inspector Carroll.

Police Station, Adelong, 1 September, 1883.
SENIOR-SERGEANT CASSIN begs to report, with reference to the Inspector-General's circular letter of the 22nd ultimo, that the Licensing Act has been strictly observed at Adelong and Shephardstown, the only infringement being two cases of allowing gaming, in which convictions were obtained.

THOS. CASSIN,
Senior-sergeant.

Senior-constable Smith to Sub-Inspector Carroll.

Police Station, Jugiong, 31 August, 1883.
SENIOR-CONSTABLE SMITH, No. 2,273, begs most respectfully to report that the public-houses in his district are kept as near as possible up to the mark in every respect; and according to the Licensing Act the senior constable cannot at any time find cause to lead him to believe that anything contrary to the Act is being carried on in any of the hotels in the Jugiong District.

ED. SMITH, S.C.

Sergeant Zoellner to Mr. Superintendent Battye.

Police Station, Tumut, 31 August, 1883.
SERGEANT ZOELLNER, in reference to the administration of the Licensing Act in the Tumut district, respectfully reports that he as much as possible sees the law enforced, more especially as regards the sale of spirituous liquors at prohibited hours. The Sergeant obtained several convictions where clandestine sales have taken place, but not lately.

Forwarded through the Sub-Inspector of Police, Gundagai.—A. ZOELLNER, Sergt., 31/8/83.

A. ZOELLNER,
Sergeant.

Constable Brown to Sub-Inspector Carroll.

Police Station, Reedy Flat, 5 September, 1883.
CONSTABLE GEORGE BROWN begs to state, in reference to the administration of the Licensing Act at Reedy Flat, that he has been but a short time in charge of the station, but so far the constable has had no cause whatever for complaint against the licensee of the "Batlow Hotel," the only hotel in the Reedy Flat portion of the Tumut District.

Forwarded, Gundagai, 6/9/83.—JOHN CARROLL, Sub-Inspector.

GEORGE BROWN,
Constable, No. 3,389.

Sub-Inspector Brennan to Mr. Superintendent Battye.

Wagga Wagga, 3 September, 1883.
Sir, With reference to the allegations contained in circular 83-701 of the 22nd ultimo, to the effect that the police do not enforce the Licensing Act in the country, &c., I do myself the honor to report for your information that the provisions of the Licensing Act have been and now are being vigorously enforced in the Wagga Wagga sub-district, and any assertion to the contrary would not be correct. Breaches of the law may, and no doubt do take place, no matter how vigilant the police may be, but the allegation that "the Act is a dead letter in the country" is, as far as it relates to the districts where I have been since the law came into operation, altogether devoid of truth. It is an established fact that publicans generally conduct their houses now better than they did under the old Act, and the severe fines inflicted in many cases under the new Act have to some extent been instrumental in consummating that desirable change.

It is also a fact that a great many undesirable and unfit persons who held licenses under the old Act were got rid of under the new law; many badly conducted places closed altogether, and no new licenses issued to persons who were not considered respectable; that being so a new and improved state of things now exists and the tendency of publicans to break the law is at present the exception to the rule. Since the Act came into operation I have found the police invariably anxious to enforce the law, and I respectfully submit they have done so efficiently whenever clear breaches of it came under their observation, but prosecutions savouring of vindictiveness or on doubtful grounds have never been tolerated.

The comparatively few prosecutions which now take place throughout the country are attributable more to the success of the police in having effected, through their vigorous enforcement of the law, an improved change in the publicans, who now find it their interest to conduct their houses properly, than to any lack of duty on the part of the former.

I beg to forward reports on the subject from Senior-sergeant Vaughan, Narrandera, Sergeant Harvison, Wagga, and Senior constables King and Bedingfeld, Junee Junction and Urana.

I have, &c.,
MARTIN BRENNAN, S.I.P.

Sergeant Harvison to Sub-Inspector Brennan.

Police Station, Wagga Wagga, 3 September, 1883.
SERGEANT A. J. HARVISON reports, with reference to circular No. 83-701, that when the Licensing Act of 1882 came into operation the Police had some difficulty in enforcing its measures here; and they found it necessary in many cases to have the offending publican summoned for breaches of the Act, and they were punished in nearly every instance. The result was that several transfers took place, and there is now a better class of publicans here, who to a very great extent live in conformity to the law; and as far as this town is concerned the Police have little room to complain of the class of publicans here and the way their houses are conducted.

There are but two exceptions here, and one of them was recently heavily fined for a breach of the 49th section of the Act.

A. J. HARVISON,
Sergeant, 2,094.

Senior-Constable Bedingfeld to Sub-Inspector Brennan.

Police Station, Urana, 1 September, 1883.
SENIOR-CONSTABLE BEDINGFELD, No. 2,799, respectfully reports, in compliance with his officer's request, *re* Publican's Act, that the law relating to the same has been carried out in its integrity; and the Senior-Constable most respectfully begs to state that, if necessary, the Bench of Magistrates at Urana will be able to confirm the above-mentioned fact.

T. W. BEDINGFELD,
Senior-constable

Senior-constable M'King to Sub-Inspector Brennan.

Police Station, Junee, 30 August, 1883.

RE the Inspector-General's letter attached, of the 22nd instant, Senior-constable King begs to report, for the information of his officer, that from the time the new Licensing Publicans' Act became law, up to the present time, the Act has been strictly carried out and attended to by the police at this station, and also through the sub-district, and they have not observed any breach of the Act up to the present time; and find that the publicans punctually close at 11 o'clock p.m. Regarding Sunday trading, the Senior-constable has not observed it carried on in this town, where there are four licensed houses. Neither has he observed it through the sub-district, where there are six hotels; in fact the hotels at Junee Junction are well conducted, and the publicans are very exact as to closing their houses at the proper time.

M. KING, S.C.

Senior-sergeant Vaughan to Sub-Inspector Brennan.

Police Station, Narrandera, 30 August, 1883.

IN reply to circular No. 83-701 from Inspector-General's Office, Senior-sergeant Vaughan reports, for the information of Captain Battye, that the allegations made in the report referred to are not true, as far as the Narrandera sub-district is concerned. On the contrary, the police use every endeavour to enforce the provisions of the Licensing Act.

P. L. VAUGHAN, S.S.

WESTERN DISTRICT.

Senior-sergeant Musgrove to Mr. Superintendent Lydiard.

Police Station, 31 August, 1883.

SENIOR-SERGEANT MUSGROVE reports for the information of the Superintendent in reference to the attached circular, that there are no grounds for the statement referred to, at least so far as the city of Bathurst is concerned.

Since the Licensing Act of 1882 came into operation there is a visible improvement in the way in which the public-houses have been conducted, the accommodation is much better and the houses more cleanly kept. There is not so much drunkenness, and as a proof the records show that there is less drunkenness on Sundays, only twenty-six persons have been charged with drunkenness on that day since the first of this year, and most of those persons were arrested shortly after midnight.

The police strictly enforce the Act here whenever a breach occurs. During the period above mentioned, viz., from the 1st of January to present date, there have been twenty-one cases under the Licensing Act brought before the Bathurst Licensing Court.

The publicans of Bathurst are as a whole a most respectable body of men; of course there are exceptions, and those are kept under the surveillance of the police.

R. MUSGROVE,
Senior-Sergeant.

Sub-Inspector Ford to Mr. Superintendent Lydiard.

Sir,

Police Office, Bourke, 1 September, 1883.

IN reply to the Inspector-General's letter to you, dated 22nd August last, respecting the complaint of a deputation that awaited on the Minister of Justice with reference to the administration of the Licensing Act, and that in the country districts the police do not enforce the law, I have honor to inform you that the police in my sub-district do carry out the Act to the best of their ability. I have had a number of convictions for breaches of the Act in my district. Alex. O'Grout, Esq. (the Chairman of the Licensing Bench here), informed me that he considered the police at Bourke do their utmost to carry out the provisions of the Act. I beg to attach telegrams that I have received from G. C. Tompson, Esq. (the Chairman of the Licensing Bench at Cobar), also from Albert K. Beveridge, Esq. (the Chairman of the Licensing Bench for Brewarrina and Barringun Bench.)

I have, &c.,
MARK E. DYETT FORD,
Sub-Inspector of Police and District Licensing Inspector.

Telegram from Chairman, Licensing Bench, Brewarrina, to Sub-Inspector Ford.

Barringun, 1 September, 1883.

CONSIDER police Brewarrina, Barringun, do their utmost prevent breaches of Publicans' Act. Great grumbling part publicans conviction against publican Brewarrina last month selling liquor to inebriate.

Telegram from Police Magistrate, Cobar, to Sub-Inspector Ford.

AT Cobar police do utmost to prevent breaches of Publicans' Act. At Louth, when I have been there, police have always done utmost to prevent breaches.

Sub-Inspector Garvin to Mr. Superintendent Lydiard.

Orange, 30 August, 1883.

MEMO.—Referring to Inspector-General's letter of 22nd inst., having reference to *Herald's* report of 18th inst., of a deputation that waited on Minister for Justice re administration of Licensing Act,—the allegations made in that report that the Act is a dead letter in the Country Districts does not apply to Orange, as it is enforced here. There is, in my opinion little Sunday trading; any cases coming under notice of Police are prosecuted, and there have been several convictions. No complaints have been made, neither have any been lodged, about deleterious liquors being sold, and I do not believe such to be the case.

I think unless I have some reasonable grounds of suspicion, or that complaint has been made, that any action on my part is unnecessary.

I can assent without fear of contradiction that the publicans of this district are a respectable body, that they practically conform to the spirit of the Act; and it would be unfair to harass them by constantly visiting their houses on Sundays, unless there be tangible grounds for doing so. Very many of the statements made by the deputation are far fetched and unwarrantable. No doubt the gentlemen making them do so in good faith, but I imagine most are hearsay complaints.

Some teetotallers carry their notion a little too far, and would not hesitate to persecute persons simply because they are in the liquor trade. I have been interviewed on more than one occasion, and declined to move or allow any interference by any particular person to influence me in harassing any set of business people.

In conclusion I may state the Police have positive instructions to enforce the Act fairly, and report any breaches whatever to me. I shall prosecute any case that should go before a Court.

As regards arrests for drunkenness on Sundays the return attached will show that so far as Orange is concerned the Licensing Act in this particular is a success.

THOS. GARVIN,
Sub-Inspector of Police.

Constable

Constable Daley to Mr. Sub-Inspector Garvin.

Lock-up, Orange, 30 August, 1883.
RETURN of Prisoners arrested for Drunkenness on Sundays from 1st January, 1882 to present date.

Year 1882.	1883.
Total 8	Total to present date..... 0

RETURN for similar preceding period, viz., from 1st January, 1880, to 30th August, 1881.

Year 1880.	1881. From 1st January to 30th August.	Total for both periods, 1880 and 1881.
Total..... 17	11	28

From the foregoing it will be seen that notwithstanding the large increase of population since January, 1882, the arrests are twenty less than for the preceding corresponding period.

THOS. DALEY, Constable,
Lock-up Keeper.

Sub-Inspector Grainger to Mr. Superintendent Lydiard.

Sir,

Police Station, Dubbo, 10 September, 1883.

With reference to the Inspector-General's letter, dated 22nd August, 1883, re working of the new Licensing Act in the country districts, I do myself the honor to report that in my opinion the Act has been beneficial to the public, and that the police in my sub-district have as far as possible enforced its provisions and prosecuted offenders whenever any breaches of the Act came under their notice.

Previous to the passing of the "Amended Act" I believe the police in the outside portions of this district did overlook offences of a light nature as the prosecution of the offenders would have entailed a long journey on both police and witnesses, as at that time the cases would have had to be heard at Dubbo.

Since the passing of the Act there have been twenty-six cases against publicans in the Dubbo sub-district for various breaches of the Act—four of these were dismissals, the others convictions. There were also seven persons convicted for supplying liquor to aborigines and for drinking in licensed houses during prohibited hours.

I may add in conclusion that the new Licensing Act is now generally obeyed by the publicans in the Dubbo sub-district, and that its provisions are strictly enforced by the police.

I have, &c.,
E. GRAINGER,
Sub-Inspector.

Sub-Inspector Stephenson to Mr. Superintendent Lydiard.

Sir,

Police Station, Forbes, 3 September, 1883.

Referring to the administration of the Licensing Act, I have the honor to report that there have been in this sub-district forty-seven prosecutions and thirty-four convictions under the Act. Therefore I think that is proof that the police have been most assiduous in enforcing the Act. In fact some persons here are of opinion that the police have been over-strict in the administration of the Licensing Act of 1882.

I have, &c.,
J. STEPHENSON,
Sub-Inspector.

NORTHERN DISTRICT.

Mr. Superintendent Orridge to The Inspector-General of Police.

Police Department, Superintendent's Office, Northern District, Armidale, 24 September, 1883.

Sir,

Referring to circular No. 83,701, dated Inspector-General's Office, Sydney, 22nd August, 1883, I have the honor to report that from personal observation and official records of convictions I can confidently assert that the allegation "that the Police do not enforce the law, and that, in fact, the Act is a dead letter" is, generally, without foundation, in so far as it refers to the district under my command. No doubt, in some instances, the provisions of the 63rd section of the Act are infringed, notably at hotels in small townships where there is only one constable stationed, and during the periods of his absence on other duties there can be no supervision, and at public-houses far removed from Police Stations also the Sunday-selling portion of that clause may be infringed even in larger towns, but not to any appreciable extent. On new railway lines, and where large public works are being carried on, I may observe that many laborers (so many, in some instances, as forty or fifty) board and lodge at inns and therefore can be supplied with liquor without infringing the Act.

By section 29 of the Amending Act of 1883 greater facilities (by reason of the jurisdiction given to Courts of Petty Sessions) will now be insured to the police in prosecuting for offences under the Act.

Samples of liquors from the Armidale and Inverell Licensing Districts were forwarded to Sydney for the purpose of analysis. From other Licensing Districts reports having been received that there was not any reason to suspect adulteration; samples were not sent from such places.

On receipt of your circular I caused a copy to be sent to the members of the Force in charge of each Police Station in the Northern District, reports from whom are attached, the following being extracts from such reports:—

Armidale.—Act strictly enforced; when infringed prosecutions ensue if evidence forthcoming. Sunday selling may be carried on, but if so in a very secret manner.

Glen Innes.—The Act has effected a radical change for the better and no necessity for Police interference.

Uralla.—Since Licensing Act became law drunkenness has greatly decreased.

Walcha.—Act carried out in its integrity; a great decrease of drunkenness.

Bendemeer.—Provisions of Act enforced and carried out.

Emmaville.—Allegation inconsistent with results of administration of Act. Drunkenness has decreased; out of 16 arrests up to 30th June, 1883, not one case of drunkenness on Sunday. Also forwarding letter from A. Cadell, Esq., J.P., and a member of Licensing Court, who writes: Provisions of Act strictly enforced and with good results; offences against society less frequent; public-house drinking on Sundays no longer allowed.

Bolivia.—

Bolivia.—Police enforce the law; two convictions obtained. No doubt licensees on railway line do sell at prohibited hours, but as houses are closed and kept quiet the police (who are both under the rank of senior constables) have no power to enter. The houses are mostly very quiet, except at pay time, when publicans have some difficulty in getting the men out at closing time.

Tenterfield.—Publicans do not give any trouble. Official notice always taken of breaches of the Act. If Sunday selling is carried on it is done in a very secret way. No breaches of the law in this respect, within the knowledge of the police, have been ignored.

Willson's Downfall.—The Act is strictly enforced; have not received any complaints of breaches.

Drake.—No breaches of Act to constable's knowledge; never heard any complaints of bad liquor, &c., although often made inquiries.

Bundarra.—No difficulty with the public-houses; the allegations are without foundation.

Ashford.—The publicans comply with the Act.

Ben Lomond.—Roadside hotels well conducted. Railway line hotels, considering the class of men (navvies) who frequent them, also well conducted. Some of these hotels have as many as thirty boarders, who are very rough in their manners, and addicted to drink. One conviction of £10 for keeping open on Sunday proved a good example to the others, their houses being kept closed and quieter on Sundays.

Dalmorton.—Seldom are infringements of Act committed, and drunkenness at hotels has decreased.

Copmanhurst.—Act enforced as much as constable's powers will permit.

Blick's River.—Act not being violated.

Grafton.—Police have taken every precaution to see that the Act is complied with. In cases of violation proceedings promptly taken, and offenders brought before the Court.

Lawrence.—Senior constable, being mounted and the only man stationed at Lawrence, is often absent half the week, or more, when the publicans take advantage of his absence. He has carried out the Act as well as he can.

South Grafton.—Several prosecutions, and the law strictly enforced. Publicans, now better acquainted with the law, are acting strictly in accordance with it.

Ulmarra.—Publicans comply with provisions of the Act.

Rocky Mouth.—Never less drunkenness than at present. Act enforced. Publicans do not try much to overstep it.

Chatsworth Island.—Act pretty strictly observed as regards Sunday closing; there may be a little Sunday trading, but as far as possible the constable has taken every precaution to stop it.

Clarence Heads.—Act complied with in every respect.

Palmer's Island.—The constable has not seen any breaches of the Act; so far as he has power he has been careful to see that it is complied with.

Brush-grove.—The constable has not seen any breaches of the Act, nor received any complaints.

Casino.—Several convictions obtained and Police endeavour to enforce the law. No doubt breaches of Sunday selling clause do take place, but being difficult cases to prove, no action taken unless there was clear evidence to support a conviction; also guided by Circular No. 639, dated 2 February, 1882.

Lismore.—Police have been most energetic in preventing infringements of Act, and have brought several cases before the Court.

Ballina.—Licensing Act carried out by police as well as the means at their disposal will allow. There may be Sunday selling but local police have little chance of preventing same.

Wardell.—Licensing Act is administered with impartial rigour.

Woodburn.—The convictions obtained against publicans prove the enforcement of the law.

Broadwater.—As far as the assertion relates to this station the Act is not a dead letter; the constable has found no difficulty in enforcing the Sunday closing clause.

Coraki.—The Licensing Act has been enforced as strictly as possible at Coraki. It must be admitted that publicans abuse the clause prohibiting the sale of liquor during certain hours, but this is done with such caution that with the limited power given to constables detection is impossible. Although bar doors are closed people are seen going in and out by private entrances. Publicans are most particular who they serve on Sunday; thus drunkenness, &c., on that day is an exception at Coraki.

Murwillumbah.—Out of three licenses, when the Act came into operation, one had his license cancelled, and another was refused a renewal; also twelve cases for breaches of the Act brought before the Court and a conviction secured on each, all on police informations.

Inverell.—Licensing Act has worked well; only two convictions; no other complaints.

Tingha.—Senior-constable has endeavoured to enforce the law as much as possible. No serious breach has come under his notice; considers the hotels well conducted; the Act is not a dead letter.

On the whole I consider that the present Act is respected by hotel-keepers, the public, and, without undue persecution, carried out by the police, and that its effect has been beneficial.

I have, &c.,

J. W. ORRIDGE,

Superintendent, Northern District.

[Enclosures.]

Sub-Inspector Wright to Mr. Superintendent Orridge.

Sir,

I have the honor to report that the Licensing Act has worked well at this station; only two convictions:

1st. Henry Lattimer, of the "Inverell Hotel," for Sunday selling was fined £2 and costs.

2nd. John Kickham, of the "Telegraph Hotel," for supplying an aboriginal with a glass of port wine, was fined £3 and cost.

No other complaints of any importance have been made.

W. WRIGHT,
Sub-Inspector.

Senior-constable Morgan to Sub-Inspector Wright.

Police Department, Tingha, 3 September, 1883.

SENIOR-CONSTABLE MORGAN, No. 2,439, reports with reference to the administration of the Licensing Act at Tingha:

Since the Senior-constable has been stationed here he has endeavoured to enforce the law as much as possible and to cause those under him to do so.

No serious breach of the Act has as yet come under the Senior-constable's notice and he therefore considers the hotels in his district are well conducted and the Act as regards Tingha is not a "dead letter."

JAMES MORGAN,

Senior-constable, No. 2,439.

For Superintendent Orridge's information.—W. WRIGHT, Sub-Inspector, 20/9/83.—Superintendent Orridge, Armidale.
Senior-sergeant

Senior-sergeant Rafferty to Mr. Superintendent Orridge.

Police Station, Armidale, 3 September, 1883.

IN reference to the attached circular relating to the Licensing Act not being enforced by the police in the country and that the Act is a "dead letter,"—Senior-Sergeant Rafferty begs to report, for the information of Superintendent Orridge, that the Act is not a "dead letter" in Armidale, but strictly enforced. The hotels are never permitted to remain open during prohibited hours, and publicans who violate the Act are summoned to the Court when the police have legal grounds to do so.

The Senior-Sergeant although he visits the hotels on Sundays at different hours and finds no persons drinking, yet he is not prepared to say that liquor is not sold on Sundays, but if so it is sold and drank in a very secret manner, and impossible for the police to prove without the aid of informers, who are not to be found.

On the whole the publicans of Armidale keep within the Act, for it is very seldom that persons are seen drunk on Sundays, and those that are locked up for drunkenness on that day are in most cases lodgers.

P. RAFFERTY,
Senior-Sergeant.

Sergeant Wells to Mr. Superintendent Orridge.

Police Station, Glen Innes, 18 September, 1883.

SERGEANT WELLS respectfully reports, with reference to circular letter No. 83,701, referring to certain allegations respecting the Licensing Act and its practical working, that from his observations, which have been of a searching character, and also ascertaining the views of the several men under him, and those with whom he is in constant communication on other stations within the Licensing District of Glen Innes, he, the Sergeant, is constrained to state with them that the new Licensing Act has effected a radical change for the better here.

In the first place the Bench is not required to adjudicate upon cases of drunkenness on Mondays, caused by Sunday excesses, and there is a perceptible absence of unseemly conduct, such as furious riding, &c., on Sundays, originating from the sale of liquors as was the case heretofore.

Whatever may be the case in other parts, he, the Sergeant, can state, without fear of contradiction, that the allegation concerning the practical working of the Act being a "dead letter" in country parts has no application to Glen Innes, for there is actually no necessity for the Police, even were they so disposed, to connive at Sunday liquor trafficking.

Senior-constable Hughes to Mr. Superintendent Orridge.

Police Station, Uralla, 30 August, 1883.

C. H. HUGHES, senior-constable No. 2,170, reports, for the information of Mr. Superintendent Orridge, in reference to the administration of the Licensing Act, that up to the present nothing has come under the notice of the Uralla Police to cause them to take any action. Hotel-keepers seem to be alive to the requirements of the Act.

Since the present Licensing Act has become law drunkenness in this district has reduced greatly, and when seen is chiefly with strangers who are travelling.

C. H. HUGHES,
Senior-constable, No. 2,170.

Sergeant Olver to Mr. Superintendent Orridge.

Vide Inspector-General of Police's letter, No. 83,701, re Publican's Act and the *Sydney Morning Herald*.

Police Station, Walcha, 30 August, 1883.

THOMAS OLVER, Sub-Inspector under the Licensing Act, reports that the Licensing Act of 1882-83 has been carried out in its integrity in this district, and in support of this he would respectfully instance the great decrease in drunkenness and cases arising out of it. The police are just as vigilant now in arresting drunkards, &c., as they were before the Act was passed.

THOS. OLVER,
Sergeant, No. 1,641.

Constable Stumbles to Mr. Superintendent Orridge.

Police Station, Bendemeer, 6 September, 1883.

S. H. STUMBLES, 1st class constable, No. 3,377, reports for the information of Mr. Superintendent Orridge, with reference to the attached circular, that since the Act came into force the constable has enforced the provisions of the Act, which is carried out in this portion of the district.

S. H. STUMBLES,
1st class Constable, No. 3,377.

Senior-constable Deane to Mr. Superintendent Orridge.

Police Station, Emmaville, 31 August, 1883.

Re Licensing Act.

SENIOR-CONSTABLE DEANE respectfully reports, for the information of Mr. Superintendent Orridge, with reference to circular No. 83,701, that the allegation made to the Minister of Justice is inconsistent with the administration of the Licensing Act in the Vegetable Creek Licensing District.

Drunkenness has decreased to a considerable extent. During the six months ending 31st December, 1882, the number of drunkards brought before the Court was twenty-two (22), and during the six months following, ending on the 30th June, 1883, the number showed a total of sixteen (16), making a decrease of six.

That the Sunday closing has been observed will be seen by the fact that during that time not one offence has been recorded for drunkenness on a Sunday. Where licensees have offended they have been promptly dealt with. No complaints have been made by the Licensing Court.

Letter herewith forwarded from Alfred Cadell, Esq., J.P., a member of the Vegetable Creek Licensing Court.

DUKE DEANE,
Senior Constable, No. 2,747, and District Inspector.

REFERRING to circular No. 83,701, from the Police Department to Senior-constable Duke Deane, touching which he has asked an expression of opinion from the Local Licensing Court, I beg to state that the provisions of the Licensing Act are strictly enforced here, as far as I know, and with good results, as offences against society are less frequent, and drinking at public-houses on Sundays no longer allowed.

ALFRED CADELL, J.P.,
A member of the Vegetable Creek Licensing Court.

1st class Constable Marsden to Mr. Superintendent Orridge.

Police Station, Railway Line, Bolivia, 31 August, 1883.

CONSTABLE LOUIS J. MARSDEN, No. 2,800, reports, with reference to the attached, that the Bolivia police do enforce the law in reference to the Licensing Act, and that in July last two publicans at Bolivia were fined for selling liquors at prohibited hours. There can be no doubt whatever that licensees of houses on the railway line do sell liquor at prohibited hours to other than *bona fide* travellers or lodgers; but as the houses are kept closed and quiet the police at Bolivia have no authority to enter. The public-houses at Bolivia are mostly very quiet, except at pay time, when the publicans have some trouble to get the men out at closing time.

LOUIS J. MARSDEN,
1st Class Constable, No. 2,800.

Sergeant

Sergeant Daly to Mr. Superintendent Orridge.

Police Station, Tenterfield, 30 August, 1883.

IN reference to attached circular, relating to the Licensing Act not being enforced, Sergeant Daly begs to report that he has always taken official notice of breaches of the Act, and enforced the law when there was a legal chance. Two licensed publicans were summoned by the Sergeant a short time ago, and convicted for breaches of the Act. The houses are never permitted to remain open during prohibited hours. The publicans here, however, do not give any trouble in that way.

The Sergeant cannot undertake to assert that liquor has not been sold on Sunday. If it has occurred it has been done in a very secret way, with not sufficient evidence to bring the case before the Court.

No breaches of the law in this respect seen or within the knowledge of the police have been ignored.
E. W. DALY,
Sergeant, No. 1,531.

Sergeant Hicks to Mr Superintendent Orridge.

Re enforcing Licensing Act of 1832-83.

Police Station, Wilson's Downfall, 30 August, 1883.

SERGEANT HICKS respectfully reports, for his Superintendent's information, that the provisions of the above Act are strictly enforced in the portion of the Tenterfield Licensing District for which he (Sergeant Hicks) acts as District Sub-Inspector under the Licensing Act. He would beg to add that there has not been one complaint made to him of any breach of the Act having been committed since it came into force in the portion above-mentioned.

WILLIAM HICKS,
Sergeant, and Sub-Inspector under Licensing Act.

Constable Kennedy to Mr. Superintendent Orridge.

Police Station, Drake, 9 September, 1883.

WM. KENNEDY, Constable No. 2,856, most respectfully reports, for the information of Mr. Superintendent Orridge, that in reference to the circular dated 22nd of August, 1883: That the constable has never noticed any breach of the Licensing Act with the publicans in this locality, which are three—A. Smith, at Boorook, and J. Penny, Sandy Hills, and D. Maher, Timbarra—nor has the constable heard any person complaining of getting bad drink at the houses kept by the above-named persons. The constable has often made inquiries about them, but never heard anything wrong.

WM. KENNEDY,
Ordinary Constable, No. 2,856.

Senior-constable Travers to Mr. Superintendent Orridge.

Police Department, Bundarra, 31 August, 1883.

SENIOR-CONSTABLE TRAVERS begs, in acknowledging receipt of copy of circular letter No. 83-701, dated 22nd August, 1883, *re* administration of the Licensing Act, the Senior-constable begs to state that he has no difficulty with the public-houses immediately under his charge in enforcing the Act, and can only state the allegations, as far as this portion of the district is concerned, are without foundation.

JAMES M. TRAVERS,
Senior-constable.

1st class Constable Draper to Mr. Superintendent Orridge.

Police Station, Ashford, 3 September, 1883.

CONSTABLE DRAPER respectfully reports, for the information of Mr. Superintendent Orridge, with reference to the attached circular *re* Publicans' Act, that there are two licensed houses in the Ashford District, both of which comply with the Act, and the constable is unable to see that the underlined portion would refer to any negligence on the constable's part to enforce the law where he has no power to do so.

JAS. G. DRAPER,
1st C. C., No. 3,628.

1st class Constable Lundie to Mr. Superintendent Orridge.

Police Station, Ben Lomond, 1 September, 1883.

JOHN LUNDIE, 1st class Constable, No. 3,199, begs most respectfully to report, for the information of Mr. Superintendent Orridge, that in reference to the attached there are twelve public-houses under the Ben Lomond police supervision, all railway hotels with the exception of three, viz., Guyra, Oban, and Ben Lomond hotels, which are very well conducted. The railway hotels are well conducted considering the class of men that frequent them, principally navvies, who are very rough in their manners and addicted to drink, and lodge in the hotels, some having as many as thirty boarders.

The constable begs further to state that he laid an information against one publican for keeping his house open on Sunday, and the defendant was fined £10 and costs, 5s. 10d., which proved a good example to the others, inasmuch as from that time they have kept their houses closed on Sundays, and quieter generally.

JOHN LUNDIE,
1st class Constable, No. 3,199.

Senior-constable Biffin to Mr. Superintendent Orridge.

Police Station, Dalmorton, 4 September, 1883.

SENIOR-CONSTABLE BIFFIN respectfully reports, for the information of Superintendent Orridge, with reference to circular No. 83-701 and the allegations contained therein, that such allegations cannot justly infer that the Senior-constable is one who connives at the existence of infringements on the Licensing Act by country publicans. And in this locality seldom are infringements made by them which would give the police an opportunity of obtaining a conviction. On the contrary, so far as the Senior-constable has observed the country publicans are very much afraid of the police, the Act, and its punishments, and in this locality keep fairly to the requirements of the Act. The Senior-constable has observed that since the Act came in force it has prevented a great deal of drunkenness at country hotels, and has greatly checked what is commonly known as "laming down" or spending cheques at country hotels. The senior constable is of opinion that the principal infringements on the Act in country places are by actual *bond fide* travellers who camp perhaps within 2, 5, or 7 miles of an hotel on the Saturday night, and when passing on Sunday demand drink. In such cases the police have very little chance of enforcing the law effectively.

JOHN BIFFIN,
Senior-constable, No. 2,580.

1st class Constable Murdoch to Sub-Inspector Kerrigan.

Police Station, Copmanhurst, 6 August, 1883.

CONSTABLE MURDOCH, No. 2,635, respectfully reports for the information of his officer, *re* the attached, that the law relating to the Licensing Act is enforced in his district as far as the constable's power will permit.

According to sec. 21 of the principal Act, in country districts where there are no inspectors under the Act, and only constables in charge of stations, the constable is of opinion that in case of any infringement of the Act he would not have sufficient power to demand entrance.

DAVID MURDOCH,
1st class Constable, No. 2,635.

LIST of cases—continued.

Date.	Name.	Offence.	Fine.	Costs.	
1882.					
Nov. 13	Wm. Burghardy	Selling liquor during prohibited hours			Dismissed.
" 15	W. J. Langham	Allowing disorderly persons to continue on his licensed premises.			"
" 15	W. J. Langham	" " " " " " " " " " " "	2 0 0	"	Paid.
" 28	P. Dougherty	To show cause why his license should not be cancelled.			License cancelled.
Dec. 6	Wm. Archer	Selling liquor without a license	30 0 0	"	Paid.
1883.					
Feb. 19	Margaret Parker	Failing to maintain her licensed premises up to the standard.		"	Convicted.
April 6	Alex. Logan	Permitting drunk and disorderly persons to continue on his licensed premises.	1 0 0	"	Paid.
" 6	"	" " " " " " " " " " " "	5 0 0	"	"
" 9	Margaret Parker	To show cause why license should not be cancelled			License cancelled absolutely.
" 25	Francis Cusack	Supplying liquor to an aboriginal	5 0 0	"	Paid.
May 16	John Jenkins	" " " " " " " " " " " "	5 0 0	"	"
" 16	John Jenkins	Selling liquor on Sundays	5 0 0	"	"
June 6	M. A. Street	Supplying liquor to an intoxicated person	2 0 0	"	"
July 12	George Tieran	Selling liquor without a license			Dismissed.
Aug. 6	Thos. Easterbrook	Permitting disorderly persons to continue on his licensed premises.	1 0 0	"	Paid.
" 21	Henry C. Bartels	Selling liquor on Sunday	1 0 0	"	"
" 21	Otto Fuchs	Drinking liquor on licensed premises during prohibited hours.	0 5 0	"	"
" 21	J. P. Jordan	" " " " " " " " " " " "	0 5 0	"	"
" 23	Edward Bradley	Selling liquor without a license	30 0 0	"	1 month's imprisonment.
" 31	Henry Clarke	Supplying liquor to an intoxicated person	4 0 0	"	Paid.
		Total	£368 11 0		

Senior-sergeant M'Cormack to Sub-Inspector Kerrigan.

Police Station, Grafton, 4 September, 1883.
 SENIOR-SERGEANT MCCORMACK begs to report, with reference to circular No. 83,701, dated the 22nd August, 1883, referring to the working of the Licensing Act, the police in this district have taken every precaution to see that the Act is complied with, and in every case where a violation of the Act has come under their notice, proceedings were promptly taken, and the parties brought before the Court. The Act is not allowed to become a dead letter in this district.

WILLIAM MCCORMACK, Senior-sergeant.

Senior-constable Johnston to Sub-Inspector Kerrigan.

Police Station, Lawrence, 3 September, 1883.
 SENIOR-CONSTABLE JOHNSTON begs to report, with reference to circular No. 83-701, that he has in his sub-district carried out the Act as one constable stationed in a district can be expected to do. Being mounted, he is often absent from his station for perhaps half the week or more, during which time the publicans take advantage of his absence.

The Senior-constable has endeavoured to enforce the Publicans' Act in his sub-district, but to carry it out properly more police protection is required.

H. J. JOHNSTON,

Senior-constable, No. 2,321.

1st class Constable Phillips to Sub-Inspector Kerrigan.

Police Station, South Grafton, 1 September, 1883.
 CONSTABLE PHILLIPS respectfully reports, for the information of his officer *in re* the attached circular, that since the Licensing Act became law several prosecutions have arisen through breaches of the law by publicans at South Grafton, and the law has been strictly enforced when necessary, but for some time past the publicans having become better acquainted with the provisions of the Act have acted strictly in accordance with it and no breaches of the law have occurred.

J. G. PHILLIPS,

1st class Constable, No. 3,724.

1st class Constable Edwards to Sub-Inspector Kerrigan.

Police Station, Ulmarra, 2 September, 1883.
 CONSTABLE EDWARDS most respectfully reports, for the information of his officer, with reference to circular No. 83-701, the Constable has enforced the law at Ulmarra, and the licensed publicans, being only two in number, have complied; therefore there have been no cases against the publicans from this station.

A. EDWARDS,

1st class Constable, No. 2,245.

Senior-constable Tysoe to Sub-Inspector Kerrigan.

Police Station, Rocky Mouth, 4 September, 1883.
 SENIOR-CONSTABLE TYSOE begs to report, with reference to the attached letter respecting the working of the Licensing Act, that there are five public-houses in this town (no others in Rocky Mouth district), and the Act is enforced as far as it can be, the police being very exact as to closing at night and also preventing Sunday selling, and the publicans here do not try much to overstep the Act. There never was less drunkenness here than at the present time, and no complaints can be made of the Rocky Mouth publicans if they continue as they have previously done.

J. TYSOE,

Senior-constable, No. 2,040.

1st-class Constable Lynch to Sub-Inspector Kerrigan.

Police Station, Chatsworth Island, 3 September, 1883.
 CONSTABLE H. LYNCH, No. 3,317, begs to report, for the information of his officer, in reference to a circular dated Inspector-General's Office, 22nd August, 1883, referring to a report in the *Sydney Morning Herald* of the 18th ultimo, the constable begs to state that the Licensing Act has been pretty strictly observed in regard to Sunday closing in this sub-district. The constable not having power to enter hotels without a special authority, there may be a little Sunday trading done, but as far as possible the constable has taken every precaution to prevent it. With regard to publicans keeping more lodgers than they have accommodation for, there are times here in the sugar season when as many as fifty or sixty men come to one hotel for lodging, and are glad to get the shelter of the house without beds, and in reference to publicans selling adulterated liquors no complaint of any kind has been made to the constable.

HUGH LYNCH,

1st class Constable, No. 3,317.

1st

1st-class Constable Knight to Sub-Inspector Kerrigan.

Police Station, Clarence Heads, 3 September, 1883.

CONSTABLE F. KNIGHT, No. 3,643, respectfully begs to report, for the information of Mr. Sub-Inspector Kerrigan, that the Licensing Act has been complied with in every respect in the Clarence Heads sub-district, with the exception of one case, in which the publican was summoned for unlawfully supplying liquor on the Sabbath day, for which he was fined £5 and costs.

FRANK KNIGHT,

1st class Constable, No. 3,643.

1st class Constable Kelly to Sub-Inspector Kerrigan.

Palmer's Island, 2 September, 1883.

CONSTABLE KELLY reports, for the information of Sub-Inspector Kerrigan, so far as the Licensing Act gives him power he has been careful to see that the publicans in his sub-district comply with the Act.

The constable has not seen any breach of the Licensing Act in his sub-district of Palmer's Island.

J. KELLY,

1st class Constable, No. 2,458.

1st class Constable Condran to Sub-Inspector Kerrigan.

Police Station, Brushgrove, 3 September, 1883.

CONSTABLE CONDRAN respectfully begs to report for the information of his officer with reference to the allegation in the attached circular, that he is not aware of any breach of the Licensing Act being committed by any of the publicans in his district, and there have been no complaints made to the constable by any person since his arrival at Brushgrove; he has therefore taken no action against any person.

THOS. CONDRAN,

1st class Constable, No. 2,564.

Sergeant Tippett to Sub-Inspector Kerrigan.

Police Station, Casino, 6 September, 1883.

SERGEANT TIPPETT, No. 3,188, reports, for the information of Sub-Inspector Kerrigan with reference to the Licensing Act, *vide* Circular No. 83-701, that the following cases have been tried at the Licensing Court, Casino, since the present law has been in operation. These cases have been brought forward by the police, and relate to the town of Casino, and sub-district, viz. :-

1882, March 6th, Thomas Crane, selling liquor without a license, fined £30, and costs, 5s. 10d.; paid. 1882, March 6th, Kate Hammond, being disorderly, and refusing to quit licensed premises when requested, fined 5s., and costs 5s. 10d.; paid. 1882, March 6th, J. L. Parker, supplying liquor to an aboriginal of Australia; case dismissed. 1882, May 1st, Robert Rathbone, selling liquor without a license, fined £30, and costs 5s. 10d.; paid. 1882, May 1st, Catherine Crane, selling liquor without a license, fined £30, and costs 10s. 10d.; paid. 1882, May 1st, Geo. Lallback, selling liquor without a license, fined £30, and costs 13s. 4d.; paid. 1882, May 25th, Mirah Olive, selling liquor without a license; case dismissed. 1882, May 22nd, J. L. Parker, Sunday selling, fined £2, and costs 8s.; paid. 1882, June 19th, Denis Sherry, being disorderly, and refusing to quit licensed premises when requested; case lapsed; no quorum. 1882, June 19th, Julia Mooney, allowing disorderly persons on her licensed premises; case lapsed; no quorum. 1882, July 17th, Kate Mooney, selling liquor without a license; case dismissed. 1882, August 7th, J. L. Parker, allowing disorderly persons to continue upon his licensed premises, fined £2, and costs 4s. 10d.; paid. 1882, November 20th, William White, being disorderly, and refusing to quit licensed premises upon being requested; no appearance; warrant issued. 1883, February 19th, Margaret Parker, failing to maintain her licensed premises up to the standard required by the Act 45 Vic., No. 14, sec. 58; convicted. 1883, April 9th, Margaret Parker, to show cause why her license should not be cancelled, having been convicted under sec. 58; license cancelled absolutely. 1883, August 6th, Thos. Easterbrook, allowing disorderly persons to continue upon his licensed premises, fined £1; paid.

The above is a summary of cases under the Licensing Act brought forward by the Casino police against licensees and others since the Act has been in force, and the Sergeant may state that he has endeavoured to have the law enforced since the passing of the Act.

The Sergeant may add that there is no doubt breaches of the 63rd section of the Act (Sunday selling) do take place here, but being difficult cases to prove action has not been taken unless there was clear evidence to support a conviction.

The Sergeant is also guided in this matter by the instructions contained in circular No. 639, dated 2nd February, 1882.

WILLIAM TIPPETT,

Sergeant, No. 2,188.

Sergeant Sharp to Sub-Inspector Kerrigan.

Police Station, Lismore, 6 September, 1883.

SERGEANT SHARP, No. 1,912, reports, for information of his Sub-Inspector, in reference to the attached allegation in the *Sydney Morning Herald*, the Sergeant can only say that since the new Licensing Act became law, the police at Lismore station have been most energetic in seeing that the Act is not infringed in any way, and have brought several cases before the Licensing Court. Attached herewith is a return of cases which have been brought before the Court by the Lismore police during the past twelve months.

HENRY SHARP,

List compiled in return for sub-district.—T.K., S.I., 11/9/83.

Sergeant, No. 1,912.

Senior-constable Bassmann to Sub-Inspector Kerrigan.

Police Station, Ballina, 7 September, 1883.

IN answer to circular 83-701 Senior-constable Bassmann reports that the law under the Licensing Act has been carried out by the police in this portion of the district as well as the means at their disposal would allow. There might have been some breaches in selling on Sundays, but unless there is occasionally a detective or some strange constable in private clothes sent through the public-houses, the local police, in their respective places, have very little chance to prevent the same from being done. The same applies to selling spirituous liquors to aboriginals.

On three different occasions for the last twelve months applications for new publicans' licenses in this town and neighbourhood were strongly opposed by the police on the ground that the reasonable requirement of the neighbourhood did not justify the granting of the same; however, the Licensing Bench thought otherwise and the licenses were granted.

HENRY BASSMANN,

Senior-constable, No. 731.

Constable Wainwright to Mr. Superintendent Orridge.

Police Station, Wardell, 8 September, 1883.

CONSTABLE WAINWRIGHT reports, with reference to the allegation made in the attached circular, that at this station the Licensing Act is administered with impartial rigour, and is in no way looked upon as a dead letter by the licensees of the hotels in this town.

The constable has hitherto found but little difficulty in enforcing the provisions of this Act; though it would, without doubt, be often infringed if constant police supervision were not exercised.

J. H. WAINWRIGHT,

Constable, No. 3,103.

Senior-constable

Senior-constable Hogan to Mr. Superintendent Orridge.

Police Station, Woodburn, 6 September, 1883.

IN reply to circular, No. 83-701, Senior-constable Hogan begs to report that he has nothing to reproach himself with in the way of neglecting the performance of the duty devolving upon him under the Licensing Act of 1882. The six publicans residing in this district, four in the town, and two at Swan Bay, keep their houses respectably. After the Licensing Act had been passed the senior-constable made it his particular duty to impress on the publicans the necessity of strictly observing the new Licensing Act. They have done so, except in one instance where a man named Priddle gave spirits to aborigines, for which he was fined.

The Senior-constable not only for himself but for the police in other parts of this district, and in the Clarence District also, where he has been on duty, can say that the police see the public-houses closed every night before they go to their stations.

The convictions by the police against the publicans since the passing of the Act can prove if proof be required whether the police have enforced the law or not. It is a calumny on the police, at least in this district, to say that they have not enforced this law.

DANIEL HOGAN,
Senior-constable.

Constable Bennett to Sub-inspector Kerrigan.

Police Station, Broadwater, 4 September, 1883.

CONSTABLE BENNETT begs to report, with reference to the words underlined in the appended circular, that as far as the assertion relates to this station the Act is not a dead letter.

The constable also begs to state that since he has been stationed at Broadwater he has used every endeavour to enforce the Act with respect to Sunday closing, and has hitherto found no difficulty in doing so.

ALFRED J. BENNETT,
Constable, No. 4,407.

1st-class Constable Flynn to Sub-inspector Kerrigan.

Police Station, Coraki, 4 September, 1883.

CONSTABLE FLYNN respectfully reports respecting the circular, dated 22nd August, 1883, No. 83,701, that the Licensing Act has been enforced as strictly as possible at Coraki. Regarding the clause prohibiting Sunday trading, and trading at illegal hours it must be admitted that the publicans abuse this clause to a certain extent; but this is done with such caution that with the limited power given to constables under the Act detection is impossible. The public-houses are closed to all intents and purposes; but people are frequently seen going in and out by private entrances, and nothing further can be noticed; publicans are most particular who they serve on Sunday; thus drunkenness and disorderly conduct on that day is an exception at Coraki.

JAS. FLYNN,
Constable 1st Class, No. 2,359.

Senior-constable Brown to Mr. Superintendent Orridge.

Police Station, Murwillumbah, 11 September, 1883.

SENIOR-CONSTABLE Brown reports for Mr. Orridge's information, with reference to the attached circular, containing an allegation, taken from the *Sydney Morning Herald* of the 18th instant, stating that the police do not enforce the law in the country, and that in fact the Act is a dead letter—the Senior-constable begs to state that when the Licensing Act of 1882 came into force there were three licensed houses in the Tweed River Licensing District, two of which have been closed, one having the license cancelled, the application for renewal being refused in the other, leaving only one licensed house in the district for months. There have been twelve cases brought before the Licensing Bench for breaches of the Act, and a conviction secured in each case, the fines amounting to £33 3s. 2d.

F. E. BROWN, No. 2,213.

NORTH-EASTERN DISTRICT.

Mr. Superintendent Morisset to The Inspector-General of Police.

Sir,
Police Department, Superintendent's Office, North-east District,
Maitland, 29 August, 1883.

With reference to your letter of the 22nd instant, calling my attention to a report in the *Sydney Morning Herald* of the 18th instant, of a deputation which waited on the Minister for Justice in reference to the administration of the Licensing Act, and requesting me after reference to members of the Force in charge of stations to report on the allegations made, that the police do not enforce the law in the country, and that in fact the Act is a dead letter, I have the honour to report that I have called on the principal inspectors under the Act to furnish me with their experiences on the subject in question, and now (with the exception of Sub-Inspector Harrison's, whose report I have not yet received) forward their reports.

From these reports it may be judged, and my own knowledge of the action of the police in this direction enables me to say that the allegation of the deputation above alluded to that the Act in the country districts has become a dead letter is not in accordance with facts. I am, however, aware that a good deal of Sunday trading is carried on, which the section of the amended Act referred to by Mr. Duffy (7th sec., 40 Vic., No. 24) materially assists, and I believe so long as this section is law, and the penalty for Sunday trading is so light, the offence will not only continue but increase.

In justice to the police I am bound to say that I believe any increased energy or zeal on their part to carry out the provisions of the Act is hardly possible.

Publicans who thus break the law adopt many methods of evading the consequences, and they are of course ably and willingly assisted by those who purchase from them; and through the police of the towns they reside in being known to them, and the police always being in uniform, it is not difficult for them to carry on their illegal traffic when desirous of doing so.

I have, &c.,
E. V. MORISSET,
Superintendent.

[Enclosures.]

Inspector Thorpe to Mr. Superintendent Morisset.

Sir,
Police Station, Newcastle, 28 August, 1883.

In reply to your circular under date 25th August, 1883, No. 1,752, attached, I do myself the honour to report for your information that, as far as the licensing district of Newcastle is concerned, the Act has not become a dead letter to the police; but I am sorry to say that the onus of proof required by the Licensing Bench is such as to render conviction almost impossible in any case of breaches of the Publicans' Act, and unless I adopt the objectionable system of employing plain clothes men as spies, I cannot hope to obtain a conviction for any breach of the Act. I do not wish to infer that the Bench are desirous of screening offenders, because they have punished several heavily, but the strict proof they require almost renders the Act a dead letter.

I have, &c.,
C. THORPE,
Inspector.
Sub-Inspector

Sub-Inspector Duffy to Mr. Superintendent Morisset.

Sir,

Maitland, 27 August, 1883.

With reference to the statement in the appended communication, that the Licensing Act in the country districts is a dead letter, I beg to report that the allegation cannot in justice be applied in so broad a term to the Licensing Districts of Maitland, as the majority of the fifty-nine (59) publicans residing in it observe the law. There are, however, a few holders of licenses who, regardless of the provisions of the Act, make a practice of selling liquor on Sundays, although convictions have been obtained against some of them and severe penalties inflicted. I have, in conjunction with the sergeants at East and West Maitland, been ceaseless in endeavouring to procure evidence against persons for infractions of the law, invariably assuming disguises for that purpose, but owing to the precautions taken by the publicans, we have succeeded in obtaining only a few convictions, and those were principally in respect to cases where the parties were detected taking liquor away from the licensed premises. Latterly, publicans who break the law have adopted the practice of supplying liquor only to persons who will consume it on the premises, and they are admitted on a signal given by a person kept outside. In this way an unprincipled publican, who is determined to sell at illegal hours, can do so without fear of detection, as under the 7th section of the amended Act, 46 Vic., No. 24, it is almost impossible to obtain a conviction against a publican for delaying admittance to the inspector or sergeant, although they may know that persons are drinking in a public-house they must wait until admitted, and then all traces are cleared away. To convict a person under the Act quoted it must be proved that the delay was wilful, a thing impossible.

FRANCIS DUFFY,
Sub-Inspector.

Senior-Sergeant Webb to Mr. Superintendent Morisset.

Police Station, Singleton, 27 August, 1883.

In re enforcing of the Liquor Licensing Act by the police in the country districts.

SENIOR-SERGEANT WEBB, 849, respectfully reports:—The Act has been strictly enforced in the district of Patrick's Plains, several breaches of the same having from time to time been brought before the Licensing Court with satisfactory results.

The chairman (on behalf of the Court) has on several occasions expressed satisfaction of the manner in which the law has been enforced by the senior-sergeant in his capacity as district inspector, and visitors from other parts have been heard to remark that this district, as relates to public-houses, bears a favourable comparison with other places in which they have travelled.

A marked instance of the manner in which the law is enforced may be given of the late Agricultural Show. Several thousand persons then visited Singleton, and only in one or two cases was the effect of drink noticeable.

Public-house premises are frequently inspected and the lesses kept up to mark, so far as regards the health and comfort of bed-rooms, closets, yards, and stables, anything objectionable or offensive being noted in the quarterly report, an inspection of which, the proprietor of the local newspaper has on more than one occasion suggested through the columns of his journal.

The chairman of the Licensing Court, if referred to, will, no doubt, corroborate the statements herein set forth.

THOMAS H. WEBB,
Senior-sergeant.

Sub-Inspector Handon to Mr. Superintendent Morisset.

Memo,—

North-eastern District, Kempsey, 1 September, 1883.

Re Circular, No. 83-701, referring to the proper carrying out of the Publicans' Act in the Macleay, Manning, and Port Macquarie Sub-District, I have the honor to report that the Act is most satisfactorily carried out by the publicans.

Some breaches of Sunday-selling do no doubt occur occasionally, but they are exceptional.

The only complaint I have against them is their supplying, or knowingly permitting, grog to be supplied to the Aborigines, and this the police are doing everything in their power to suppress.

CHAS. E. HANDON,
Sub-Inspector.

NAMOI.

Inspector Creaghe to The Inspector-General of Police, Sydney.

Sir,

Police Department, Inspector's Office, Narrabri, 5 September, 1883.

In reply to your communication of the 22nd ultimo *re* the administration of the Licensing Act in this district, I have the honor to inform you—after reference to the members of the Force in charge of stations—that the allegations made by the deputation which waited upon the Minister of Justice are without foundation, so far as this district is concerned.

I attach reports from the principal stations in the district.

I have, &c.,
RICHARD CREAGHE,
Inspector.

[Enclosures.]

Sub-Inspector Smith to Inspector Creaghe.

Sir,

Police Station, Walgett, 31 August, 1883.

I have the honor, with reference to statements made to the Honorable the Minister for Justice with regard to the administrations of the Licensing Act, to report that the police of this station have enforced the law.

Since the introduction of the new Licensing Act I am given to understand there has been a marked improvement in the general tone and conduct of the public-houses in Walgett.

The statement that the Act is a dead letter is wholly inapplicable, in as far as this station is concerned.

I am of opinion the Act has been of great benefit to the community in various respects, amongst others the closing at 11 p.m., and the power of entry and inspection.

The accommodation has been enlarged and improved and the furniture and fittings generally are of a better class.

In considering the administration of the Act regard should be had to the measure of support accorded by the Benches of Magistrates to the police when cases are brought before them.

If police find cases are dismissed on trifling ground or frivolous pretexts it is but natural to suppose they will be less ready to lay informations.

A conviction being of moment to the publican advantage is taken of every technicality and the cases are fought out to the last. In a recent case here two solicitors were employed against the police.

Report from Sergeant Borthistle attached.

I have, &c.,
P. SMITH,
Sub-Inspector.

Sergeant Borthistle to Sub-Inspector Smith.

Police Station, Walgett, August 30, 1883.

Re neglect to enforce the Licensing Act in Country District, Sergeant Borthistle, a sub-inspector under the Licensing Act, begs to state that, so far as Walgett is concerned, such a representation as that made to the Minister for Justice is wholly untrue.

Since the 1st of January last six prosecutions have taken place under the Act at Walgett, and during the same period 117 persons have been arrested for drunkenness, only six of whom were locked up on a Sunday.

WM. BORTHISTLE,
Sergeant.
Sergeant

Sergeant Johnston to Inspector Creaghe.

Police Station, Bingera, August 29, 1883.

SERGEANT JOHNSTON (No. 2,208), begs to report, for the information of his officers, that the new Licensing Act is strictly carried out in the Bingera district. No doubt the Act is often violated, but that is the case in every town in the Colony. When the publicans do infringe the Act they do it in such a manner that it is nearly impossible for the police to get a case against them. Only last Saturday night Sergeant Johnston entered a public-house in Bingera at 11:45, thinking the Act was being violated, but by the time he got in all was quiet, and a case could not be got.

There were three convictions at Bingera under the Act during the last 12 months, viz., one for Sunday selling, one for selling after hours, and one for supplying drunkards.

ALEX. JOHNSTON,
Sergeant.

Sergeant Kennedy to Inspector Creaghe.

Police Station, Warialda, 29 August, 1883.

SERGEANT KENNEDY respectfully reports that the Licensing Act has been enforced in this district. The Sergeant took charge of this station in October, 1882, and since that time has himself and the other Police watched carefully that the Act was carried out. In this town there is a total absence of Sunday trading; in fact the town seems on a Sunday to be deserted.

The country houses appear well conducted. When a complaint is made immediate inquiry is made. Since October, 1882, to present date, nine cases have been brought before the Bench under the Acts 45 Vict. No. 14 and 45 Vict. No. 24, as follows: 4 under sec. 9 of 45 Vict. No. 24; 1 under sec. 7 of 45 Vict. No. 14; 1 under sec. 58 of 45 Vict. No. 14; 1 under sec. 43 of 45 Vict. No. 14; 2 under sec. 49 of 45 Vict. No. 14; preferred by Sergeant Kennedy, Constables Carmody and Buckland, Warialda and Yetman Police.

R. J. KENNEDY,
Sergeant, District Inspector under the Act.

Senior-sergeant Ewing to Inspector Creaghe.

Police Station, Coonabarabran, 29 Aug., 1883.

SENIOR-SERGEANT EWING, No. 641, reports most respectfully, for the information of Inspector Creaghe, in reference to the subject matter of attached memo. re Licensing Act, as far as this town and district are concerned the statement made to the Hon. the Minister for Justice has no foundation whatever. The law is well and strictly observed by the public and the publicans in and through the Coonabarabran licensing district in every particular.

JNO. P. EWING, S.S.,
District Inspector.

Sergeant Meagher to Inspector Creaghe.

Narrabri, 4 September, 1883.

SERGEANT MEAGHER begs to report, for the information of Mr. Creaghe, in reference to statements made to the Honorable the Minister for Justice relative to the non-enforcement of the provisions of the Licensing Act by the Police in the country districts, and that the law so far in those places is a dead letter,—the Sergeant can unhesitatingly assert that the above statements do not apply to Narrabri, nor is the Act referred to a dead letter here; for whenever breaches of the law takes place the offenders, if possible, are proceeded against. Since the present Licensing Law has been in existence the Police of this place have prosecuted seven publicans successfully for breaches of the Act, chiefly for Sunday trading, making a total of eleven convictions. Since the Sergeant came to Narrabri, and since his appointment as District Inspector under the Licensing Act, he has no reason to think, from personal observation and otherwise, that the law has or is being infringed by the Narrabri publicans, for they are a very respectable class, and if there is any Sunday trading carried on it must be indeed reduced to a minimum.

J. D. MEAGHER.

SOUTHERN DISTRICT.

Mr. Superintendent Zouch to The Inspector-General of Police.

Sir, Police Department, Superintendent's Office, Southern District, Goulburn, 14 September, 1883.

Re your letter, 83-701, bearing date 22nd August, 1883, re working of Licensing Act in country districts on Sundays,—I do myself the honor to forward you herewith a separate report from each Inspector and Sub-Inspector under the Act in my district, and from the tenor of which it will be seen that the allegation made by a member of the deputation, that the Act is a dead letter in the country, is wholly refuted, and that the police spare no effort to carry out the Act faithfully and honestly, as far as lay in their power.

I have, &c.,

H. ZOUCH,
Superintendent, Southern District.

Senior-sergeant Fenton to Mr. Superintendent Zouch.

Police Station, Goulburn, 30 August, 1883.

Re circular as to working of Publicans' Act, Senior-sergeant Fenton reports that since the Publicans' Act came into operation in January, 1882, he has summoned five publicans in this city for Sunday selling alone. He has also summoned nine persons during the same period, who were found drinking in or leaving public-houses with drink in their possession on Sundays, all of whom were heavily fined by the Licensing Bench, and thus others were deterred from offending.

From July, 1880, to December, 1881, inclusive, there were fifty persons arrested for being drunk in the streets of Goulburn on Sundays; and from January, 1882, till 30th June, 1883, there were only twenty-nine persons arrested for being drunk in the streets on Sundays. It will therefore be seen that drunkenness in the streets on Sundays is greatly on the decrease, notwithstanding the fast increase of population in Goulburn. This alone must be admitted as a strong proof that the Act has worked very well, and that it has been judiciously enforced.

R. FENTON,
Senior-sergeant and District Inspector.

P.S.—Boarders in public-houses are frequently confounded with pleasure-seekers, and thus mislead the general public.

Sergeant Moylan to Mr. Superintendent Zouch.

Sir, Police Station, Crookwell, 30 August, 1883.

Sergeant Moylan begs to report, in reference to the attached communication, that as far as Crookwell is concerned it is not true "that the law is not enforced, and the Licensing Act a dead letter;" on the contrary it is remarkably wonderful the change that has been brought about by the Act, and the total absence of drinking on Sundays and prohibited hours.

The Sergeant begs to add that in his capacity as Licensing Sub-Inspector he has been complimented by the Licensing Bench, Messrs. Voss and M'Kellar, at the last annual Licensing Court, for enforcing the Act, and on that occasion three publicans were refused renewals of their licenses on objections laid by the Sergeant, and three more who were objected to immediately took steps and complied with the law.

I have, &c.,
M. MOYLAN,
Sergeant.

Inspector

Inspector Brennan to Mr. Superintendent Zouch.

Sir,

Police Station, Yass, 29 August, 1883.

Referring to the Inspector-General's letter of 22nd instant, No. 83-701, and your minute of 28th instant, relative to a report of a deputation which waited on the Minister of Justice in reference to the administration of the Licensing Act, and that the police do not enforce the law in the country, and that in fact the Act is a dead letter, I do myself the honor to report for your information that there is no doubt on some occasions spirits are sold within prohibited hours, and would if the Police were twice as numerous as they are, but on the whole I believe, and I have much experience, that the Licensing Act is carried out by the police most faithfully and honestly. From my own personal knowledge of Yass, Dalton, Gunning, Gundaroo, Binalong, Bowring, and Frogmore, I believe and can say that the Act is carried out by the police in almost its entirety, and I can also venture to say that, unless by some biassed persons, no fault can be found with the working of the Act in the Yass Sub-District. I am quite certain that the senior and other constables in charge of towns leave no stone unturned in order to have the Act carried out properly, and unless they resorted to low cunning they could not have it carried out better.

In conclusion I beg to state that the allegations made by the deputation that the Act is a dead letter are to my knowledge without foundation as far as this sub-district is concerned.

I have, &c.,

P. BRENNAN,

Inspector of Police.

Senior-sergeant Prior to Inspector Brennan.

Police Station, Burrowa, August 30, 1883.

Re administration of Licensing Act, Senior Sergeant Prior begs to report for Inspector Brennan's information that the Licensing Act is strictly enforced by the police throughout this Licensing District.

W. H. PRIOR,

Senior Sergeant.

Sub-Inspector Walker to Mr. Superintendent Zouch.

Police Station, Young, 31 August, 1883.

I BEG to report, for the information of Captain Zouch, that there is no truth whatever in the allegations that the police do not enforce the law in country places, as far as the Young licensing district is concerned; and I have no hesitation in saying that the police are always ready and willing to do their duty when opportunity offers. On the other hand I have no doubt but what the law is evaded by publicans in this district, but it is no fault of the police, and I am quite sure from the way the publicans watch the police in this town on Sundays that the Act is not a dead letter.

ALEX. B. WALKER,

Sub-Inspector.

Sergeant Parker to Sub-Inspector Walker.

Police Station, Cootamundra, 30 August, 1883.

SERGEANT PARKER respectfully reports that the Licensing Act has been enforced at his station, as publicans have been summoned and convicted for various offences under the Act, and at present there is a summons pending against a publican for supplying liquor on Sunday, the 26th instant.

THOMAS PARKER,

Sergeant.

Sub-Inspector Lynch to Mr. Superintendent Zouch.

Sub-Inspector's Office, Temora, September 11, 1883.

IN relation to attached circular I beg to report that the allegations of deputation to Minister of Justice, as regards the administration of the Licensing law, are not borne out by the records or circumstances of this sub-district.

The utmost vigilance will not prevent unprincipled publicans from watching the movements and taking advantage of the absence of the police, who have numerous other important duties to discharge; but the statement that the Act has been a dead letter in the country is neither correct nor warranted. The police have zealously endeavoured to enforce its provisions, and I may add that the good which has resulted from its operation, in my opinion, is incalculable.

WILLIAM C. LYNCH,

Sub-Inspector of Police.

Sub-Inspector Casey to Mr. Superintendent Zouch.

Braidwood, August 30, 1883.

I BEG to report, with reference to the attached letter from the Inspector-General of Police, that I have always carried out my duties as Inspector under the Licensing Acts of 1882 and 1883 fearlessly and impartially, and I believe I had the confidence of the Licensing Benches at Wagga Wagga, Narrandera, and Urana; in fact it was generally held by the publicans and their friends that I always carried out the provisions of the Act too severely. Since I have been in the district I have as far as laid in my power insisted on the provisions of the Act being carried out and will continue to do so.

WALTER C. CASEY,

Sub-Inspector.

Senior-Sergeant James Cornett to Mr. Superintendent Zouch.

Police Station, Queanbeyan, 7 September, 1883.

SENIOR-SERGEANT CORNETT begs to report that the Licensing Act of 1882 is carried out in its integrity in this district. Since the new Licensing Act came into operation there has been but one publican brought up for keeping his licensed house open on Sunday, and the case was dismissed as it was proved that they were travellers that had been supplied with drink, the house being a roadside inn. As far as the town of Queanbeyan is concerned there has never been the slightest cause of complaint against any of the publicans for Sunday selling. As a general rule all the publicans in the Queanbeyan district conduct their houses well, and keep up to the Act, as the Police records will show that there has never been a single individual locked up for drunkenness upon Sunday since the new Act came into force.

JAMES CORNETT,

Senior Sergeant.

Inspector Mearns to Mr. Superintendent Zouch.

Sir,

Police Station, Cooma, 4 September, 1883.

Referring to the attached letter from the Inspector-General of Police, No. 701, and dated 22 August, 1883, I have the honor to report that the provisions of the Licensing Acts, 46 Vic., No. 24, and amended Act, are as far as possible enforced by the police in this sub-district, especially the Sunday closing clauses; and in proof of this I may state that since the 1st January last only three persons have been locked up for drunkenness on Sunday in Cooma, and one of these was suffering from the effects of drink taken on the previous night. During the last twelve months there have been seven prosecutions and five convictions under the Act at the Police Court here. There are no doubt a large number of bush and roadside inns under no police supervision, and where it is impossible to enforce the Act, as the public will not prosecute or give any assistance, as their sympathies in nine cases out of ten are with the publican against the police, and in fact even Justices of the Peace will not only wink at breaches of the Act but also infringe the provisions of it themselves.

I have, &c.,

JOHN D. MEARNS,

Inspector of Police.

Senior-sergeant

Senior-sergeant Byrne to Inspector Meares.

Police Station, Bombala, 1 September, 1883.

SENIOR-SERGEANT BYRNE begs to report, with reference to the attached letter, that he finds the working of the new Licensing Act has given great satisfaction in the country districts, and any complaints made by the public were against the police in what was considered the undue severity of enforcing its provisions. During the last twelvemonths three informations were laid against houses in the Bombala district in which convictions were not sustained.

Senior-Sergeant Byrne, while acting as Licensing Inspector for the Bombala and Eden districts, had no complaint to make against the removals, except to one house at Eden, for which the Bench granted a temporary license for three months, to allow the licensee to sell the business. There is now only four houses in Bombala and two at Delegate, which are well conducted. The said houses and premises can bear comparison with any out of Sydney.

The Licensing Bench have more than once expressed themselves to the effect that they would not support the police in harsh or severe measures against respectable publicans.

DANIEL BYRNE,
Senior-sergeant.

Sergeant Church to Inspector Meares.

Bega Police Station, 4 September, 1883.

Re administration of the Licensing Act Sergeant John Church respectfully begs to report for his officer's information that the police have (as far as in their power) enforced the Liquors Licensing Act in this district. There are, to a certain extent, evasions of the Act, but difficult of detection by local police, and convictions are hard to obtain, for licensed publicans (especially in country towns) can always obtain numbers of witnesses, to break down police evidence before Licensing Court.

JOHN CHURCH,
Sergeant, 1,455.

Senior-constable Woods to Inspector Meares

Eden Police Station, 6 September, 1883.

STEPHEN WOODS, Senior-constable, No. 1,351, reports in reference to appended copy of letter from Inspector-General of 22nd ultimo, the following prosecutions and convictions at Eden station since new Act came in force will prove that police endeavour to enforce the provisions of the Licensing Act of 1882:—10th July, 1882, James Power, "Pier Hotel," fined £1 and costs of Court for selling one bottle of gin after 11 p.m.; Andrew Love, labourer, on same date, fined £1 and costs of Court for being found leaving "Power's Hotel" with a bottle of gin after 11 p.m.; 23rd June, 1883, John Hopkins, "Commercial Hotel," fined £2 and costs of Court for supplying liquor to an intoxicated woman (Eliza Glover); 7th July, 1883, John Hopkins, fined 1s. and costs of Court for keeping licensed house open after 11 p.m. In addition to above convictions I have frequently cautioned above-named publicans for irregularities, &c., and on 3rd April, 1882, arrested Hopkins for drunkenness and disorderly conduct and abusive language in a public street; convicted on both charges.

From inquiries made from Panbula police, two convictions and one dismissal case recorded since new Act came in force at that station.

Senior-constable Woods begs to state having received in the month of August, of last year from Samuel T. Shipway, Secretary of a Temperance Lodge at Lochiel (in Panbula police portion of district, and 15 miles from this station), a letter conveying thanks, &c., of his lodge to the senior-constable for enforcing new Licensing Act here and suppressing drunkenness, &c. I regret at present being unable to find letter, but when found will forward a copy of it to Superintendent, which goes to prove that persons in another police district take particular notice of efforts of Eden police to enforce the new Act. The senior-constable would not mention about letter from Shipway, only it bears on the subject now under consideration and inquiry.

STEPHEN WOODS,
Senior-constable, 1,351.

Mr. R. King to The Inspector-General of Police.

Trinity Parsonage, 18 September, 1883.

Sir,

I observe that my remarks in reference to a public-house in Bathurst are referred to in your letter to the Minister for Justice, published in this morning's *Herald*, as a "recent" occurrence.

The circumstance occurred some years ago, and my intention in referring to it was to illustrate what had been said by a previous speaker on the subject of the adulteration of liquors.

I have, &c.
ROBERT KING

EASTERN DISTRICT.

Inspector Ryeland to The Inspector-General of Police.

Sir, Police Department, Eastern District, Inspector's Office, Sydney, 10 September, 1883.

I beg to report, with reference to circular 83-701, that the police have enforced the provisions of the Licensing Act of 1882 as far as practicable, and with discretion. Since in operation fifty-six persons have been summoned for breaches of same, and nearly all convicted. Many of the licensed houses are very well conducted, and the law carefully complied with, while some licensees, especially those away from direct police supervision, take all possible advantage. Every care has been taken to prevent unfit persons obtaining licenses. This will in time have a good effect.

An amendment is very necessary in the Act to render licensees liable for admitting persons to their premises (not being inmates or lodgers) without proof that it is not for the purpose of being supplied with liquor.

There can be no doubt that the Act has been most beneficial, drunkenness having considerably decreased, especially on Sundays.

I have, &c.,
JAS. RYELAND,
Inspector.

NORTH-WESTERN DISTRICT.

Mr. Superintendent Sanderson to The Inspector-General of Police.

Sir,

Superintendent's Office, Tamworth, 7 September, 1883.

In re Publicans' Act I have the honor to report for your information, in reference to the allegations made by the deputation which waited upon the Minister for Justice, that the police do not enforce the law in country districts, and that in fact the Act is a dead letter. I have no hesitation in saying that the allegations were not only not justified, but there is no truth in such an wholesale condemnation against the police, and I give the statement my unqualified denial. There are three "small" licensing districts in the North-west

North-west Police District, and during the period the Act has been in operation there has been eleven convictions—"three for Sunday selling." The number is small, I admit, but it is exceedingly difficult to detect those who infringe the law without resorting to extreme measures, which I will not allow. There is a marked difference in the manner public-houses are conducted since the Act came in force, especially on Sundays.

I have, &c.,

C. SANDERSON, Superintendent.

The Inspector-General of Police to Mr. Superintendent Zouch.

Police Department, Inspector-General's Office, Sydney, 27 July, 1883.

WILL Superintendent Zouch please inform me if the local option clauses of the Licensing Act or Amendment have been in operation in his district, and, if so, will he report how the principle has worked?

E.F.

Mr Superintendent Zouch to The Inspector-General of Police.

Police Department, Superintendent's Office, Southern District, 9 August, 1883.

Re option clauses Licensing Act, I forward reports from officers in charge of sub-districts where the clauses referred to are in operation. As far as I can learn, the principle of local option is approved, and has worked satisfactorily in the Southern district.

H.Z.

SOUTHERN DISTRICT.

Inspector Meares to Mr. Superintendent Zouch.

Sir,

Police Station, Cooma, 6 August, 1883.

Referring to attached memo., I have the honor to report that the local option clause of the Licensing Act, 45 Victoria, No. 24, has been in operation for some months in Cooma (the only incorporated town in this sub-district), and appears to work well, and to give general satisfaction.

I have, &c.,

JOHN D. MBARES,

Inspector of Police.

Inspector Brennan to Mr. Superintendent Zouch.

Sir,

Police Station, Yass, 1 August, 1883.

In reply to the Inspector-General's letter of the 27th ultimo, respecting the local option clause of the Licensing Act on amendment, &c., I do myself the honor to inform you that the local option clause of the Licensing Act on amendment has not been in operation in this sub-district.

I have, &c.,

P. BRENNAN,

Inspector of Police.

Senior Sergeant Fenton to Mr. Superintendent Zouch.

Police Station, Goulburn, 31 July, 1883.

Re Local Option clauses of the Licensing Acts of 1882 and 1883, Senior Sergeant Fenton reports that the local option vote was last year taken in each of the three Wards into which the Goulburn Municipality is sub-divided, in the Centre and South Wards of which the vote was in the affirmative, but in the North Ward it was negative.

There has been no vote taken here since the Amendment Act came into operation, but from what Fenton has himself observed, as well as from all he can learn from others, the principle of local option seems to have worked well, and to have given general satisfaction in this city.

R. FENTON,

Senior Sergeant.

Sub-Inspector Walker to Mr. Superintendent Zouch.

Police Station, Young, 2 August, 1883.

I beg to report, for the information of Captain Zouch, with reference to attached, that there are two Licensing Districts in my sub-district, viz., Young and Cootamundra; the local option clauses are not in operation in the Cootamundra district in consequence of there being no Municipality there, but they are in operation in the Young district since February last, and the principle works well and has given every satisfaction so far.

ALEX. B. WALKER,

Sub-Inspector.

NORTH-EASTERN DISTRICT.

Mr. Superintendent Morisset to The Inspector-General of Police.

Sir,

Police Department, Superintendent's Office,

North-Eastern District, West Maitland, 14 August, 1883.

I have the honor to forward herewith reports from Inspectors under the Licensing Act on the local option clauses of the Bill, by which it will be seen that out of 528 voters at East Maitland only 70 exercised their right to vote; of 1,311 at West Maitland, only 141; of 300 at Morpeth, only 144; of 2,605 at Newcastle, only 597; of 473 at Lambton, only 202; of 633 at Wallsend, only 178; of 620 at Hamilton, 109; of 451 at Plattsburg, 233; of 853 at Wickham, 269; of 700 at Waratah, 141; of 196 at Muswellbrook, only 104; of 357 at Singleton, only 141.

Although the ratepayers do not appear to take the interest in the matter that might reasonably be expected they would, I consider the clauses alluded to above are conducive of a considerable amount of good in preventing the licensing of a number of unnecessary houses.

I have, &c.,

E. V. MORISSET,

Superintendent.

[Enclosures.]

Mr. Superintendent Morisset to Sub-Inspector Harrison.

Police Department, Superintendent's Office,

North-Eastern District, Maitland, 6 August, 1883.

FORWARDED to Sub-Inspector Harrison, who will be good enough to furnish a report for the information of the Inspector-General of Police.

E. V. MORISSET,

Superintendent.

The local option clauses of Licensing Act have never been put in force in this sub-district.—CHAS. E. HARRISON, Sub-Inspector, Kempsey, 9/8/83. E. V. Morisset, Supt., N.E.D.

The

The Inspector-General of Police to Mr. Superintendent Morisset.

Police Department, Inspector-General's Office, Sydney, 27 July, 1883.
 WILL Superintendent Morisset please inform me if the local option clauses of the Licensing Act or Amend-
 ment have been in operation in his district; and, if so, will he report how the principle has worked.
 E.F., Inspector-General of Police.

Mr. Superintendent Morisset to The Inspector-General of Police.

Sir, Police Department, Superintendent's Office, N. E. District, Maitland, 6 August, 1883,
 I have the honor to report, with reference to your circular of the 27th ult., No. 83-373, that the local option
 clauses of the Licensing Act have been in operation in the Municipal districts of East and West Maitland and Morpeth, and
 when the ratepayers vote was taken it was understood that no new licenses would be granted for a period of three years,
 or, rather no increase of public-houses would be allowed, and, in consequence, none have been applied for, otherwise the
 ratepayers have not interfered.

I forward a report from Inspector Thorpe on the subject, and have called on Sub-Inspector Harrison to furnish me
 with information as to the working of the above clauses in his sub-district, which will be forwarded as soon as received.

I have, &c.,
 E. V. MORISSET,
 Superintendent.

I should wish to be supplied with a list of the Municipalities where the vote was taken; if possible a detail of the
 result (number of votes for and against, and total number of voters on the list), with general opinion as to working of the
 clauses.—E.F., 8/8/83. Supt. Morisset.

Senior-sergeant Webb to Mr. Superintendent Morisset.

Re local option clauses of Licensing Act of 1882.

Police Station, Singleton, 10 August, 1883.
 SENIOR-SERGEANT WEBB respectfully reports, the vote was taken for the Singleton Municipality with the following result:—
 49 for, 77 against, informal 15, total number of voters on the list, 357. No attempt has been made to interfere with the
 working of the clauses by fresh applications.

THOS. H. WEBB,
 Senior-Sergeant.

Mr. Superintendent Morisset to Senior-sergeant Webb.

Re local option clauses of Licensing Act of 1882.

Police Department, Superintendent's Office, North-Eastern District, West Maitland, 9 August, 1883.
 SENIOR-SERGEANT WEBB will be good enough to inform me whether the vote was taken for Singleton Municipality; if so, the
 number of votes for and against, total number of votes on the list, and any opinion as to the working of the clauses.

E. V. MORISSET,
 Superintendent.

Senior-sergeant Smith to Mr. Superintendent Morisset.

Re local option clauses of Licensing Act.—*Vide* attached memo.

Police Station, Muswellbrook, 11 August, 1883.
 SENIOR-SERGEANT SMITH reports that the local option vote was taken for the municipality of Muswellbrook on the 13th
 February, 1882, with the following result:—For, 43; against, 61. At the election every ratepayer who voted for the election
 of aldermen also voted under the local option clause; it is therefore evident that considerable interest was taken in
 the matter.

At the time of the election there were 196 names on the list, representing 302 municipal votes.

With regard to the working of the clauses the Senior-sergeant considers they are a safeguard against the increase of
 public-houses, although it is very improbable that any new licenses would have been applied for in Muswellbrook, as there
 are already more publicans than can make a legitimate living at the trade.

JAS. SMITH,
 Senior-Sergeant.

Mr. Superintendent Morisset to Senior-sergeant Smith.

Re local option clauses of Licensing Act of 1882.

Police Department, Superintendent's Office, North-eastern, District, West Maitland, 9 August 1883.
 SENIOR-SERGEANT SMITH will be good enough to inform me whether the vote was taken for Muswellbrook Municipality; if
 so, the number of votes for and against, total number of votes on the list, and any opinion as to the working of the
 clauses.

E. V. MORISSET,
 Superintendent.

Inspector Thorpe to Mr. Superintendent Morisset.

RETURN showing number of Electors registered in Municipal Rolls in Municipalities within the Newcastle
 Licensing District, with Local Option Voting.

Municipality or Ward.	No of Voters Registered.	Votes polled in Negative.	Votes polled in Affirmative.	Remarks.
Newcastle—				
City Ward	729	119	38	Considering that there are 6,335 Electors in City and Suburban Municipalities and only 1,729 votes recorded, aye or nay, <i>re</i> Publicans, I assume very little interest is taken in the matter.
Macquarie Ward	838	211	86	
Honeysuckle Ward	717	71	31	
Belmore Ward	321	34	7	
Lambton	473	119	83	
Wallsend	633	107	71	
Hamilton	620	87	22	
Plattsburg	451	113	120	
Wickham	853	179	90	
Waratah	700	85	56	
	6,335	1,125	604	

C. THORPE,
 Inspector.
 Mr.

Mr. Superintendent Morisset to Inspector Thorpe.

Police Department, Superintendent's Office, North-eastern District, West Maitland, 9 August, 1883.
To enable me to report for the information of the Inspector-General of Police on the working of the local option clauses of the Licensing Act of 1882, perhaps Mr. Thorpe will be good enough to forward me a detailed list of the municipalities where the vote was taken, the number of votes for and against, total number of votes on the list, and any opinion as to the working of the clauses.

E. V. MORISSET,
Superintendent.

Sub-Inspector Duffy to Mr. Superintendent Morisset.

Sir, Maitland, 12 August, 1883.
With reference to the appended, I beg to report that the local option vote was taken in the municipalities of East and West Maitland and Morpeth on the 10th day of February, 1882, with the following result:—

<i>East Maitland.</i>	
No. of voters on ratepayers' list	528
No. who voted against the granting of new licenses.....	64
No. who voted for an increase	6
Total No. of votes recorded	70
<i>West Maitland.</i>	
No. of voters on ratepayers' list	1,311
No. who voted against the granting of new licenses	117
No. who voted for an increase	24
Total No. of votes recorded	141
<i>Morpeth.</i>	
No. of voters on ratepayers' list	300
No. who voted against the increase of public-houses	127
No. who voted for an increase	17
Total No. of votes recorded	144

No new licenses were applied for in either of the above-mentioned Municipalities after the local option vote was taken, as it was understood that none would be granted for a period of three years therefrom. I have never heard any dissatisfaction expressed by the public against the local option clause of the Licensing Act, which in my opinion was most judicious, and has worked satisfactorily.

FRANCIS DUFFY,
Sub-Inspector.

Mr. Superintendent Morisset to Sub-Inspector Duffy.

Police Department, Superintendent's Office, North-eastern District, West Maitland, 9 August, 1883.
To enable me to report for the information of the Inspector-General of Police on the working of the local option clauses of the Licensing Act of 1882, perhaps Mr. Duffy will be good enough to furnish me with a detailed list of the Municipalities where the vote was taken, the number of votes for and against and total number of voters on the list, also any opinion as to the working of the clauses.

E. V. MORISSET,
Superintendent.

Inspector Thorpe to Superintendent Morisset.

Sir, Police Station, Newcastle, 3 August, 1883.
With reference to the Inspector-General's query, re local option clauses of the Licensing Act, I do myself the honor to report for your information that there are seven Municipalities in the Police District of Newcastle. At the last general election four of the municipalities were averse to the increase of public-houses, the other three were in favour, but no applications have been made, consequently I cannot offer any opinion as to how the principle has worked.

I have, &c.,
C. THORPE,
Inspector.

Mr. Superintendent Morisset to Sub-Inspector Harrison.

Police Department, Superintendent's Office, N.E. District, West Maitland, August 9, 1883.
To enable me to report, for the information of the Inspector-General of Police, on the working of the local option clauses of the Licensing Act of 1882, perhaps Mr. Harrison will be good enough to forward me a detailed list of the Municipalities (if any) in the Kempsey sub-district, where the vote was taken, the number of votes for and against, total number of voters on list, and any opinion as to the working of the clauses.

E. V. MORISSET,
Superintendent.

On the 9th instant I reported that no local option clauses had been put in force in this sub-district, there being no municipalities.—CHAS. E. HARRISON, Sub-Inspector, Kempsey, 13 Aug., 1883. E. V. Morisset, Supt., N.E.D.

Forwarded for the information of the Inspector-General of Police.—E. V. MORISSET, Superintendent, 20 Aug., 1883.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—"PRIDE OF ROLLAND'S PLAINS" LODGE, I.O.G.T.)

Received by the Legislative Assembly, 14 November, 1883.

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

The Petition of the undersigned Members of the "Pride of Rolland's Plains" Lodge of the Independent Order of Good Templars, situated in the District of Port Macquarie, in meeting assembled.

HUMBLY SHOWETH:—

That your Petitioners believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want, without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend to principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant such relief as the foregoing resolution will afford.

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

[*Here follow 2 signatures.*]

Similar Petitions were received:—

- On 14th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Hope of Orange" Lodge of the Independent Order of Good Templars, situated in the District of Orange, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Wilberforce" Lodge of the Independent Order of Good Templars, situated at Spring Grove, in the District of Orange, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Loyal Alfred" Lodge of the Independent Order of Good Templars, situated at Spring Hill, in the District of Orange, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Evening Star" Lodge of the Independent Order of Good Templars, situated in the District of Parramatta, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Mutual Help" Lodge of the Independent Order of Good Templars, situated in the District of Rylstone, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Happy Dawn" Lodge of the Independent Order of Good Templars, situated in the Town of Araluen, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Ark of Refuge" Lodge of the Independent Order of Good Templars, situated in the District of Cobar, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "We Hope to Prosper" Lodge of the Independent Order of Good Templars, situated in the District of Balmain, in Meeting assembled.
- " " from the Members of the "Crystal Fountain" Lodge of the Independent Order of Good Templars, situated in the District of Molong, in Meeting assembled; 15 signatures.

On

- On 14th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Star of the East" Lodge of the Independent Order of Good Templars, situated in the District of Field of Mars, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Home of Peace" Lodge of the Independent Order of Good Templars, situated in Granville, in the County of Cumberland, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Star of Prospect" Lodge of the Independent Order of Good Templars, situated in the District of Prospect, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Miner's Refuge" Lodge of the Independent Order of Good Templars, situated in the District of Inverell, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "John Wright" Lodge of the Independent Order of Good Templars, situated in the District of Inverell, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Snowdrop" Lodge of the Independent Order of Good Templars, situated in the District of East Maitland, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Midlothian" Lodge of the Independent Order of Good Templars, situated in the District of West Sydney, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Come and Welcome" Lodge (No. 204) of the Independent Order of Good Templars, situated in the District of Sydney, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Guiding Star" Lodge of the Independent Order of Good Templars, situated in the District of Carcoar, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Pride of Garra" Lodge of the Independent Order of Good Templars, situated in the District of Molong, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Hope of Goulburn" Lodge of the Independent Order of Good Templars, situated in the District of Goulburn, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Hope of Uralla" Lodge of the Independent Order of Good Templars, situated in the District of Uralla, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Hope of Tomakin" Lodge of the Independent Order of Good Templars, situated in the District of Broulee, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Star of Moruya" Lodge of the Independent Order of Good Templars, situated in the District of Broulee, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Never Despair" Lodge (No. 107) of the Independent Order of Good Templars, situated in the District of Brogo, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Australia's Hope" Lodge of the Independent Order of Good Templars, situated in the District of West Maitland, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Unity" Lodge of the Independent Order of Good Templars, situated in the District of Redfern, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Duke of Wellington" Lodge of the Independent Order of Good Templars, in the District of Redfern, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Hopeful" Lodge of the Independent Order of Good Templars, situated in the District of Condobolin, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "General Garfield" Lodge of the Independent Order of Good Templars, situated in the District of Parkes, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Life Boat" Lodge (No. 9) of the Independent Order of Good Templars, situated in the District of East Sydney, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Hearts of Oak" Lodge of the Independent Order of Good Templars, situated in the District of Waverley, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Victoria" Lodge of the Independent Order of Good Templars, situated in the District of Armidale, in Meeting assembled.
- On 15th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Stonehenge Reformer" Lodge of the Independent Order of Good Templars, situated in the District of Glen Innes, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Rose of the Lake" Lodge of the Independent Order of Good Templars, situated in the District of Wollombi, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Railway" Lodge No. 212 of the Independent Order of Good Templars, situated in the District of South Sydney, in Meeting assembled.

- On 15th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Star of the West" Lodge of the Independent Order of Good Templars, situated in the City of Sydney, in Meeting assembled.
- " " from the Members of the "Hope of Morpeth" Lodge of the Independent Order of Good Templars, situated in the District of Morpeth, in Meeting assembled; 12 signatures.
- " " from the Chairman and Secretary, on behalf of the Members of the "Alpha" Lodge No. 264 of the Independent Order of Good Templars, situated in the District of Campbelltown, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Dauntless" Lodge of the Independent Order of Good Templars, situated in the District of Queanbeyan, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Star of Hope" Lodge of the Independent Order of Good Templars, situated in the District of Broughton Creek, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Friendship" Lodge of the Independent Order of Good Templars, situated in the District of Ashfield, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Prince Albert Victor" Lodge of the Independent Order of Good Templars, situated in the District of Petersham, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Princess Beatrice" Lodge of the Independent Order of Good Templars, situated in the District of Newtown, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Day-break" Lodge of the Independent Order of Good Templars, situated in the District of Gerringong, in Meeting assembled.
- On 16th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Minihaha" Lodge of the Independent Order of Good Templars, situated in the District of Lismore, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Pride of the Richmond" Lodge of the Independent Order of Good Templars, situated in the District of Richmond River, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Extension" Lodge of the Independent Order of Good Templars, situated in the District of Alstonville, Richmond River, in Meeting assembled.
- " " from the Members of the "Hope of Freedom" Lodge of the Independent Order of Good Templars, situated in the District of Broadwater, in Meeting assembled; 23 signatures.
- " " from the Chairman and Secretary, on behalf of the Members of the "Nil Desperandum" Lodge of the Independent Order of Good Templars, situated in the District of Narrabri, in Meeting assembled.
- " " from the Chairman and Secretary, on behalf of the Members of the "Star of the South" Lodge of the Independent Order of Good Templars, situated in the District of Monaro, in Meeting assembled.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—ARK OF SPRINGSIDE LODGE, I.O.G.T.)

Received by the Legislative Assembly, 20 November, 1883.

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

The Petition of the undersigned, Members of the "Ark of Springside" Lodge of the Independent Order of Good Templars, situated in the district of Orange, in meeting assembled,—

HUMBLY SHOWETH :—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant such relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

Similar Petitions were received :—

- On 20th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Star of Peace" Lodge of the Independent Order of Good Templars, situated in the District of Orange, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Pride of the North" Lodge of the Independent Order of Good Templars, situated in the District of Scone, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Multum in Parvo" Lodge of the Independent Order of Good Templars, situated in the District of Hinton, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Hope of Darlington" Lodge of the Independent Order of Good Templars, situated in the District of Newtown, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Star of Oberon" Lodge of the Independent Order of Good Templars, situated in the District of Bathurst, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Albion" Lodge of the Independent Order of Good Templars, situated in the District of Sydney, in Meeting assembled.
- On 21st November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Hope of Seymour" Lodge of the Independent Order of Good Templars, situated in Adamina, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Morning Star" Lodge of the Independent Order of Good Templars, situated in the District of Molong, in Meeting assembled.

- On 21st November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Young Crystal" Lodge of the Independent Order of Good Templars, situated in the District of Molong, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Freedom" Lodge of the Independent Order of Good Templars, situated in the District of Illawarra, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Excelsior" Lodge of the Independent Order of Good Templars, situated in the District of Jamberoo, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Progress" Lodge of the Independent Order of Good Templars, situated in the District of St. Leonards, in Meeting assembled.
- On 23rd November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Beacon of Hope" Lodge of the Independent Order of Good Templars, situated in the District of Bathurst, in Meeting assembled.

[3d.]

 Sydney: Thomas Richards, Government Printer.—1883.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF--HAPPY THOUGHT LODGE, I.O.G.T., PARRAMATTA.)

Received by the Legislative Assembly, 27 November, 1883.

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

The Petition of the undersigned, Members of the "Happy Thought" Lodge of the Independent Order of Good Templars, situated in the Borough of Parramatta, in meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant such relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

Similar Petitions were received:—

- On 28th November, 1883, from the Inhabitants of Marsden Ward, Parramatta, and Meeham-street, Granville; 483 signatures.
- " " " from Members of the New South Wales Local Option League; 719 signatures.
- On 29th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Nil Desperandum" Lodge of the Independent Order of Good Templars, situated in the District of Deniliquin, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Bound to Succeed" Lodge of the Independent Order of Good Templars, situated in the District of Mulbring, in Meeting assembled.
- On 30th November, 1883, from the Chairman and Secretary, on behalf of the Members of the "Ark of Safety" Lodge of the Independent Order of Good Templars, situated in the District of Orange, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Water Lily" Lodge of the Independent Order of Good Templars, situated in the District of Bathurst, in Meeting assembled.
- " " " from the Officers, on behalf of the Members of the "Phoenix" Lodge, No. 110, of the Independent Order of Good Templars, in Meeting assembled; 10 signatures.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Flowers of the Forest" Lodge of the Independent Order of Good Templars, situated in the District of Monaro, in Meeting assembled.
- " " " from Members of the New South Wales Local Option League, and others, resident in Bathurst; 345 signatures.
- " " " from Members of the New South Wales Local Option League, and others, residents of the District of Ulladulla; 151 signatures.
- " " " from Members of the New South Wales Local Option League, and others, residents of East Maitland; 260 signatures.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION IN FAVOUR OF—N.S.W. LOCAL OPTION LEAGUE AND OTHERS.)

Received by the Legislative Assembly, 4 December, 1883.

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

The Petition of the undersigned Members of the New South Wales Local Option League and others,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, and that a legal power of restraining the issue or *renewal* of licenses should be placed in the hands of the persons most deeply interested and affected—namely, the inhabitants themselves (Parliamentary electors)—who are entitled to protection from the injurious consequences of the present system by some further efficient measure of local option, humbly pray for the passing of a law to give effect thereto.

And your Petitioners therefore humbly pray that your Honorable House will take the premises into favourable consideration, and grant such relief as may seem best to your Honorable House.

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

[*Here follow 12,198 signatures.*]

Sydney, 4th December, 1883.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES!

LOCAL OPTION.

(PETITION FOR EXTENSION OF—GOLDEN VALLEY LODGE, I.O.G.T.)

Received by the Legislative Assembly, 4 December, 1883.

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

The Petition of the undersigned Members of the Golden Valley Lodge of the Independent Order of Good Templars, situated in the District of Camden Haven, in Meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want, without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the same into favourable consideration, and grant such relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

Similar Petitions were received:—

- On 5th December, 1883, from the Chairman and Secretary, on behalf of the Members of the "Star of Hope" Lodge of the Independent Order of Good Templars, situated in the District of Monaro, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Rose of Leichhardt" Lodge of the Independent Order of Good Templars, situated in the District of Balmain, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Pride of the Mount" Lodge, No. 288, of the Independent Order of Good Templars, situated in Mount Macquarie, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Hope of Panbula" Lodge of the Independent Order of Good Templars, situated in the District of Eden, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Prince Edward of Wales" Lodge, No. 291, of the Independent Order of Good Templars, situated in the District of Sydney, in Meeting assembled.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—299 LODGE, I.O.G.T.)

Received by the Legislative Assembly, 11 December, 1883.

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

The Petition of the undersigned Members of the 299 Lodge of the Independent Order of Good Templars, situated in the District of Marrickville, in meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want, without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favourable consideration, and grant such relief as the foregoing resolution will afford.

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

[*Here follow 2 signatures.*]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—TRUST AND TRY LODGE, I.O.G.T., NORTHUMBERLAND.)

Received by the Legislative Assembly, 18 December, 1883.

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

The Petition of the undersigned, Members of the "Trust and Try" Lodge of the Independent Order of Good Templars, situated in the District of Northumberland, in meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant such relief as the foregoing resolution will afford.

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

[*Here follow 2 signatures.*]

Similar Petitions were received:—

On 20th December, 1883, from the Chairman and Secretary, on behalf of the Members of the "Ebenczer" Lodge of the Independent Order of Good Templars, situated in the District of Newcastle, in Meeting assembled.

" " " from the Chairman and Secretary, on behalf of the Members of the "Paragon" Lodge of the Independent Order of Good Templars, situated in the District of Newcastle, in Meeting assembled.

" " " from the Chairman and Secretary, on behalf of the Members of the "Good Samaritan" Lodge of the Independent Order of Good Templars, situated in the District of Wallsend, in Meeting assembled.

" " " from the Chairman and Secretary, on behalf of the Members of the "Excelsior" Lodge of the Independent Order of Good Templars, situated in the District of Tamworth, in Meeting assembled.

" " " from the Chairman and Secretary, on behalf of the Members of the "Trust and Try" Lodge of the Independent Order of Good Templars, situated in the Districts of Wallsend and Plattsburg, in Meeting assembled.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 18 January, 1884.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed houses at seaside and country resorts.

That your Petitioners respectfully submit they should enjoy on Sundays and week days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be extended to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 67 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—PRIDE OF FERNDALE LODGE, I.O.G.T., TIGHE'S HILL.)

Received by the Legislative Assembly, 22 January, 1884.

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

The Petition of the undersigned, Members of the "Pride of Ferndale" Lodge of the Independent Order of Good Templars, situated in the District of Tighe's Hill, county of Northumberland, in meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

Similar Petitions were received:—

- | | |
|------------------------|--|
| On 15th January, 1884, | from the Chairman, on behalf of the Members of the "Hearts of Oak" Division No. 127, Sons of Temperance, Sydney, in Meeting assembled. |
| " " " | from the Chairman, on behalf of the Members of the St. Silas Branch of the Church of England Temperance Society, in Meeting assembled. |
| " " " | from the Chairman and Secretary, on behalf of the Members of the "Franklin" Lodge of the Independent Order of Good Templars, situated in the District of Sydney, in Meeting assembled. |
| " " " | from the President, on behalf of the Members of the St. Philips' Branch, Church of England Temperance Society, in Meeting assembled. |
| " " " | from the Chairman, on behalf of the Members of the "Star of Hope" Division of the Sons of Temperance, Balmain, in Meeting assembled. |
| " " " | from the Chief Ruler, on behalf of the Members of the "Captain Cook Tent," No. 238 of the Independent order of Rechabites, in Meeting assembled. |
| On 16th " " | from the Chairman and Secretary, on behalf of the Members of the "Hand and Heart" Lodge of the Independent Order of Good Templars, situated in the District of Rookwood, in Meeting assembled. |
| " " " | from the Chairman and Secretary, on behalf of the Members of the "St. John" Lodge of the Independent Order of Good Templars, situated in the District of Sydney, in Meeting assembled. |
| " " " | from the Chairman and Secretary, on behalf of the Members of the "Bud of Hope" Lodge of the Independent Order of Good Templars, situated in the Township of New Lambton, in Meeting assembled. |
| " " " | from the Chief Templar and Secretary, on behalf of the Members of the "Father Matthew" Lodge of the Independent Order of Good Templars, situated in the District of the Bellinger River, in Meeting assembled. |
| " " " | from the Chairman, on behalf of the Members of the Ryde Band of Hope, in Meeting assembled. |
| On 17th " " | from the Chairman and Secretary, on behalf of the Members of the "Hope of Bundanoon" Lodge of the Independent Order of Good Templars, situated in the District of Bundanoon, in Meeting assembled. |

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.
(PETITION FOR EXTENSION OF—DAYSPRING LODGE, I.O.G.T.)

Received by the Legislative Assembly, 28 January, 1884.

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

The Petition of the undersigned Members of the Dayspring Lodge of the Independent Order of Good Templars, situated in the District of East Sydney, in Meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want, without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intended to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favourable consideration, and grant such relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—OLIVE BRANCH DIVISION, No. 83, S.O.T.)

Received by the Legislative Assembly, 22 January, 1884.

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

The Petition of the undersigned, on behalf of the Members of the "Olive Branch" Division, No. 83, Sons of Temperance, in meeting assembled,—

HUMBLY SHOWETH :—

That, believing that a legal power of restraining the issue or *renewal* of Publicans' licenses should be placed in the hands of the persons most deeply interested and affected—namely, the inhabitants themselves—who are entitled to protection from the injurious consequences of the present system, humbly prays for the passing of a law to extend the principles of local option to the renewal of the said licenses.

And your Petitioner therefore humbly prays that your Honorable House will take the premises into favourable consideration, and grant such relief as may seem best to your Honorable House.

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

JAMES MARTIN,
Chairman.

Dated at Sydney, this tenth day of January, 1884.

Similar Petitions received :—

- On 22nd January, 1884 from Chairman and Secretary, on behalf of Members of "Nil Desperandum" Tent of the Independent Order of Rechabites, in meeting assembled.
- On 23rd " " from Chief Ruler, on behalf of the "Crystal Spring" Tent, No. 247, Independent Order of Rechabites, in meeting assembled.
- On 24th " " from Chairman, on behalf of Members of the Church of England Temperance Society of Blayncy, in meeting assembled.
- " " " from Chairman, on behalf of the Members of the "Rising Star" Division, No. 12, Sons of Temperance (Raymond Terrace), in meeting assembled.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF PADDINGTON AND SYDNEY.)

Received by the Legislative Assembly, 22 January, 1884.

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

The humble Petition of the undersigned Residents of Paddington and Sydney,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit they should enjoy on Sundays and week days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether for business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 72 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—MORNING STAR, No. 8 LODGE, I.O.G.T., NEWTOWN.)

Received by the Legislative Assembly, 29 January, 1884.

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

The Petition of the undersigned, Members of the "Morning Star," No. 8 Lodge of the Independent Order of Good Templars, situated in the District of Newtown, in meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intending to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant such relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

Similar Petitions were received:—

- On 29th January, 1884, from the Chairman, on behalf of St. Paul's Branch of the Church of England Temperance Society.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Pride of the South" Lodge of the Independent Order of Good Templars, situated in the District of Kiama, in Meeting assembled.
- " " " from the Chairman, on behalf of the Members of the Sons of Temperance of "Allowrie" Division No. 85, Shellharbour, in Meeting assembled.
- " " " from the Chairman and Secretary, on behalf of the Members of the "Southern Coast Grand" No. 7 Division Sons of Temperance, in Meeting assembled.
- " " " from the Chairman, on behalf of the Members of the "Southern Cross" Division of the Sons of Temperance, in Meeting assembled.
- On 30th " " from the Chairman, on behalf of the Members of the Wesleyan Temperance Society, Mudgee, in Meeting assembled.
- " " " from the Chairman, on behalf of the "Murray Valley Tent," I.O.R., in Meeting assembled.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 29 January, 1884.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH :—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 77 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—PRINCE ALFRED DIVISION, No. 29, S.O.T.)

Received by the Legislative Assembly, 5 February, 1884.

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

The Petition of the undersigned, on behalf of the Members of the "Prince Alfred" Division, No. 29, Sons of Temperance, in meeting assembled,—

HUMBLY SHOWETH :—

That, believing that a legal power of restraining the issue or *renewal* of Publicans' licenses should be placed in the hands of the persons most deeply interested and affected—namely, the inhabitants themselves—who are entitled to protection from the injurious consequences of the present system, humbly prays for the passing of a law to extend the principles of local option to the renewal of the said licenses.

And your Petitioners therefore humbly pray that your Honorable House will take the premises into favourable consideration, and grant such relief as may seem best to your Honorable House.

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

C. T. REYNOLDS,
Chairman.

Similar Petitions received :—

- On 5th February, 1884, from Chairman, on behalf of Members of "Rose of Ashfield" Tent, No. 268, of the Independent Order of Rechabites, in meeting assembled.
- On 6th " " from Chairman and Secretary, on behalf of the "Armour Bearer" Lodge of Good Templars, situated in Pymont, in meeting assembled.
- On 7th " " from Chairman, on behalf of the Members of the No. 9 Grand Division Sons of Temperance, representing 17 Subordinate Divisions, numbering about 1,200 Members, in meeting assembled.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 5 February, 1884.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit they should enjoy on Sundays and week days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 117 signatures.]

Similar Petitions were received:—

- On 5th February, 1884, from Residents of Paddington; 75 signatures.
- On 6th February, 1884, from Residents of Sydney and Suburbs; 50 signatures.
- " " " from Residents of Kiama and Sydney; 62 signatures.
- On 7th February, 1884, from Residents of the Glebe and Sydney; 47 signatures.
- " " " from Residents of Arncliffe, Cook's River, Canterbury, and Sydney; 44 signatures.
- On 8th February, 1884, from Residents of Sydney and Suburbs; 47 signatures.
- " " " from Residents of Sydney and surrounding districts; 316 signatures.
- " " " from Residents of St. Leonards and Sydney; 68 signatures.
- " " " from Residents of St. Leonards and Sydney; 51 signatures.
- " " " from Residents of Sydney and Suburbs; 81 signatures.
- " " " from Residents of Sydney and Suburbs; 85 signatures.
- " " " from Residents of Albury and Sydney; 34 signatures.
- " " " from Residents of Paddington and Sydney; 36 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF PADDINGTON AND SYDNEY.)

Received by the Legislative Assembly, 12 February, 1884.

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

The humble Petition of the undersigned Residents of Paddington and Sydney,—

RESPECTFULLY SHOWETH :—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 43 signatures.]

Similar Petitions were received :—

On 12th February, 1884,	from Residents of Cooma and Sydney ;	21 signatures.
"	"	" St. Leonards and Sydney ; 28 signatures.
"	"	" Balmain and Sydney ; 41 signatures.
"	"	" Armidale and Sydney ; 43 signatures.
"	"	" Redfern and Sydney ; 43 signatures.
"	"	" Newtown and Sydney ; 39 signatures.
"	"	" Sydney and Suburbs ; 72 signatures.
"	"	" " " ; 45 signatures.
On 13th	"	" Canterbury and Sydney ; 45 signatures.
"	"	" Paddington and Sydney ; 54 signatures.
"	"	" Waverley and Paddington ; 56 signatures.
On 14th	"	" Sydney and Suburbs ; 40 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION FOR EXTENSION OF—HOPE OF LAMBTON LODGE, I.O.G.T., HUNTER RIVER.)

Received by the Legislative Assembly, 12 February, 1884.

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

The Petition of the undersigned, Members of the "Hope of Lambton" Lodge of the Independent Order of Good Templars, situated in the Hunter River District, in meeting assembled,—

HUMBLY SHOWETH:—

That your Petitioners, believing that the avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want without detriment to the public welfare, hail with satisfaction the introduction into your Honorable House of a resolution intending to extend the principles of local option to the renewal of licenses.

Your Petitioners therefore humbly pray that your Honorable House will take the premises into favorable consideration, and grant such relief as the foregoing resolution will afford.

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

[Here follow 2 signatures.]

Similar Petition was received:—

On 13th February, 1884, from Officers of the "Pride of the West," Lodge No. Independent Order of Good Templars, signed on behalf of the said Lodge: 10 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 26 February, 1884.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That the present law, closing licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, is exceedingly oppressive and needlessly restrictive of their liberty, depriving them and their families of any prospect of enjoyment on going into the country on Sundays.

That the sense of public decency is shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit they should enjoy on Sundays and week days at least the same privileges as Englishmen possess, and that travelling three miles on Sunday, in this climate, constitute a *bona fide* traveller.

That they further submit that Local Option be not applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 41 signatures.]

Similar Petitions were received:—

On 26th February, 1884,	from Residents of Paddington and Sydney ;	46 signatures.
	from Residents of Sydney and Suburbs ;	43 signatures.
On 27th February, 1884,	from Residents of Sydney and Suburbs ;	66 signatures.
" " "	from Residents of Cowra and Sydney ;	43 signatures.
" " "	from Residents of Camden and Sydney ;	43 signatures.
" " "	from Residents of Mudgee and Sydney ;	50 signatures.
" " "	from Residents of Newtown and Sydney ;	42 signatures.
On 28th February, 1884,	from Residents of Botany ;	48 signatures.
" " "	from Residents of Sydney ;	48 signatures.
" " "	from Residents of Penrith and Sydney ;	35 signatures.

1883-4.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

—
LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF TAMBAROORA AND SYDNEY.)

—
Received by the Legislative Assembly, 4 March, 1884.
 —

To the Honorable the Members of the Legislative Assembly of New South Wales,

The humble Petition of the undersigned Residents of Tambaroora and Sydney,—

RESPECTFULLY SHOWETH :—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 43 signatures.]

Similar Petitions were received :—

On 4th March, 1884,	from Residents of Sydney and Suburbs ;	47 signatures.
" "	" "	Sydney ; 45 signatures.
" "	" "	Paddington and Sydney ; 37 signatures.
On 5th	" "	Narrandera and Sydney ; 43 signatures.
On 6th	" "	Lake Macquarie and Sydney ; 42 signatures.
" "	" "	The Namoi and Sydney ; 50 signatures.
" "	" "	Sydney ; 45 signatures.

1883-4.

LEGISLATIVE ASSEMBLY,
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF PARRAMATTA AND SYDNEY.)

Received by the Legislative Assembly, 11 March, 1884.

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

The humble Petition of the undersigned Residents of Parramatta and Sydney,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of local option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 42 signatures.]

Similar Petitions were received:—

On 11th March, 1884,	from Residents of George's River ;	39 signatures.
"	"	" Sydney ; 59 signatures.
"	"	" St. Leonards and Sydney ; 39 signatures.
On 12th	"	" St. Leonards and Sydney ; 55 signatures.
"	"	" Redfern ; 75 signatures.
"	"	" The Glebe ; 28 signatures.
"	"	" Sydney ; 65 signatures.
"	"	" Sydney and Suburbs ; 64 signatures.
"	"	" Paddington and Sydney ; 48 signatures.
"	"	" Sydney ; 46 signatures.
"	"	" Bulli and Sydney ; 43 signatures.
On 13th	"	" The Glebe ; 64 signatures.
"	"	" East Sydney ; 58 signatures.
"	"	" Sydney ; 74 signatures.
"	"	" Sydney and Suburbs ; 86 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF--RESIDENTS OF THE GLEBE.)

Received by the Legislative Assembly, 18 March, 1884.

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

The humble Petition of the undersigned Residents of The Glebe,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sundays, whether on business or pleasure, constitute a bona fide traveller.

That they further submit that the principle of local option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 67 signatures.]

Similar Petitions were received:—

- On 18th March, 1884, from Residents of Manly and St. Leonards; 66 signatures.
- On 19th " " " Sydney and Suburbs; 46 signatures.
- " " " Sydney and Suburbs; 59 signatures.
- " " " Kogarah; 38 signatures.
- On 20th " " " Manly and St. Leonards; 56 signatures.
- " " " Sydney and Suburbs; 41 signatures.
- " " " Sydney and Suburbs; 49 signatures.
- " " " Parramatta and Sydney; 52 signatures.
- " " " Sydney; 63 signatures.
- " " " Sydney and Suburbs; 60 signatures.
- " " " Sydney and Suburbs; 53 signatures.
- On 21st " " " East Sydney and Suburbs; 194 signatures.
- " " " Sydney and Suburbs; 49 signatures.

1883-4.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

—
 LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF NEWTOWN, SYDNEY, AND SUBURBS.)

—
Received by the Legislative Assembly, 25 March, 1884.
 —

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

The humble Petition of the undersigned Residents of Newtown, Sydney, and Suburbs,—

RESPECTFULLY SHOWETH :—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of Local Option should not be applied to the yearly renewal of publicans' licenses.

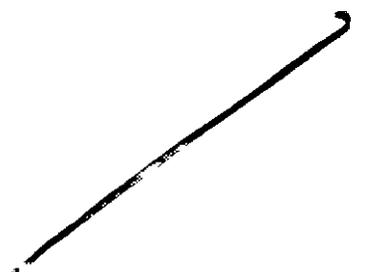
Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 29 signatures.]

Similar Petitions were received :—

On 25th March, 1884,	from Residents of Newcastle and Sydney ;	51 signatures.
On 26th	„ „ Pyrmont ;	94 signatures.
On 27th	„ „ Wagga Wagga and Sydney ;	42 signatures.
„	„ „ Sydney and Suburbs ;	69 signatures.



1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF YOUNG, TEMORA, AND SYDNEY.)

Received by the Legislative Assembly, 2 April, 1884.

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

The humble Petition of the undersigned Residents of Young, Temora, and Sydney,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit that the principle of local option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 62 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF SYDNEY AND SUBURBS.)

Received by the Legislative Assembly, 8 April, 1884.

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

The humble Petition of the undersigned Residents of Sydney and Suburbs,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit the principle of local option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 145 signatures.*]

Similar Petitions were received:—

On 8th April, 1884,	from Residents of	Coogee, Randwick, and Paddington—	220 signatures.
" "	" "	Redfern and Waterloo—	215 signatures.
On 9th	" "	Pymont—	200 signatures.
" "	" "	Waterloo and Redfern—	178 signatures.
" "	" "	Sydney and Suburbs—	147 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION IN FAVOUR OF—CHAIRMAN AND SECRETARY, ST. STEPHEN'S TEMPERANCE ASSOCIATION.)

Received by the Legislative Assembly, 25 April, 1884.

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

The Petition of the undersigned, on behalf of the Members of Committee of St. Stephen's Temperance Association, in meeting assembled,—

HUMBLY SHOWETH :—

That your Petitioners, believing that a legal power of restraining the issue or *renewal* of publicans' licenses should be placed in the hands of the persons most deeply interested and affected—namely, the inhabitants themselves—who are entitled to protection from the injurious consequences of the present system, humbly prays for the passing of a law to extend the principles of Local Option to the renewal of the said licenses.

And your Petitioners therefore humbly pray that your Honorable House will take the premises into favourable consideration, and grant such relief as may seem best to your Honorable House.

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

ROBERT STEEL, D.D.,
Chairman.

W. BEANE,
Secretary.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF SYDNEY.)

Received by the Legislative Assembly, 23 April, 1884.

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

The humble Petition of the undersigned Residents of Sydney,—

RESPECTFULLY SHOWETH :—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit the principle of local option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 253 signatures.*]

Similar Petition was received :—

On 24th April, 1884, from Residents of Kiama—216 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF PADDINGTON AND SYDNEY.)

Received by the Legislative Assembly, 6 May, 1884.

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

The humble Petition of the undersigned Residents of Paddington and Sydney,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sunday and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sundays, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit the principle of local option should not be applied to the yearly renewal of publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[*Here follow 46 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LOCAL OPTION.

(PETITION AGAINST EXTENSION OF—RESIDENTS OF PENRITH.)

Received by the Legislative Assembly, 14 May, 1884.

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

The humble Petition of the undersigned Residents of Penrith,—

RESPECTFULLY SHOWETH:—

That the present law, as regards the closing of licensed victuallers' houses on Sundays and week-days, is not in accordance with the wishes and wants of the people of this Colony, and is exceedingly oppressive and unnecessarily restrictive of their liberty, depriving them and their families of any prospect of enjoyment by going into the country on Sundays.

That the sense of public decency has been shocked by the deprivation of sanitary arrangements, through the closing on Sundays of licensed victuallers' houses at seaside and country resorts.

That your Petitioners respectfully submit that they should enjoy on Sundays and week-days the same privileges as Englishmen possess, and that travelling three miles on Sunday, whether on business or pleasure, constitute a *bona fide* traveller.

That they further submit the principle of local option should not be applied to the yearly renewal of Publicans' licenses.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to give effect to their wishes.

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

[Here follow 57 signatures.]

Similar Petitions were received:—

On 14th May, 1884,	from Residents of Sydney and Suburbs;	120 signatures.
”	”	” from Residents of Sydney and Suburbs; 150 signatures.
On 15th	”	” from Residents of East Sydney; 153 signatures.
”	”	” from Residents of Sydney and Suburbs; 110 signatures.
On 16th	”	” from Residents of Woollahra, Darling Point, and Paddington; 168 signatures.
”	”	” from Residents of Wagga Wagga; 93 signatures.
”	”	” from Residents of Sydney and Suburbs; 200 signatures.
”	”	” from Residents of Bondi and Waverley; 49 signatures.
”	”	” from Residents of Sydney and Suburbs; 102 signatures.
”	”	” from Residents of Paddington and Woollahra; 157 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SALE OF COLONIAL WINES.

(PETITION OF WINE-GROWERS OF MUDGEE.)

Received by the Legislative Assembly, 24 June, 1884.

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

The Petition of the undersigned Wine-growers of the District of Mudgee,—

RESPECTFULLY SHOWETH:—

1. That the portions of the present Licensing Act (1882) referring to the sale of colonial wines materially prevent the development of that industry.

2. That clauses 22 and 26 (Part 2) are too stringent in regard to growers of these wines.

3. That therefore an alteration in these clauses, so as to enable *bona fide* wine-producers to obtain a license to sell their wines wholesale and retail, would confer a great boon on those engaged in this important industry.

4. That the restrictions under clause 27 be so altered or modified as to allow a wine-grower to dispose of his wines without regard to the situation of his premises.

5. That it is the opinion of your Petitioners that one pound sterling per annum ought to be sufficient to pay for the privilege of selling these wines—the produce of their land.

6. That your Petitioners respectfully point out that a large amount of capital has and is still being spent in the planting and cultivation of the vine, thereby causing barren land (for any other crops) to become fruitful, consequently materially increasing the prosperity of the Colony.

7. That having these clauses in the Licensing Act rectified, as we have feebly endeavoured to point out, would encourage the grower to make this colonial industry a much more important one than it is at the present time.

Your Petitioners therefore pray that, having taken the premises into consideration, you will be pleased to grant our humble request.

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

[Here follow 43 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SALE OF COLONIAL WINES.

(PETITION OF WINE-GROWERS OF GRAFTON AND CLARENCE RIVER.)

Received by the Legislative Assembly, 1 July, 1884.

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

The Petition of the undersigned wine-growers of the Grafton and Clarence River District,—

RESPECTFULLY SHOWETH:—

1. That the portion of the Licensing Act of 1882 referring to the sale of Colonial wines materially retards the development of that industry.

2. That clauses 22 and 26, Part 2, are too stringent in regard to the growers of these wines, and that an alteration in these clauses is desirable so as to enable *bona fide* wine-producers to obtain a license to sell their wines wholesale and retail, thus conferring a great boon on those engaged in this important industry.

3. That the restrictions under clauses 26 and 27 be so altered or modified as to allow a wine-grower to dispose of his wines without regard to the natural strength of the wine or to the situation of his premises.

4. That it is the opinion of your Petitioners that a licensing fee of one pound sterling per annum ought to be sufficient to pay for the privilege of selling these wines, the produce of their own land.

5. That your Petitioners respectfully point out that a large amount of capital has and is still being expended in the planting and cultivation of the vine, thereby causing land otherwise barren and useless for any other crops, to become fruitful and consequently materially increasing the prosperity of the Colony and that having these clauses in the Licensing Act rectified would encourage the grower to make this Colonial industry a much more important one than it is at the present time.

Your Petitioners therefore pray that having taken the premises into consideration you will be pleased to grant our humble request.

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

[Here follow 43 signatures.]

Similar Petitions were received:—

On 2nd July, 1884, from vigneronns of the District of Port Macquarie; 11 signatures.

” ” from wine-growers of the District of Wagga Wagga; 9 signatures.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SALE OF COLONIAL WINES.

(PETITION OF WINE-GROWERS OF HUNTER RIVER DISTRICT.)

Received by the Legislative Assembly, 17 July, 1884.

To the Honorable Members of the Legislative Assembly of New South Wales, in Parliament assembled.
The Petition of the wine-growers and others of the districts in the Hunter,—

RESPECTFULLY SHOWETH:—

1. That the portion of the present Licensing Act of 1882 referring to the sale of Colonial wines is opposed to the development of that industry.

2. That the restrictions under clause 27 be so altered or modified as to allow a wine-grower to dispose of his wines without regard to the situation of his premises.

3. That it is the opinion of your Petitioners that £1 sterling per annum is sufficient to pay for the privilege of selling these wines, the produce of their land.

4. That your Petitioners view with consternation the recently enforced clause of the Licensing Act prohibiting the sale of Colonial wine in Sydney in wholesale quantities by others than growers without obtaining a license at a cost of £30. They humbly submit that such prohibition is absolutely fatal to small growers who cannot afford to keep cellars in Sydney, and that even could they do so it would be detrimental to their interests and to the best interest of the consumers to so combine two trades or callings.

That having the clauses mentioned rectified, as we have feebly endeavoured to point out, would encourage the power to make this Colonial industry a much more important one than it is at the present time.

Your Petitioners therefore pray that you will take the premises into your consideration, and will be pleased to grant their humble request.

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

[Here follow 610 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SALE OF COLONIAL WINES.
(PETITION OF RESIDENTS OF THE MANNING RIVER AND VICINITY.)

Received by the Legislative Assembly, 6 August, 1884.

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

The Petition of the undersigned Residents of the Manning River and vicinity,—

HUMBLY SHOWETH:—

1. That portion of the Licensing Act of 1882, referring to the sale of colonial wines materially militates against the development of that industry.

2. That clauses 12 and 26 (Part 2) are too stringent in regard to growers of wine.

3. That an alteration should be made in these clauses to enable *bona fide* wine-growers to obtain licenses to sell their wines wholesale and retail, which would confer a great boon on those who are engaged in the industry.

4. That the restrictions under clause 27 be altered or modified so as to allow wine-growers to dispose of wines without regard to the situation of their premises.

5. That the sum of one pound sterling per annum should be deemed sufficient to pay for the privilege of selling wines—the produce of their own land.

6. That a large amount of capital is and has been expended in the planting and cultivation of the vine, thereby causing the land which is barren (for other crops) to become fruitful, and consequently materially assisting to increase the prosperity of the Colony.

7. That having these clauses in the Licensing Act rectified, would encourage the grower and make this colonial industry a much more important one than it is at the present time.

Your Petitioners therefore humbly pray your Honorable House would take these matters into favourable consideration and act as you may deem meet in the premises.

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

[Here follow 129 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

HARBOURS AND RIVERS.

(RETURN OF EXPENDITURE)

Ordered by the Legislative Assembly to be printed, 9 October, 1883.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 12th April, 1883, That there be laid upon the Table of this House,—

“ A Return showing the amount of money that has been expended on our Harbours and Rivers up to the present period, specifying the nature of the work, the amount expended in each case, and the name of the place.”

(*Dr. Ross.*)

HARBOURS AND RIVERS.

RETURN showing the amount of money that has been expended on our Harbours and Rivers up to the 30th June, 1883, specifying the nature of the work, the amount expended in each case, and the name of the place:—

		<i>Snagging.</i>						<i>£ s. d.</i>		
		<i>£</i>	<i>s.</i>	<i>d.</i>				<i>£</i>	<i>s.</i>	<i>d.</i>
Murray River	...	36,741	18	9	Nambuccra River	...	...	1,039	19	10
Darling River	...	64,059	3	1	Shoalhaven River	...	...	430	0	0
Murrumbidgee River	...	69,122	17	1	Myall River	...	...	783	3	0
Edwards River	...	4,902	13	1	Crookhaven River	...	...	800	0	0
Richmond River	...	6,876	0	0						
<i>Beacons.</i>										
Port Macquarie	...	60	15	0	Newcastle and Hunter River	...	...	1,407	18	1
Clarence River Heads	...	180	0	0	Sydney Harbour (leading marks)	...	...	2,415	18	6
<i>Breakwaters, &c.</i>										
Newcastle—					Harbour Works, Lake Macquarie	...	...	40,013	9	0
North	...	10,165	9	3	Ulladulla Pier	...	...	5,582	7	1
South	...	81,121	7	0	Shoalhaven River Dyke	...	...	999	19	11
Clarence River—					Blasting rock, Newcastle Harbour	...	...	1,219	10	10
North	...	64,634	17	9	" Circular Quay, Sydney	...	...	1,981	9	7
South	...	53,050	7	10	Light-house at Ulladulla	...	...	4,475	19	4
Moruya River	...	37,834	0	9	" Wollongong	...	...	5,364	15	1
Shellharbour	...	5,003	8	8	Kiama Basin	...	...	82,911	16	11
Wollongong Breakwater and Basin	...	49,509	7	4						

Cost of construction of Dredges, Tugs, and Punts.

<i>Dredges.</i>										
"Newcastle"	...	27,925	14	2	"Fitzroy"*	...	...	11,250	0	0
"Hunter"	...	15,230	0	0	"Pluto"	...	...	7,034	0	0
"Vulcan"	...	14,279	8	10	"Ulysses"	...	...	9,446	8	1
"Samson"	...	12,851	5	4	"Minos"	...	...	9,232	1	3
"Hercules"	...	6,000	0	0	"Titan"	...	...	2,862	0	0
"Charon"	...	5,793	14	9	Grab dredge "Alpha"	...	...	2,488	11	6
"Archimedes"	...	5,735	3	10	" " Beta"	...	...	2,610	1	9
"Clarence"	...	12,906	9	0						
<i>Tugs.</i>										
"Thetis"	...	7,809	0	0	"Achilles"	...	...	3,666	7	5
"Ajax"	...	9,866	5	0	"Pearl"	...	...	2,632	13	0
"Cyclops"	...	4,725	0	0	"Hector"	...	...	3,850	5	5
"Dione"	...	4,771	2	8	"Charybdis"	...	...	4,329	1	11
"Little Nell"	...	4,725	0	0	"Scylla"	...	...	982	9	3
"Ceres"	...	7,070	7	8	"Athena"	...	...	1,769	1	7
<i>Punts.</i>										
3 iron punts attached to dredge "Newcastle"	...	15,786	19	0	1 iron punt† attached to dredge "Fitzroy"	...	...	.....
3 iron punts attached to dredge "Samson"	...	12,474	17	10	1 iron punt attached to dredge "Archimedes"	...	...	1,867	15	2
2 iron punts attached to dredge "Vulcan"	...	7,420	8	5	1 wooden punt attached to dredge "Archimedes"	...	...	800	0	0
1 wooden punt attached to dredge "Vulcan"	...	400	0	0	2 iron punts attached to dredge "Charon"	...	...	6,751	18	6
5 wooden punts attached to dredge "Hunter"	...	5,395	5	0	2 iron punts attached to dredge "Ulysses"	...	...	3,744	3	11
1 iron punt attached to dredge "Hunter"	...	2,750	0	0	2 iron punts attached to dredge "Minos"	...	...	3,627	11	6
3 iron punts attached to dredge "Hercules"	...	8,216	4	0	3 wooden punts attached to dredge "Titan"	...	...	1,350	0	0
2 iron punts attached to dredge "Clarence"	...	6,309	12	0	1 wooden punt attached to grab dredge "Alpha"	...	...	825	0	0
2 iron punts attached to dredge "Pluto"	...	2,600	0	0	1 wooden punt attached to grab dredge "Beta"	...	...	800	0	0
1 iron punt attached to dredge "Fitzroy"	...	1,867	15	2	1 iron punt† attached to grab dredge "Beta"	...	...	.....

* Purchased from the Queensland Government at £11,250, lump sum, including dredge and two punts.

† Included in cost of dredge "Fitzroy."

Steam

Steam Hopper Barges.

"Neptune"—				"Juno"—			
	£	s.	d.		£	s.	d.
Contract	10,237	10	0	Contract	10,237	10	0
Outfit, anchors, chains, &c.	619	17	5				

Expenses incurred on account of Dredging at the undermentioned places, including Wages, Stores, Repairs, &c.

Dredge "Newcastle," dredging at Newcastle, 1874 to 30th June, 1883	88,425	1	1	Dredge "Ulysses," dredging at Manning River, 1881 to 30th June, 1883	5,822	5	3
Dredge "Vulcan," dredging at Hunter River and Newcastle, 1864 to 30th June, 1883	88,187	0	0	Dredge "Fitzroy," dredging at Clarence River, one year	3,240	14	8
Dredge "Hunter," dredging at Hunter River, 1859 to 30th June, 1883	113,681	18	3	Dredge "Fitzroy," dredging at Macleay River, twelve years six months, to 30th June, 1883	40,509	3	3
Dredge "Samson," dredging at Sydney, 1867 to 30th June, 1883	105,639	1	4	Dredge "Minos," dredging at Moruya, twelve months	3,880	0	10
Dredge "Hercules," dredging at Wollongong, one year nine months	6,087	17	8	Dredge "Minos," dredging at Sydney, six months, to 30th June, 1883	1,940	0	4
Dredge "Hercules," dredging at Sydney, twenty-two years nine months, to 30th June, 1883	79,142	10	9	Dredge "Titan," dredging at Sydney, two years nine months	8,702	7	2
Dredge "Charon," dredging at Sydney, 1880 to 30th June, 1883	9,451	9	0	Dredge "Titan," dredging at Brisbane Water, one year four months	4,219	6	6
Dredge "Pluto," dredging at Shoalhaven, 1862 to 30th June, 1883	58,734	19	9	Dredge "Titan," dredging at Lake Macquarie, three years ten months	12,130	11	0
Dredge "Clarence," dredging at Clarence River, 1876 to 30th June, 1883	40,275	14	0	Dredge "Titan," dredging at Myall River, two years ten months, to 30th June, 1883	8,966	1	6
Dredge "Archimedes," dredging at Hawkesbury River, ten months	2,790	17	6	Grab dredge "Alpha," dredging at Upper Clarence River, 1880 to 30th June, 1883	2,623	5	5
Dredge "Archimedes," dredging at Sydney, five years eight months, to 30th June, 1883	18,977	19	6	Grab dredge "Beta," dredging at Bellinger River, 1881 to 30th June, 1883	1,161	16	5

Summary of Cost of Dredging.

	£	s.	d.
Total cost of dredging at Sydney	223,853	8	1
" " " Newcastle and Hunter River	290,294	7	4
" " " Wollongong	6,087	17	8
" " " Shoalhaven	58,734	19	9
" " " Clarence River	43,516	8	8
" " " Hawkesbury River	2,790	17	6
" " " Manning River	5,822	5	3
" " " Macleay River	40,509	3	3
" " " Moruya River	3,880	0	10
" " " Brisbane Water	4,219	6	6
" " " Lake Macquarie	12,130	11	0
" " " Myall River	8,966	1	6
" " " Upper Clarence River	2,623	5	5
" " " Bellinger River	1,161	16	5

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WOLLONGONG AND KIAMA HARBOUR WORKS.
(COST OF CONSTRUCTION, REVENUE, VESSELS TRADING TO, &c.)

Ordered by the Legislative Assembly to be printed, 5 March, 1884.

RETURN to an *Order* of the Legislative Assembly of New South Wales, dated 23 October, 1883, That there be laid upon the Table of this House a Return showing,—

- “(1.) The amount expended in constructing and maintaining Wollongong Harbour and Wharfs to 30th September, 1883.
- “(2.) The number of vessels trading there from 1st January to 30th September, 1883.
- “(3.) The amount collected for harbour and wharf dues for same period.
- “(4.) The amount expended in constructing and maintaining Kiama Harbour and Wharfs to 30th September, 1883.
- “(5.) The number of vessels trading there from 1st January to 30th September, 1883.
- “(6.) The amount collected for harbour and wharf dues for twelve months ending 30th September.

(Mr. T. R. Smith.)

RETURN showing the amount expended in constructing and maintaining Wollongong and Kiama Harbours and Wharfs to 30th September, 1883.

Wollongong Harbour Works...	...	...	...	...	£100,188	7	7
Kiama Harbour Works	...	...	...	...	85,588	9	5

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WOLLONGONG AND KIAMA HARBOUR WORKS.

(COST OF CONSTRUCTION, REVENUE, VESSELS TRADING TO, &c., &c.)

Ordered by the Legislative Assembly to be printed, 9 April, 1884.

FURTHER RETURN to an *Order* of the Legislative Assembly of New South Wales, dated 23 October, 1883, That there be laid upon the Table of this House a Return showing,—

- “ (1.) The amount expended in constructing and maintaining Wollongong Harbour and Wharfs, to 30th September, 1883.
- “ (2.) The number of vessels trading there, from 1st January to 30th September, 1883.
- “ (3.) The amount collected for Harbour and Wharf dues, for same period.
- “ (4.) The amount expended in constructing and maintaining Kiama Harbour and Wharfs, to 30th September, 1883.
- “ (5.) The number of vessels trading there, from 1st January to 30th September, 1883.
- “ (6.) The amount collected for Harbour and Wharf dues, for twelve months ending 30th September.”

(Mr. T. B. Smith.)

1. This was answered by a Return laid upon the Table of the House by the Minister for Public Works, and ordered by the Legislative Assembly to be printed on 5th March, 1884.

2. 983 vessels.

3. £24 1s. 4d.

4. This was answered by a Return laid upon the Table of the House by the Minister for Public Works, and ordered by the Legislative Assembly to be printed on 5th March, 1884.

5. 26 vessels.

6. £0 18s. 0d.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAKE MACQUARIE.

(AMOUNT EXPENDED ON ENTRANCE, FROM SEPTEMBER, 1878, TO OCTOBER, 1883.)

Ordered by the Legislative Assembly to be printed, 24 October, 1883.

STATEMENT showing the amount of money expended annually upon the opening of Lake Macquarie, from September, 1878, to October, 1883—five years.

				£	s.	d.	£	s.	d.
1878—Harbour work	...	...	...	754	6	5			
Dredging	...	...	...	1,855	19	0			
				<hr/>			2,610	5	5
1879—Harbour work	...	...	...	3,089	16	8			
Dredging	...	...	...	1,371	8	1			
				<hr/>			4,461	4	9
1880—Harbour work	...	...	...	6,722	15	3			
Dredging	...	...	...	100	11	9			
				<hr/>			6,823	7	0
1881—Harbour work	...	...	...	7,352	0	10			
Dredging	...	...	...	.....	
				<hr/>			7,352	0	10
1882—Harbour work	...	...	...	16,889	8	2			
Dredging	...	...	...	.....	
				<hr/>			16,889	8	2
1883—Harbour work	...	...	...	7,804	7	9			
Dredging	...	...	...	.....	
				<hr/>			7,804	7	9
				<hr/>			£45,940	13	11
				<hr/>					

1883-4.

NEW SOUTH WALES.

LANDS FOR PUBLIC PURPOSES ACQUISITION ACT.

(RESUMPTION FOR IMPROVEMENTS, LAKE MACQUARIE HARBOUR.)

Presented to Parliament, pursuant to Act 44 Vic. No. 16, sec. 6.

NOTIFICATION OF RESUMPTION OF LAND UNDER
44 VICTORIA, No. 16.

NEW SOUTH WALES, } By His Excellency The Right Honor-
to wit. } able Sir AUGUSTUS WILLIAM FREDERICK
SPENCER LOFTUS (commonly called Lord
AUGUSTUS LOFTUS), Knight Grand
Cross of the Most Honorable Order
(L.S.) of the Bath, a Member of Her Majesty's
AUGUSTUS LOFTUS, Most Honorable Privy Council, Govern-
or and Commander-in-Chief of the
Colony of New South Wales and its
Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony, have duly sanctioned the carrying out of certain works for and in connection with improvements to the harbour of Lake Macquarie, in the said Colony, for and towards the completion of which said works public funds are available under the provisions of the "Public Works Loan Act of 1881," and whereas the lands hereinafter described are required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do, by this notification published in the Gazette and in a newspaper, that is to say, in the "Newcastle Morning Herald and Miners' Advocate," circulated in the Police District wherein the said lands are situated, declare that the lands hereinafter described have been resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the improvements to the said harbour of Lake Macquarie, to the intent that, upon the publication of this notification in the Gazette, the legal estate in the said lands shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty, for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interests, contracts, charges, rates, rights-of-way, or other easements whatsoever; and to the intent further that the legal estate therein, together with all powers incident thereto or conferred by the said Act, shall be vested in the said Minister as a trustee with the powers stated in the said last-mentioned Act: And I declare that the following are the descriptions of the lands hereinbefore referred to, that is to say:—

1st. All that allotment or parcel of land containing 2 roods 16 perches or thereabout, situated in the county of Northumberland, parish of Kahiba, and village of Kahiba, being allotment 2 of section 1: Commencing on the south-eastern side of Victoria-street at the northern corner of allotment 1; and

bounded thence on the north-west by that street north-easterly 1 chain 6 links; on the north-east by the south-western boundary line of allotment 3, south-easterly at right angles to Victoria-street 5 chains 60 links to the inlet to Lake Macquarie; on the south-east by that inlet south-westerly to the eastern corner of allotment 1 aforesaid; and on the south-west by the north-eastern boundary line of that allotment north-westerly at right angles to Victoria-street 5 chains 85 links, to the point of commencement, being the land comprised in certificate of title dated 3rd April, 1865, vol. 16, folio 138,—and said to be in the possession and occupation of Mrs. Sarah Elizabeth Slater.

2nd. All that allotment or parcel of land containing 1 rood 38 perches or thereabout, situated in the county of Northumberland, parish of Kahiba, and village of Kahiba, being allotment 5, section 1: Commencing at the northern corner of the section; and bounded thence on the north-west by Victoria-street south-westerly 1 chain 6 links; on the south-west by the north-eastern boundary line of allotment 4 south-easterly at right angles to Victoria-street 4 chains 80 links to the inlet to Lake Macquarie; on the south-east by that inlet north-easterly to Lochinvar-street; and on the north-east by that street north-westerly 4 chains 45 links, to the point of commencement, being the land comprised in certificate of title, dated 15th September, 1864, vol. x., folio 129,—and said to be in the possession and occupation of Michael Fenwick.

3rd. All that allotment or parcel of land, containing 1 rood 14 perches or thereabout, situated in the county of Northumberland, parish of Kahiba, and village of Kahiba, being lot 3 of section 2: Commencing on the south-eastern side of Victoria-street, at the northern corner of allotment 2; and bounded thence on the north-west by that street north-easterly 1 chain 6 links; on the north-east by the south-western boundary-line of allotment 4 south-easterly, at right angles to Victoria-street 2 chains 90 links to the inlet to Lake Macquarie; on the south-east by that inlet south-westerly to the eastern corner of allotment 2 aforesaid; and on the south-west by the north-eastern boundary-line of that allotment north-westerly, at right angles to Victoria-street 3 chains 50 links, to the point of commencement,—being the land comprised in certificate of title, dated 15th September, 1864, vol. x folio 126, and said to be in the possession and occupation of David Adamson.

4th. All that allotment or parcel of land, containing 1 rood 4 perches or thereabout, situated in the county of Northumberland, parish of Kahiba, and village of Kahiba, being allotment 4 of section 2. Commencing on the south-eastern side of Victoria-street, at the northern corner of allotment 3; and bounded thence on the north-west by that street north-easterly 1 chain 6 links; on the north-east by the south-western boundary line of allotment 5 south-easterly at right angles to Victoria-street, 2 chains 30 links to the inlet to Lake Macquarie; on the south-east by that inlet south-westerly to the eastern corner of allotment 3 aforesaid; and on the south-west by the north-eastern boundary line of that allotment north-

westerly at right angles to Victoria-street, 2 chains 90 links, to the point of commencement,—being the land comprised in certificate of title, dated 15th September, 1864, vol. x, folio 162, and said to be in the possession and occupation of John Thorn.

5th. All that allotment or parcel of land containing 35 perches or thereabout, situated in the county of Northumberland, parish of Kahiba, and village of Kahiba, being allotment 5, section 2. Commencing at the northern corner of the section; and bounded thence on the north-west by Victoria-street south-westerly 1 chain 6 links; on the south-west by the north-eastern boundary line of allotment 4 south-easterly at right angles to Victoria-street, 2 chains 30 links to the inlet to Lake Macquarie; on the south-east by that inlet north-easterly to Stockton-street; on the north-east by that street north-

westerly 1 chain 90 links, to the point of commencement,—being the land comprised in certificate of title, dated 15th September, 1864, vol. x, folio 125, and said to be in the possession and occupation of William Adamson.

In witness whereof I have hereunto set my Hand, and caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this seventh day of October, in the year of our Lord one thousand eight hundred and eighty-four, and in the forty-seventh year of Her Majesty's Reign.

By His Excellency's Command,

F. A. WRIGHT.

GOD SAVE THE QUEEN!

[8d.]

Sydney : Thomas Richards, Government Printer.—1884.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

ADDITIONAL WHARF REGULATIONS.

(LANDING STAGE, CIRCULAR QUAY.)

Presented to Parliament, pursuant to Act 44 Vic. No. 8, sec. 14.

REGULATIONS FOR THE USE OF THE LANDING STAGE ON THE SOUTH-EAST CORNER OF THE CIRCULAR QUAY.

1. The stage to be used only for the purpose of embarking or landing passengers and their personal luggage, but no luggage is to be left upon the stage.
2. Steam launches or other vessels shall only be permitted to lie alongside when taking in or discharging passengers, and the stage shall not be used as a mooring place.
3. No vessel whose register tonnage exceeds 100 tons shall be allowed the use of the landing stage.
4. Exclusive of Sundays, and holidays set apart for regattas, boat-races, and other public festivities, the charge for the use of the stage shall be 10s., which amount shall cover any further use the same vessel may make of it on that day. In the other cases mentioned the charge to any vessel using the stage shall be 15s. for the day.
5. No vessel shall be permitted to lie alongside for more than twenty minutes at any one time.
6. No cart or vehicle is to be permitted to come upon the stage.
7. For the contravention or infraction of any of the above regulations the master or owner of any vessel so offending shall be subject to a fine not exceeding five pounds nor less than two pounds.
8. The 1st, 4th, 6th, 8th, 13th, and 14th clauses of the Regulations of 24th August, 1880, shall be applicable to this landing stage.

1883-4.

NEW SOUTH WALES.

LANDS FOR PUBLIC PURPOSES ACQUISITION ACT.
(RESUMPTION AT COOPERNOOK CREEK AND LANSDOWNE RIVER FOR WHARFAGE PURPOSES.)

Presented to Parliament, pursuant to Act 44 Vic. No. 16, sec. 6.

NOTIFICATION OF RESUMPTION OF LAND UNDER
44 VICTORIA, No. 16.

NEW SOUTH WALES, } By His Excellency The Right Honorable
to wit. } Sir AUGUSTUS WILLIAM FREDERICK
SPENCER LOFTUS (commonly called Lord
AUGUSTUS LOFTUS), Knight Grand Cross
of the Most Honorable Order of the
(L.S.) Bath, a Member of Her Majesty's Most
AUGUSTUS LOFTUS, Honorable Privy Council, Governor and
Governor. Commander-in-Chief of the Colony of
New South Wales and its Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony, have duly sanctioned the carrying out of certain works for and in connection with wharf accommodation and approaches thereto, at the Lansdowne River, near Cooperbrook, for and towards the completion of which said works public funds are available under the provisions of the "Appropriation Act of 1883"; and whereas the land hereinafter described is required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do by this notification published in the Gazette, and in a newspaper, that is to say in the "Manning and Hastings Advocate," circulated in the police district wherein the said land is situated, declare that the land hereinafter described has been resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the loading and discharging of vessels, to the intent that upon the publication of this notification in the Gazette the legal estate in the said land shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty, for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interest, contracts, charges, rates, rights-of-way,

or other easements whatsoever; and to the intent, further, that the legal estate therein, together with all powers incident thereto or conferred by the said Act, shall be vested in the said Minister as a trustee with the powers stated in the said last-mentioned Act: And I declare that the following is the description of the land hereinbefore referred to, that is to say:—

All that piece or parcel of land situated near the junction of Cooperbrook Creek and Lansdowne River, in the parish of Lansdowne, county of Macquarie, being part of 40 acres granted to Mrs. Sarah Martins, portion 0 over 11: Commencing on the southern side of a reserved road 1 chain wide, at a point bearing south 64 degrees 15 minutes east and distant 3 chains 1½ link from the south-western corner of a 2-acre parcel of the said 40 acres grant, transferred by Mrs. Martins to A. E. Ellis, by transfer, dated 14th September, 1883; and bounded thence on the north by the said reserved road north 80 degrees 4 minutes east ¼ chain 60 links; thence on the east by other part of the said portion 0 over 11 southerly about 90 links to the Lansdowne River; thence on the south by that river upwards to a point bearing south and distant about 85 links from the point of commencement; thence on the west by other part of the said portion 0 over 11, being a line north about 85 links to the point of commencement; and containing 20 perches or thereabouts, and said to be in the possession and occupation of Mrs. Sarah Martins.

In witness whereof, I have hereunto set my Hand, and caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this twenty-third day of May, in the year of our Lord one thousand eight hundred and eighty-four, and in the forty-seventh year of Her Majesty's Reign.

By His Excellency's Command,

F. A. WRIGHT.

GOD SAVE THE QUEEN!

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CAPE BYRON BAY.

(REPORT OF STAFF COMMANDER HOWARD.)

Ordered by the Legislative Assembly to be printed, 29 October, 1884.

Staff Commander Frederick Howard, R.N., to The Engineer-in-Chief, Harbours and Rivers Department.

Sir,

Cape Byron Bay, 18 October, 1883.

I have the honor to transmit herewith the plan of survey of Cape Byron Bay. This plan is on a scale of 300 feet to 1 inch; the survey is a triangulated one, plotted on the true meridian.

The high-water line of the seaface of the cape is sketched in; with intersections from boat stations anchored as close in as the surf would admit. The soundings are in feet reduced to low-water, obtained from a tide-gauge placed among the rocks west of the small islet near our camp, in the most sheltered place we could find in the bay. Our tide-gauge was washed away five or six times during the survey, and at other times sanded up to 2 or 3 feet. Under these circumstances, and also that the soundings were obtained in a ground-swell with a rise of 2 to 4 feet, I did not consider it necessary to reduce soundings to fractions of a foot. The mean of all our observations at full and change of the moon make it high-water at 8h. 42m., with a rise at spring tides of 5 feet above zero. A hole was bored in the rock above the tide-gauge, and marked $6\frac{1}{2}$ feet + low-water.

The cape is a bluff-looking headland, with sloping cliffy face to the eastward, rising to a height of 330 feet above the sea, and falling gradually to its northern extreme, which terminates in a very rugged rocky point.

Beyond this point a sunken reef continues, extending rather to the west of north for 2,000 feet. Although evidently of rocky formation, this reef is entirely covered with sand; the only rocks seen being two small ones which are awash at high-water springs, and are 800 feet north of the point. The northern point of the reef in 12-foot water breaks heavily in ordinary weather, and breakers extend from thence in a south-westerly direction to the shore.

On only three occasions have I seen this reef quite smooth, which were in October, after the survey was finished, consequently no soundings were obtained on it; but from the hills I judged the depth to be from 3 to 9 feet at low-water over the whole of it, the bottom being clean drift-sand, and the shoalest water on the inner or western edge.

The outer cliff face of the cape extends a distance of 3,500 feet about S. 7° W. true (all bearings in this report are true bearings), and then turns sharply to the north-westward for 700 feet, to where the southern beach commences. This beach trends S. 24° W. and then curves round, extending to Broken Head. About 4,000 feet of it is shown on the plan. A double and near the cape a triple beach exists off the south beach, and in a heavy S.E. swell the sea breaks nearly 1,000 feet off its north end and 400 feet outside the high-water line of the cape, along which, inside the outer break, there is then a current of 3 or 4 knots an hour setting north. From the north point of Cape Byron the coast trends about S. 72° W. for 3,300 feet to a small cliffy islet, and presents a broken cliffy appearance with one considerable beach, on which there is invariably a good surf.

From the islet the rocky coast-line trends S. 16° W. for 1,500 feet to the commencement of the long beach, which, sweeping round in a gradual curve, extends to the Brunswick River, and forms the southern and western sides of Cape Byron Bay. This beach is only 120 feet wide between its eastern end and some rocks covered with oyster-shells, which lie 700 feet from the beach end; after this it quickly widens to 500 and 600 feet between the vegetation and low-water. A considerable portion of this distance is a dead flat, some 3 or 4 feet above high-water, which is washed by the surf during gales.

At some period before the survey began the surf must have come with considerable force against the sand-hills, as they present a cliff face for over a mile along the south side of the bay. During the survey, however, the only place where the sea washed away the bank was between the oyster-shell rocks and the beach end.

The mail track to Tintenbar comes out on the beach 9,200 feet from its eastern end; at 17,000 feet there is a sandy bluff where the Belongil Creek flows into the sea, when it is open, which it was not during our survey.

The

The survey shows altogether 21,000 feet of this beach. The high-water line in the plan represents either the foot of the sand cliff or bottom of rise of sand-hills; the low-water line is the outer edge of double beach, which extended nearly along the whole beach during the survey, but is now only found from the mail track westward.

The Juan and Julia Rocks are two rocky islets of nearly equal height, 52 feet above high-water. They lie in a N.E. and S.W. direction. Juan, the largest, is 300 feet long and about 150 feet wide. Julia is smaller and nearly circular, and from its N.E. side extend north-eastward some black rocks, and a few detached rocks lie off its eastern side. The whole group occupies a space N.E. and S.W. of 650 feet extent, with a width of about 200.

These rocks are quite steep to on the N.E. side, but have some shoal rocky patches on the S.E. side. A reef on which the sea sometimes breaks runs about 200 feet west of the S.W. end of Juan, one point of which 120 feet off is awash at low-water springs.

The usual southerly current is felt off these rocks, setting about S.E. one or one and a half miles per hour. Close to the N. and N.W. sides fish are plentiful, mostly sharks, king-fish, schnapper, and groper.

Juan and Julia, like the cape itself, are composed of black trap rock, the upper part of which on the larger islet is extremely brittle.

From the number of sea birds which frequent them a small quantity of guano is found on the sides, and viewed from the southward the islets appear black, from the northward as if they were whitewashed. The nearest part of Juan lies N. 21° W. 8,300 feet from the north point of Cape Byron, and there appears to be no underwater ridge between. The soundings rapidly deepen off the north end of Cape Byron reef to 6 and 7 fathoms, and at 5,000 feet to 10 fathoms; from thence to within 700 feet of the islets the depth is from 68 to 70 feet, and from 50 to 35 feet right up to the islets. The bottom is sandy the whole way.

As a rule the soundings in Cape Byron Bay are very regular, and shoal gradually from near Juan and Julia to the mainland over a sandy bottom.

The 5-fathom line extends from the end of the outer reef in a line nearly east and west to near the beach, and then follows along its course at about 1,800 feet from high-water. The bight of the bay near the cape, however, is shoal and rocky. A succession of detached rocky patches extends westward from the islet, near the camping flat, to two rocks which come awash at low-water, the outer one bearing N. 76° W. 3,000 feet from the islet.

Between these patches and the beach to the southward the water is nowhere deeper than 19 feet inside the outer rock; shoaling gradually towards the rocky coastline to the eastward. During a heavy easterly swell the whole of this portion of the bay, which is the most sheltered and generally the smoothest, is covered with breakers. The bottom is level and smooth. Though most of the soundings gave a rocky bottom, I am inclined to think that in many cases the bottom is shingly. One remarkable thing about the bay is the ever-shifting nature of the low-water line; places where at one time there is a flat beach with a second beach outside, become in a few days' rough weather quite steep.

Once or twice during the survey the water thrown by the surf cut several deep channels through the broad sand-flat extending along the south portion of the bay; at other times the water remained in long depressions two or three feet deep for weeks. The first long beach inside the point of the cape was always changing its form and width; a long spit running out from about its middle joins the inner side of the outer reef.

During the survey the small beach south of the islet remained intact, but when the fine weather set in, in October, it quickly assumed a convex form; and on the 15th of that month the low-water edge was 550 feet from the high-water bank, having grown out 250 feet during the fortnight I was surveying the Brunswick River. This is the only good landing beach in nearly all sorts of weather, being flat and the sand hard. As the swell rolls in from about north it breaks nearly at right angles to the beach, though not with much force, and care must be taken accordingly.

During south and south-easterly gales considerable ground swell rolls into the bay, judging from the violent rolling of the vessels at anchor in the middle in 6 to 7 fathoms water.

In a heavy S.E. swell the water is much disturbed off the north end of the outer reef; the sunken reef does not sufficiently break the swell, which curves round and approaches the shore on a line parallel to that portion of the beach on which it eventually breaks.

In fine weather boats can land anywhere east of the mail track, and there does not seem to be much difference in the amount of surf along the south side from thence eastward. The only cargo I have seen landed and embarked has been from abreast the mail track. A vessel can lie there in 4 or 5 fathoms comparatively close to the shore, with room to get away on either tack.

The current seems to set from the northward round the bight of the bay from $\frac{1}{2}$ to 1 knot an hour; along the inner edge of outer reef it sets to the north-eastward, and frequently with a N.E. wind, and on the ebb tide there is enough tide-race north and east of the reef to make it dangerous for a boat. This race extends nearly a mile to seaward at times. A considerable current sets to the eastward right across the reef through the breakers.

During the months of July, August, September, and October I have never seen the bay dangerous for a well-found vessel at anchor.

The s.s. "Rook" rode out a very strong N.E. gale, which threw in a nasty short sea, within $\frac{1}{2}$ mile of the beach, and comparatively easily.

The land at the cape slopes from the cliffs to the westward, giving the appearance from the bay of a range of hills, and forms several steep spurs, between which are deep gullies. The whole of this land is thickly wooded, with the usual semi-tropical scrub. There are many good timber trees in the valleys, and I should strongly recommend all this hilly land to be kept in the hands of the Government, and the timber preserved, when the township is surveyed and sold, in case it should be deemed expedient to make a breakwater at any time. Inside the cape the land becomes low and sandy, with no large wood till nearing the coast range. There is a belt of honeysuckle and other small scrub alongshore, varying from 200 feet to 1,200 feet wide; inside this the land is swampy. Half a mile west from the cape the swamps are open, reedy and grassy, and then generally thick tea-tree as far as the entrance to Belongil Creek. The eastern portion of this swamp is several feet above high-water level, and might easily be drained if desired.

In July the swamp water was fresh but discoloured, and of a strong taste and smell ; since August it has dried up, and most of the grass, &c., burnt off. Water has been very scarce, and we have obtained good water at one small spring only, which yields about five buckets a day. I hear, however, that there is still fresh water in the swamps further inland.

There would be plenty of room for a large town south of the wooded land on the cape, in rough sandy ground near the south beach, and on the slopes of a bare gravelly range, covered with coarse grass, which commences about 1,200 feet south of the bay, and reaches its highest point (150 feet) 3,200 feet inland ; also along the beach north of the swamp.

The Belongil Creek, when open, enters the sea at a sandy bluff already mentioned. It has been closed during the time we have been here, but its waters are at present quite salt, as are those of the swamps in its vicinity, although it appears to be rather above high-water level. It runs parallel to the beach, with an average width of 150 feet for about a mile, its southern bank being a sandy cliff from 15 to 30 feet high. One point where our trig. Δ (marked S on plan) is placed, is the summit of the sand-patch of sailing directions for entering and anchorage in the bay. The creek then widens out to 600 feet, its south side being low and swampy ; its depth from 2 to 6 feet, over a clear sandy bottom. It then narrows to 150 feet and takes a S.S.W. direction for 2,600 feet, and, making a sharp bend where the bottom is rocky and depth 6 to 7 feet, narrows and turns to the eastward for about 3,300 feet, as far as we surveyed it, when it branches off into several small creeks which drain a tea-tree swamp. The mail track to Tintenbar crosses the upper part of the creek, and all the pine logs shipped whilst we were here came by this road, which leads to Cooper's Shoot.

Mr. Francis has levelled five sections along the bight of the bay for jetty sites. These are each about 1,500 feet long from the high-water bank. As they advance westward the depth of water increases. The most western, marked E on tracing, goes into the deepest water, but it is outside the reserve and would lead through private property.

The northern boundary of the reserve, which is marked on the plan, cuts the beach at an acute angle about 1,300 feet east of E's position. I should recommend the position marked C as the best : I have noticed that with quite a gale from the N.E. the water did not break nearly so far out there as further east.

Any jetty here should be made of timber piles sheathed with metal, and heavy moorings laid down each side off its ends with large buoys attached, as I doubt whether any vessel could lie alongside and ride by a jetty in this bay : she might lay off a few feet with springs to the jetty.

I have been asked my opinion as to the expediency of a breakwater extending from the north point of Cape Byron to the Juan and Julia islets, but one glance at the plan would show that such a breakwater would cost an immense sum, and also entirely fail to protect the beach and south-west side of the bay from the N. and N.E.

I have, however, drawn on the tracing sent with the plan my idea of two breakwaters which would insure protection for a portion of the bay in all weathers, should such a thing be ever attempted.

The inner one would be under 3,000 feet in length, and, extending out to the rock awash, leave a space of quite sufficient protected water for coasting steamers. I have drawn it as commencing from the rocks south of the island instead of from the nearest point, to admit of it being carried out beyond the rock awash without approaching the beach. The shore end of the solid should be at least 600 feet from high-water-mark, to allow the current to take its usual course round the bay and prevent silting at its east end. It might be connected with the shore if required for the purpose of making, by an open pile jetty. I do not think such a breakwater would be very costly, and a number of small vessels could find secure moorings in smooth water under its lee.

The outer breakwater shown on the tracing would, however, make this bay a splendid harbour of refuge and a fine port, giving ample accommodation for the largest class of modern vessels, as it would shelter an area of over a square mile, with from 5 to 7 fathoms ; and being detached from the shore, and washed on both sides by the current, there would be no chance of silting up. With regard to materials for construction, the cape is composed of black volcanic rock, with almost vertical strata. The exposed edges are in some parts friable, and I believe the rock would split in flakes. What it is like inside the surface I do not know. The rocks which crop up along the beach are all soft clayey or earthy nature. Sand is in any quantity.

For jetty piles, there is plenty of large ironbark timber near the Brunswick River, and most likely also on the coast range much nearer.

I believe the bay is well fitted to become the port of this district, and if facilities for shipping were given, would soon become an important place.

The tracing, when placed in position over the plan, shows the position of the five sections for jetty sites and the depth of water at each. Below are the vertical sections corresponding. It also shows the positions of the two alternative breakwaters.

I wish to observe that, beyond marking what I consider the best sites for these works, I offer no opinion, leaving details of construction, &c., to the Engineers of the Department. I see by my instructions that I should report on the cost and probable length of time required to complete any works undertaken here, but not having any of the necessary data I must leave that to others.

I can only say that, judging from what I have seen at other places, the inner breakwater should, if the adjacent stone is good for the purpose, be made for under £100,000.

Should no breakwater be built, the site marked C on tracing is by far the best for a jetty ; but should the inner breakwater be made, those further east, though in shallower water, would be better sheltered. The tracing also shows the anchorage taken up by vessels, for shelter and other purposes, during the months of August and September.

I have, &c.,
FREDERICK HOWARD,
Staff Commander, R.N.

The only practicable way of dealing with this matter at present, is by the construction of a wharf, which will require to be extended about 1,000 feet. It may be estimated to cost £15,000.—E. O. MORIARTY, B.C., -8/1/84. Under Secretary for Public Works. Submitted, 11/1/84.—J.R.

I have read this report with much interest, and as I do not think I should be justified in asking for Parliamentary sanction for an extensive and expensive breakwater, I have after consultation with Mr. Moriarty, and upon his recommendation, placed the sum of £10,000 upon the Estimates to construct a pier, which it is believed will meet the wants of Byron Bay.—F.A.W., 16/1/84. Mr. Moriarty, B.C., 17/1/84.—J.R.

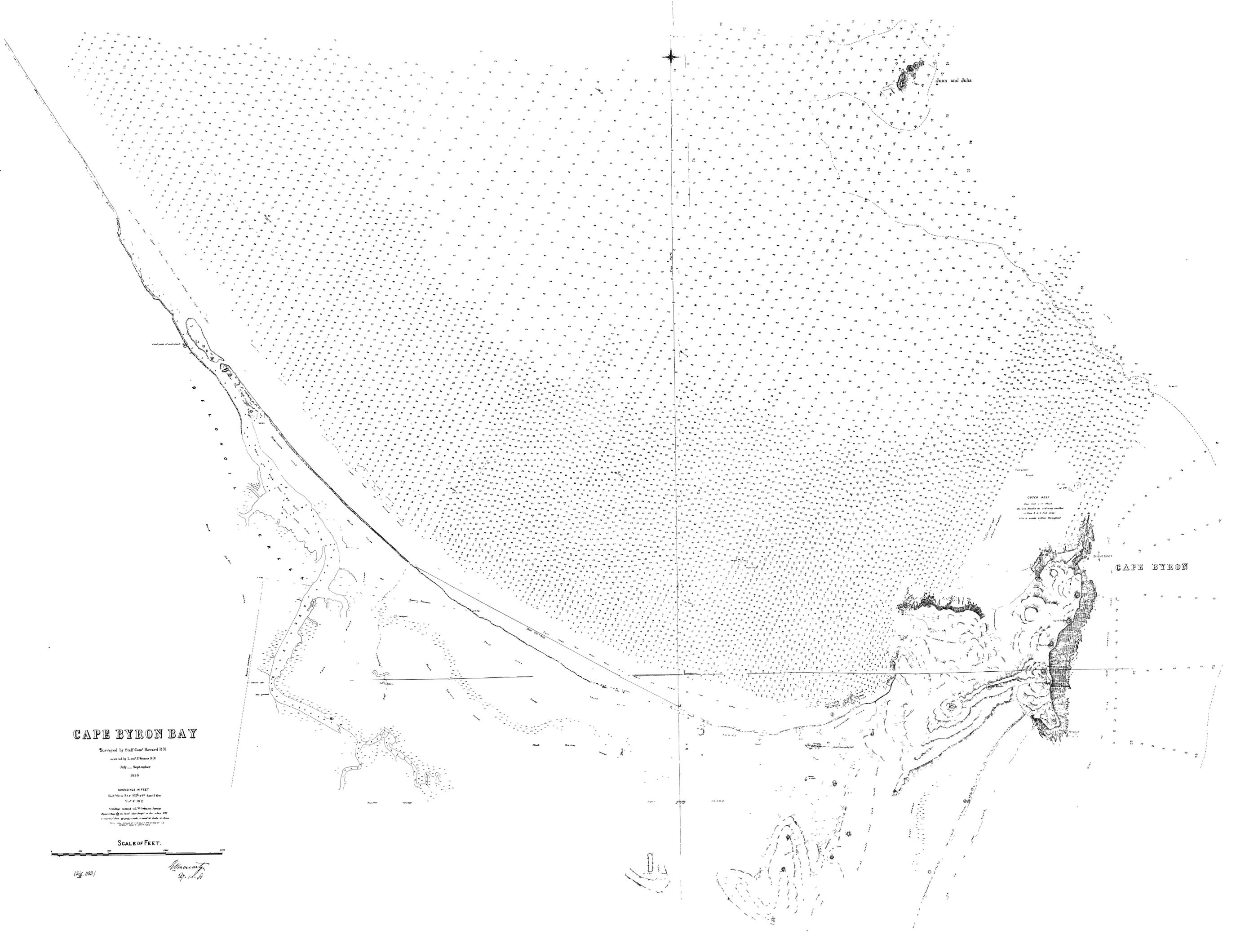
As a considerable amount of public interest has been evinced in this matter, I would respectfully suggest the advisability of placing a copy of the plan and this report on the table of the House.—E.O.M., 21/1/84. B.C., Under Secretary Public Works.

Submitted.—J.B., 22/1/84. Approved.—F.A.W., 23/1/84. Harbours and Rivers, B.C., 23/1/84.—J.B. A sum of £5,000 has now been voted towards carrying out this work.—E.O.M., 20/10/84. B.C., Under Secretary Public Works.

[Two plans.]

Sydney: Thomas Richards, Government Printer.—1884.

[2s.]



Juan and Julia

OVER REEF
 The reef is shown
 the sea breaks in ordinary weather
 in blue & in the dry
 sea is marked yellow & orange

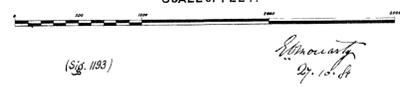
CAPE BYRON

CAPE BYRON BAY

Surveyed by Staff Comd Howard R N
 assisted by Lieut P Brown R N
 July - September
 1883

SOUNDINGS IN FEET
 High Water P.M. 19th 15th Bar 30.5
 Low Water P.M. 19th 15th Bar 30.5
 Sounding taken at 10 fathoms depth
 Sounding taken at 10 fathoms depth on first of the 20th
 Sounding taken at 10 fathoms depth on first of the 20th

SCALE OF FEET.



(Sig. 1133)

Shannon
 27. 11. 83

LOCAL SKETCH
 Showing
BYRON BAY

Wm. ...
 27. 10. 84

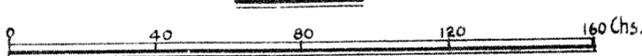
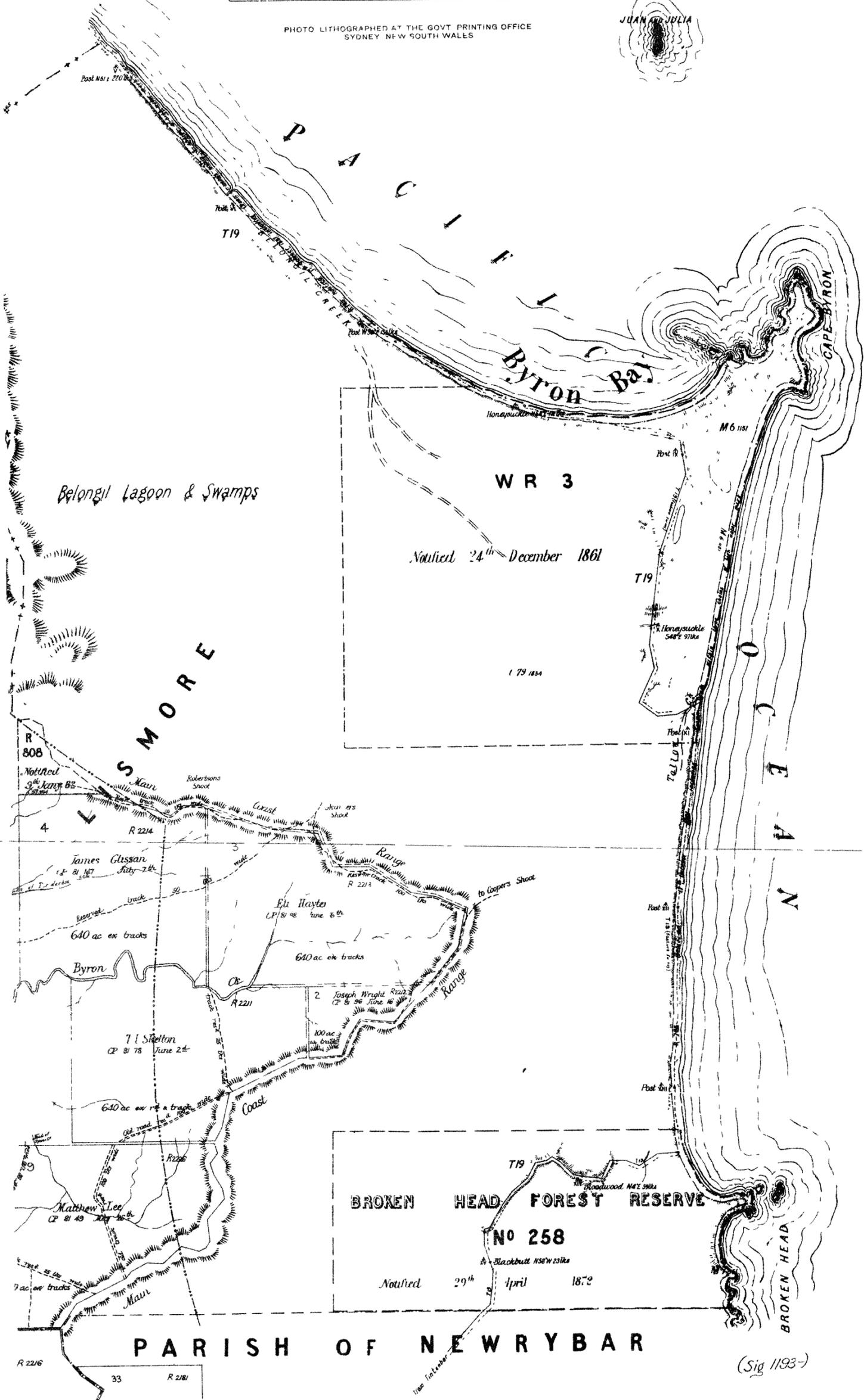


PHOTO LITHOGRAPHED AT THE GOVT. PRINTING OFFICE
 SYDNEY NEW SOUTH WALES



1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

TUG-BOAT AT CAPE HAWKE.

(CORRESPONDENCE, TENDERS, MINUTES, &c.)

Ordered by the Legislative Assembly to be printed, 7 May, 1884.

RETURN to an *Order* of the Legislative Assembly, dated 22nd November, 1883,
That there be laid upon the Table of this House,—

“Copies of all letters, minutes, tenders, petitions (with names attached),
“and other papers, between the Colonial Treasurer, the Marine Board, and
“all other parties, with reference to the subsidizing of the ‘Marian
“Mayfield’ or other steamer as a tug-boat at Cape Hawke.”

(*Mr. Young.*)

Notice calling for Tenders for Steam-tug for the Cape Hawke River.

The Treasury, New South Wales, 24th July, 1883.

STEAM-TUG FOR THE CAPE HAWKE RIVER.

TENDERS will be received at this Office up to noon of Thursday, the 9th of August, from persons desirous of supplying and maintaining an efficient Steam-tug for use at the Cape Hawke River, on the basis of an annual subsidy from the Government, and with the right reserved to the tenderer to charge shipping for the use of the tug at rates not exceeding 8d. per registered ton, both in and out, with a minimum of £3.

The conditions of contract may be seen at the Office of the Marine Board.

The vessel must be of not less than 20-horse power, with a light draught (draught to be stated in the Tender), and thoroughly fitted, in the opinion of the Marine Board, for the service required, which must be commenced immediately upon acceptance of tender.

Tenderers must state the amount of subsidy (over and above the towage rates) required for the service specified, and must submit the names of the persons they propose as sureties.

The contractor, within fourteen days from notification of acceptance of tender, will be required to enter into a bond with two sureties for the due performance of the service; and in the event of his failure to complete the Bond in the time named, the contract may either be re-advertised or another tender accepted.

The Government will not necessarily accept the lowest or any tender.

Tender to be addressed to the Under Secretary for Finance and Trade, and endorsed “*Tender for Tug Service.*”

GEORGE R. DIBBS.

Conditions of Service in question.

CONDITIONS referred to in the Treasury Notice of 24th July, 1883, for the employment of steam-tugs for the Cape Hawke, Brunswick, and Tweed Rivers, and for Wollongong:—

- (1.) The tugs are to be available for towing vessels in and out of any of these places as tendered for.
- (2.) They are not to leave their respective stations at any time without the sanction of the Marine Board; and they are to endeavour to be in the vicinity of the stations tendered for when vessels are there ready for sea.
- (3.) Priority of service is to be given to the vessel being then ready for sea, and first notifying to the master of the tug the want of such service, except in the case of a vessel in actual danger, when assistance is to be promptly rendered.
- (4.) Should either steam-tug at any time or for any reason be absent from her station without authority, or be incapacitated from performing her duty, the subsidy for the period of such absence or incapacity shall not be paid, unless the Contractor shall supply a substitute steamer for the service during such absence.
- (5.) The ordinary rate for towing in or out of the Cape Hawke, Brunswick, or Tweed Rivers, chargeable for the use of the tug, is not to exceed 8d. per register ton, with a minimum of £3 for small vessels. Half the above rate only, with a minimum of £1 10s., to be charged for Wollongong; and in the event of cargo being taken to and from vessels at the Brunswick River, a rate not exceeding 2s. 6d. per ton may be charged.
- (6.) The master of the tug will be required to take the pilots off (weather permitting) to any vessels signalling for their services in the offing. He will also be expected to render any assistance,—such as sounding the Bar, &c., as may be required of him by the pilot.
- (7.) The services may be terminated by twelve months' notice on either side; subject to the right of the Government to cancel on breach of any of the conditions.
- (8.) All conditions being observed, the subsidies will be paid monthly at the Treasury.

The Treasury, New South Wales, 24 July, 1883.

GEORGE R. DIBBS.

Petition of Masters of Vessels and others.

To the Marine Board of Sydney.

8 August, 1883.

The humble Petition of the undersigned Masters of Vessels trading to Cape Hawke, and others,—

SHOWETH:—

That tenders have been called for a Steam-tug for the Cape Hawke River; that a powerful and efficient steamer is necessary for the work.

Now therefore we, the undersigned, humbly submit that the steamer "Forster," owned by Mr. Hugh Breckenridge, is not of sufficient power to be of service at the Bar, and we therefore humbly request that his tender may not be accepted.

And we, your Petitioners, as in duty bound, will ever pray,—

Thos. Kennedy, ketch "Jonathan."
 F. P. O'Beirne, ketch "Dew Drop."
 James Anderson, Creek-street, Balmain.
 Albert Johnson, ketch "Lalla Rookh."
 John Engstrom, schooner "Retriever."
 Hans Hamrin, "Ann Cochrane."
 G. F. Gibbons, schooner "Industry."
 Ch. Nelson, ketch "Petrel."
 Charles Anderson, "Trusty."
 John Richards, "Flora Bell."
 E. Johnston, owner of "White Cloud" and "Flora Bell."

Tenders received.

TENDER FOR STEAM-TUG AT CAPE HAWKE RIVER.

I WILL supply the new steam-tug "Kate" with 25-horse power compound surface-condenser, cylinders 10×20, 14 stroke, draught of water 5 feet 3 inches, built expressly for a tug on bar harbours, and ready to commence work at once, for the sum of (fifty pounds) £50 per month.

F. BUCKLE,
 Erskine-street.

John Paul, Shipchandler, Erskine-street, Frederick Gibbons, of Sussex-street, will be my Sureties.

TENDER FOR STEAM-TUG FOR THE CAPE HAWKE RIVER.

"Forster," Cape Hawke, 8 August, 1883.

I HEREBY beg to tender to supply and maintain an efficient steam-tug for use at the Cape Hawke River, in terms of the conditions referred to in the Treasury Notice of 24 July, 1883, for the employment of steam-tugs at various rivers.

The steam-tug that I submit is 24-horse power, worked by paddles, draught of water 4 feet; the boat is now thoroughly efficient and ready for immediate service.

Amount of subsidy required for the specified service, three hundred and fifty pounds per annum, over and above the towage rates.

Should my tender be accepted, I shall be prepared at once to name my sureties and execute the required bond.

JOHN BRECKENRIDGE.

The Engineer Surveyor to The President of the Marine Board.

Sir,

Engineer Surveyor's Office, Sydney, 16 August, 1883.

I have the honor to submit the following relating to Mr. Buckle's steamer "Kate," and the Cape Hawke Tug Service. On inquiry find she is a new vessel, built by Wright, of Cape Hawke. She is 75' x 15' x 6' 6", and fitted with a pair of Bow, M'Lanehan & Coy's. compound surface-condensing engines. The machinery is similar in design and construction to that fitted in "Dispatch," the indicated power being equal to 100 horses.

The vessel in my opinion is exceptionally suited for the work.

I have, &c.,
WM. CRUICKSHANK.

Contract Schedule.

CONTRACT FOR THE PUBLIC SERVICE.

TENDERS for Steam-tug for the Cape Hawke River, on the basis of an annual subsidy from the Government. Opened at the Treasury, 9 August, 1883. In all Tenders received: namely:—

No.	Tenderer.	Amount of Subsidy.	
1	F. Buckle	600 0 0	"Kate"—25 H.P.
2	John Breckenridge	350 0 0	"Forster,"—24 H.P.

The Board recommend reference to the Marine Board.

The Treasury, 9 August, 1883.

THOS. RICHARDS.
J. W. BARNEY.
HENRY WAGER, D.C.P.
T. HENRY GOFF.
W. HOPKINS.

Approved for reference to the Marine Board.—G.R.D., 10/8/83. The President, Marine Board.—G.E., 10/8/83, B.C. Urgent. Entd. Tender Book, Folio 119.—G.A.C.

As the "Forster," the tug tendered by John Breckenridge, is considered unsuitable by the masters of vessels trading to Cape Hawke, the Marine Board recommends the offer of F. Buckle to provide the "Kate," at the rate of £600 per annum. By order.—G.S.L., 23/8/83. The Under Secretary for Finance and Trade. Mr. Ross.—G.E., 23/8/83. Notified, 23.—M.R.

J. Breckenridge to The Under Secretary for Finance and Trade.

Sir,

"Forster," 22 September, 1883.

I have the honor to lay before you a few particulars in the case of the tenders for subsidizing a tug-boat for Cape Hawke, and to respectfully ask that in all fairness the decision of the Government be reconsidered.

My tender for the service with the "Forster" was £350. The successful tender with the "Kate" was £600, and the pleas upon which I rest my apology for addressing you, apart from any personal feeling, are such as if looked into would place the claim of my boat upon the Government in another light than what has evidently been accorded it, and upon quite as equal a footing for acceptance as any boat tendered, even at an advance upon my tender of £250.

I was enabled to make my calculations for tender low, being in a position with three vessels of my own running here, together with trustworthy promises of other support in towage, not to trust to the subsidy in itself as being a substantial part of income. I had the "Forster" built seven years ago, for the purpose of both river and bar towage. Since that time I have had a steam-punt built, and the steamer "Forster" being therefore no longer needed for the former purpose, it added further to my determination of quoting low; and hearing that the Government were about to subsidize a boat for Cape Hawke, I thoroughly overhauled her, so as to place her at their service. I gave her a new boiler, new paddle-shaft, raised her 1 foot, and gave her new beams, decks, &c., in short I spent about £1,000 in making her thoroughly efficient for Government use, and I challenge any one to point to a particular in which she would not fulfil the duties, and comparatively in the main features in a superior manner.

There has been beyond question, I understand, a petition got up and presented to the Marine Board by a few individuals, with the view of damaging the character of my boat and my chances of success as tenderer, which in itself shows how nearly allied the plan was to the thought of the signatory parties, of the real suitability of the "Forster," and her evident chance of success in an honorable competition. I can, however, scarcely believe that such an invidious document, got up in such a clandestine manner, and from which I could not protect myself (unless stooping to similar stratagem, or getting up a counter petition, which could easily have been accomplished with respectable signatures), would find much weight with the Government. Embodied in that petition was, I believe, a statement to the effect that the "Forster" was not of sufficient power. That statement, especially since her overhaul, is purely malicious, and one which the Government did not deem worthy of being proven in the slightest degree.

Rumours of these tactics and a desire to refute them took me to Sydney with the "Forster," and if proof of her incapacities were not made patent then, it was not because I did not wish them to become so.

Before reaching Sydney, however, the Department had concluded the matter; and now I would take the liberty of pointing to another feature of the case. The successful tender is the "Kate," at £600, which was owned to be a re-christened boat. That boat is not the one doing duty on the station. The
"Marian"

"Marian Mayfield" is the one on service ; and if liberty is thus given to a tenderer to substitute a boat, why, I respectfully ask, should not the same favour be accorded to other tenderers ? It would be beyond the scope of this communication to speak of the comparative capabilities of the "Marian Mayfield," but I would point out that she was not launched nor fully engined before the tenders were closed, and that the proof of her *merits* rested on as little data as that upon which was based the demerits of the "Forster."

In my own interest I trust you will be pleased to forward me a copy of the petition referred to, and in the general interest that the Department will kindly give the whole question a revised consideration.

I have &c.,

J. BRECKENRIDGE.

Marine Board.—G.R.D., 28/9/83. G.E., B.C., 28/9/83.

The Marine Board recommended the acceptance of the tender for the "Kate," which has since been renamed the "Marian Mayfield," because they considered she was the most suitable tug-boat for bar harbour service at Cape Hawke. When they made this recommendation, which was subject to the vessel being surveyed and found fit, they had not seen either her or the "Forster." A petition, however, had been received from persons interested in the success of the service, stating that the "Forster" was altogether unfit. The Board knew that the "Kate" or "Marian Mayfield" had been specially built for a tug-boat, and they had no doubt she was the best vessel.—By order, G.S.L., 3/10/83. The Under Secretary, Finance and Trade.

Inform Mr. Breckenridge of the explanation given by the Board.—G.R.D., 4/10/83. Mr. Ross.
—G.E., 6/10/83. Informed, 8, M.R.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RICHMOND RIVER HARBOUR.

(PETITION FOR IMPROVEMENT OF—FARMERS AND OTHERS.)

Received by the Legislative Assembly, 17 January, 1884.

To the Hon. Legislative Assembly of N.S.W., in Parliament assembled.

Gentlemen,—The Petition of the undersigned Farmers, Millowners, &c., resident and interested in the development and progress of the locality comprised within the Electorate of the Richmond River,—

HUMBLY SHOWETH :—

1. That the district comprised within the abovementioned electorate has in the past few years advanced to a position of considerable commercial importance, owing to the gradual development of the sugar-growing, manufacturing, and other industries.

2. That owing, however, to the impediment which exists at the harbour or entrance of the river the progress and development before referred to has been and still is seriously retarded,

3. That any measures having for their object the improvement of commercial facilities of the district must of necessity be directed to the improvement of the harbour in order to be beneficial to the population at large.

4. That the construction of a line of railway from Iluka to Woodburn would not in any respect meet the necessities of the district or relieve the disabilities under which your Petitioners labour.

Your Petitioners therefore humbly pray that you will take these premises into favourable consideration, and cause a full, practical, and scientific inquiry to be made as to the feasibility of permanently improving the harbour of the Richmond River.

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

[Here follow 529 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FISHERIES OF THE COLONY.

Ordered by the Legislative Assembly to be printed, 9 April, 1884.

REPORT of the Commissioners of Fisheries for New South
Wales on the state of the Fisheries of the Colony, to the
31st December, 1883.

The Honorable the Colonial Secretary.

Department of Fisheries, Sydney, New South Wales, 31 December, 1883.

Sir,

We have the honor to submit our Report on the state of the Fisheries of the Colony of New South Wales to the 31st December, 1883.

We shall premise by stating that in October, 1882, the majority of us were honored with appointments as Commissioners of Fisheries for New South Wales. We found the business of the department in quite an initial condition, by reason of all the books and documents having been consumed in the fire which destroyed the Garden Palace, where the Fisheries Offices were situated, on the morning of the 22nd September previous, consequently we were unable to furnish a report for the year 1882.

At that time the following gentlemen constituted the Fisheries Commission:—The Honorable William Macleay, President; Alexander Oliver, Esq.; the Honorable Richard Hill; George Frederick Want, Esq., and John H. Geddes, Esq.

By reason of the confusion consequent upon the destruction of the records, the Commissioners were unable to transact very much business beyond advancing arrangements previously instituted.

In October, 1882, Mr. Alexander Oliver resigned his position as a Commissioner of Fisheries, and shortly afterwards the Hon. William Macleay retired. The Hon. Richard Hill subsequently vacated his seat at the Board. The vacancies created by the resignations of the two former gentlemen were filled by the appointment respectively of Frederick Augustus Thomas, Esq., and James C. Cox, Esq., M.D., the latter gentleman being named as President. Mr. Hill's seat was subsequently supplied by the appointment of Edward Pierson Ramsay, Esq., the Curator of the Australian Museum.

The Board thus formed consisted as follows:—

James C. Cox, Esq., M.D., President;
George F. Want, Esq.;
John H. Geddes, Esq.;
Frederick A. Thomas, Esq.; and
Edward Pierson Ramsay, Esq.;

and so it remains at the present time.

The first important duty which engaged our attention was the furtherance of arrangements commenced by our predecessors, in their capacity as Special Commissioners, for the proper representation of the Colony at a great International Fisheries Exhibition, appointed to be held in London in May of this year.

Appendix A.

An idea of the nature and extent of the aims of the Committee appointed for the International Fisheries Exhibition promoters may be gathered from a perusal of the prospectus which appears as an Appendix to this Report. We confess to having entered upon the prosecution of this portion of our duties with some degree of apprehension, since, owing to the hitherto culpable neglect of the capabilities of New South Wales both as a fish and oyster producing country, we expected to be able to contribute but in a comparatively limited degree towards the varied classes of exhibits contemplated in the prospectus. However, we concentrated our best efforts on the subject, with what success the results officially communicated to the Colony will show. A copy of these communications, as well as a catalogue of the New South Wales exhibits, will be found appended.

Appendix B.

We attribute very much of the success we have been so fortunate in achieving, to the fact of the exhibits having been supervised by Mr. Edward Pierson Ramsay, F.L.S., Curator of the Australian Museum. We look forward to the result of Mr. Ramsay's visit, assured that both in a piscicultural and ostreicultural point of view much benefit must accrue to the fishing industries of the Colony.

We hope also that Mr. Ramsay will have found himself able to extend his experience by a personal inspection of the fisheries of Europe generally and those of America.

In the destructive fire already alluded to occurred also the loss of some very valuable fishing gear, which, at the instance of our predecessors, had been imported by the Government, from England, Norway, and America, in the desire to supply our fishermen with information respecting the modes of fish capture practised in those countries, as well as with the view of testing their applicability to our own waters.

Appendix B2.

These implements comprised—a purse-seine net, such as is used by the cod-fishers on the coast of Maine, North America—a trammel-net of French origin—a collection of glass hooks and floats as used by the fishermen on the Norwegian coast—an otter-trawl, and also a beam trawl-net, similar to the kind employed by the fishermen at Grimsby, on the east coast of England. The otter and the beam-trawl we have been able to replace, and have experimented with the latter. We hope in the coming year to be afforded further facilities for testing the suitability of these instruments of fish capture.

Appendix C.

Adverting to the immediate purposes of the Fisheries Act, we find it incumbent upon us at the outset to state our experience that it proves to be far from perfect. We venture upon this assertion in the knowledge that, at the time its provisions were discussed and passed by Parliament, it was to be regarded only as a tentative measure. In this fact we found a warrant for giving our consideration to the task of preparing a Fisheries Bill better adapted to the public need and interest; the result was the Fisheries and Oyster Culture Bill which some time since we had the honor to present to you, with the view to its ultimate submission to Parliament.

We claim for this Bill that the portions of it which more particularly concern practical fishermen are set out with a clearness and directness of expression not always found in the existing statute; we refer especially to that portion of it which regulates the meshes and lengths of nets, and the penalties provided for infringement. While on the subject of meshes of nets, we take occasion to refer with satisfaction to the fact that our recommendation for a revision of the Schedule to the Fisheries Act, prescribing the weights of fish to be sold, has received attention, and resulted in the additional regulations published in the Government Gazettes of the 22nd June and 28th December.

Our Bill provides also an improved method for dealing with our oyster beds. These beds we conceive to be of immense importance. It will be gathered from some of the reports respecting them, especially those of the Hawkesbury and Clyde Rivers, that their extent and prolificness are such as to warrant the assumption that, under a proper system of development, they would produce oysters in sufficient quantity to create an important influence on perhaps the markets of the world.

The industries of ostreiculture and the preservation of the oyster for export would provide employment for thousands of persons, and should therefore, from a fiscal view alone, command earnest consideration.

Our Bill provides many items which are the results of experience and thought, but inviting perusal, we do not propose to load this document with an enumeration of the several improvements embodied in it.

In pursuance of the provisions of the Fisheries Act, the fisheries have been distributed into three divisions—the Home, the Northern, and the Southern.

The

The Home division, which embraces all marine fisheries between Port Stephens in the north and Bherrewerre, St. George's Basin, in the south, first claims attention. It is under the supervision of Inspector Quinan, assisted by several Sub-Inspectors.

Inspector Quinan's head quarters are in Sydney. His duties are to take cognizance of the daily sales of fish at the metropolitan market, reporting periodically the results—to take proper precautions for ensuring that oyster dredgers, dealers, and fishermen supply themselves with licenses—to observe that the proper weights and sizes of fish and oysters vended are maintained—to receive and consider reports from subordinate Inspectors in his district, and to submit to the Fisheries Board in an intelligible shape all matters requiring attention or direction—to prosecute persons committing breaches of the Fisheries Acts, and generally to see that the provisions of those Acts are observed.

The Northern division embraces all marine fisheries from Port Stephens to the northern boundary of the Colony, and is controlled by Inspector Temperley.

The Southern division, embracing the marine fisheries from Bherrewerre to the southern boundary of the Colony, is directed by Inspector Benson. The duties of these Inspectors are in a manner dissimilar to those of the Home division Inspector, inasmuch as, while the latter officer is charged with the supervision of fish and oysters on arrival, the latter have to assume the control and direction of the dredgers and netters in the producing waters. In their duties they likewise are aided by a judicious disposition of assistants. A Schedule of the staff under our control will be found in the Appendix. Appendix D.

We now proceed to lay before you a brief *résumé* showing the conditions of the several principal oyster-bearing and fish-producing waters on the coast, so far as can be gathered from the reports of the Inspectors. Full extracts from these reports, and in some cases the reports *in extenso*, have been appended, as a means of supplying more detailed information where such may be desired.

We also add a Schedule showing approximately the fish species, numbering 406 kinds, now known Appendix E. to inhabit the waters of our rivers, bays, and coasts. Those only against which asterisks are placed are subject to the provisions of the Fisheries Acts. We ask attention to this point, with the purpose of showing how very limited is the scope which those Acts possess.

We have recommended the placing on the Estimates a sum of money (£1,000) for the purpose of having a survey made of the bottom of the waters of the coast outside Port Jackson; and we have advised the purchase of a seaworthy steam launch to lay down oysters on exhausted beds.

In the list of oyster-bearing waters there are many places against which no remarks are noted. It Appendix F. It is believed that all of these are more or less prolific, but we have not so far had opportunity for examining them. We hope to be able to do so in the course of the coming year.

We desire to remark that, in respect to the spatting of oysters, we found opinions varied to such an extent that we deemed it necessary to instruct our Inspectors to institute, over a period of twelve months, a regular series of observations, in order to obtain data on which to determine with accuracy this much vexed question.

HOME FISHERIES DIVISION.

PORT STEPHENS

is exceedingly prolific both in fish and oysters, but owing to the difficulty of access, not many of the former find their way to Sydney except during the winter months. As an oyster-bearing water it is of large value. It was held under the "Oyster Beds Act, 1868," by Mr. Peter James, for ten years, at an annual rental of £150, and the yield during that period is said to have been immense.

At present the deep beds are being worked by dredgers, under the supervision of Assistant Inspector Smithers, whom we found it necessary to transfer from Eden, where he had been located, for the purpose.

The deep water beds are situated in the Karuah River. Owing to the rocky nature of the bottom they cannot be dredged clean, so that there is always a supply left for spatting. This spatting, it is believed, takes place in December.

In Port Stephens proper there are no deep water beds, but an abundance of shore oysters. They are in season from December to May. Very

Very many applications have been made for oyster culture leases on this water, and, as you will be aware, we have recommended that these as well as applications for other waters be granted as soon as possible. We know that, under the existing law, difficulties surround the issue of these leases, but we hope that, either by amended legislation, or in some other way, these difficulties may be surmounted.

We may add that the oyster beds here are remarkable for the regularity of their seasons. The deep water oysters are in season when the shore oysters are not, and *vice versa*.

HUNTER RIVER.

Appendix T.

Owing to the facilities of transmission to market, this river offers a ready field for profit alike to the fisherman and the oyster-dredger. It is under the care of Assistant-Inspector Curan. The Home Inspector's reports generally tend to show that fish of all kinds are exceedingly plentiful, but that for want of enterprise amongst the local fishermen the market is often bare, and consignments from Port Stephens find ready sale. Large shoals of fish are frequently seen in the upper parts of the bay, yet fishermen will not go even a mile from their houses to make a haul.

In the early part of the year, matters seemed to be different, for then not only were local wants supplied, but shipments were sent to Sydney. It would seem from Inspector Curan's reports, that the only obstacle to successful hauls, is bad weather; at other times fish may be obtained in any quantity. With such a field, so convenient to Sydney, it seems strange that it has not been more availed of as a source of supply to the metropolis.

Appendix J.

One impediment may be the fact that fish from this water have on arrival in Sydney been found to be tainted and unfit for food, but we have no hesitation in asserting that this has been simply the result of careless packing and improper stowage. It is ridiculous to suppose that with proper attention to these points fish cannot be transmitted, over a journey occupying only six hours, in perfect condition. In this connection we invite attention to the concluding paragraph in Mr. Lindsay Thompson's special report upon the oyster beds in the Clyde River, in which incidentally he relates an experiment made by him in bringing fish thence to market in sound condition and in extremely hot weather, over a journey occupying twenty-three hours. With very ordinary precautions it is quite possible to make Newcastle a permanent and reliable source of metropolitan supply.

The Hunter River embraces oyster-beds of large value, and which up to a recent period have afforded an abundant and excellent yield. But during the last eighteen months they have shown a great deterioration in both of these respects; large quantities are now dead in the beds, having apparently been choked with mud. The shells of the oysters from these waters were found to be much attacked by worms. It was at first assumed that this worm was the cause of the mortality, and with the object of arriving at the best means of removing it we invited the opinion of Wm. A. Haswell, Esq., M.A., the Acting Curator of the Australian Museum, who, after examination pronounced the mortality to be due to some other origin.

Appendix G.

We desire to record our obligations to Mr. Haswell, for the ready attention he was kind enough to give to our request. A copy of his letter, which will be read with interest, is appended.

Having given very much subsequent consideration to this subject, we conclude that the cause of the mortality may be attributed entirely to over-dredging. We propose therefore, with your approval, to bring the dead shells to the tops of the beds, and to make extensive layings of oysters or brood upon them from the adjacent foreshores or elsewhere. After judicious treatment in this way we hope to find these beds restored to their original vigour and productiveness.

We may mention here that the river was held by Mr. F. J. Gibbins, under the "Oyster Beds Act, 1868," for ten years, at a rental of £775 per annum.

LAKE MACQUARIE,

under the supervision of Acting Assistant Inspector Boyd, contains neither oysters nor oyster-beds, but like its neighbours the Tuggerah Beach Lakes, it has contributed very largely to our fish supply, over 4,000 baskets having been received from it during this year.

The lake has a narrow entrance from the sea, available for craft of light draught. Unthrifty netters were accustomed to cast or fix their nets at this entrance so constantly that it was a bare chance that fish could enter the lake at all.

In order to prevent such a shameful spoliation of this immensely valuable nursery and breeding-ground, we had the honor to recommend to you that the entrance and a certain distance each side of it should be closed against the use of fishing-nets. Effect having been given to our recommendation, we have the pleasure to state the result that the channel is swarming with fish, old resident fishermen remarking that such quantities have not been seen for years previous,

TUGGERAH

TUGGERAH BEACH LAKES.

We have given considerable attention to the fisheries in these lakes, but do not feel ourselves so far in a position to offer a decided opinion upon the economy of their fish production.

It was represented to us in January last that the entrance to the sea had been sanded up, and that as the spawning time of several varieties of fish was approaching, the occurrence of a freshet would result in the destruction of innumerable small fry and many tons of fish.

In this contingency we communicated with Mr. E. H. Hargraves, J.P., an old resident on the lake, who kindly offered his assistance and advice, the result being an application to the Minister for Public Works, who caused a survey to be made and plan prepared, showing the work necessary to be done to open a passage to the sea. About this time our colleague, Mr. G. F. Want, visited the lakes at our request, and reported against the project, principally on the ground that it would prove a most costly undertaking, owing to the water being very low in the lakes.

The matter was thereupon allowed to rest until October last, when, on representation by Mr. E. J. Hargraves that the water had risen to such a height that the judicious outlay of £20 would effect the desired entrance to the sea, we invited him to be good enough to undertake the supervision of the work; he very kindly did so, the result proving a complete success. We desire to record our obligations for the valuable aid he rendered.

As some of the correspondence on the subject may be deemed of interest, it will be found appended. Appendix II.

HAWKESBURY RIVER OYSTER BEDS.

These beds, formerly under lease to Mr. F. J. Gibbins at a rental of £127 per annum, seemed from their proximity to the metropolis, coupled with the superexcellent quality of their oysters, to warrant us in attempting to obtain the best and most detailed information possible concerning them; we therefore requested our Secretary, Mr. Lindsay Thompson, who for many years past has devoted much of his attention to oyster culture, to visit and report upon them. His report, which is appended, and to which we invite special attention, fully confirms the high opinion we had entertained of this water. Mr. Thompson offers several suggestions in regard to its development; foremost amongst them is the placing of applicants in immediate possession of the areas they have applied to lease. We have in the usual official way recommended the adoption of this course and, with some modification, of his other suggestions also. We shall be pleased to be advised of our recommendations having been carried into effect. Appendix I.

The lease expired on the 30th September last, but Mr. Gibbins was allowed until the 3rd November, subject to payment of royalty, to remove a quantity of oysters which he informed us he had collected but could not profitably take away earlier.

Up to November last no less than 2,272 bags of oysters had been taken from these beds. If they had been all subject to royalty, even at the lowest rate, 2s. 6d. per bag, they would have produced a revenue of £284, as against the rent actually paid, £127.

Assistant Inspector Smith, in a report dated 26th ultimo, states that the beds although closed for three months show no signs of improvement, and he urges the immediate issue of the leases which have been applied for.

The supply of fish has been fitful—at times plentiful, at others the reverse. Information respecting the supply can be obtained by reference to the Appendix. Appendices R and S.

PORT JACKSON AND TRIBUTARIES.

This water is principally of consequence as being the port to the metropolitan market, to which of course all consignments of oysters and fish converge. It contains no natural deep beds, but the foreshores are in many places thick with brood, of little value except for laying down in leased areas. With the object of preventing these small oysters from finding their way to market, and as well to conserve a supply of young growth for the use of leaseholders, we thought it advisable to recommend the closing of these beds against gatherers, and we are happy to note that our recommendation has been carried into effect.

We have appended extracts from the reports of Inspector Quinan. It will be gathered from these that fish in the early part of the year were plentiful, and fairly contributed to the market supply. It must not however be expected that this state will continue; the mere fact of the commercial activity which constantly exists on its waters will prevent the possibility of such a result. At the same time, the

the tributaries which flow into Port Jackson by the Parramatta and Lane Cove Rivers are very valuable breeding-grounds for fish, and we have taken care to preserve these grounds by closing them altogether against the use of fishing-nets for six months in each year, to include the spawning season.

Appendices R
and S.
Appendix T.

Statements showing the quantity of fish received throughout the year, and the prices realized, are appended. A perusal is invited, as also of the extracts of the reports before referred to of Inspector Quinan.

BOTANY BAY, GEORGE'S RIVER.

These waters are under the supervision of Acting Assistant Inspector Grant, and are amongst the most valuable of our fishing-grounds, being regarded as such both on account of the enormous quantities of fish which are to be found there, as well as by reason of the ready means of communication which exist with Sydney. They afford a very principal part of the metropolitan supply, and fully warrant all the care and attention which can be bestowed upon them.

Botany and the lower parts of George's River are permanently available to netters, but the upper parts of the two latter waters are most valuable breeding-places, and like the Parramatta and other similarly situated waters, are closed against net-fishing during six months of the year.

Appendix U.

It will be seen from Inspector Grant's report that great activity is used and is needed in watching these waters, to check the use of that most destructive process of capture known as stalling, and to prevent the removal of under-sized oysters from the George's River beds.

These beds, during the latter half of the year since they have been open to dredging, have yielded 926 bags of oysters, producing a royalty of £115 15s. They are reported to be very bare indeed at the present time, and we propose to recommend their immediate closure, with the object of stocking them with brood from some of the neighbouring creeks where it abounds.

PORT HACKING.

As with George's River so the upper part of this water is closed against net fishing for six months in the year. The port very materially contributes to the supply of fish. The oysters in it are reported to be in good condition, but that they are not availed of for market purposes. The fisheries here are under the supervision of Acting-Assistant Inspector Dunn.

SHOALHAVEN RIVER AND TRIBUTARIES.

From their remoteness to Sydney these waters are not available as a source of fish supply, except in the winter months, when large quantities are sent to market. They are principally of value for their oyster-bearing capabilities, and are under the supervision of Assistant Inspector Charles Gordon.

The beds are extensive and prolific; they were formerly held under lease by Mr. P. T. Johnson, at the absurdly low rental of £50 per annum. Some idea of the inadequacy of this rent may be formed from the fact that during 1883 oysters were raised from them representing, at a royalty of 2s. 6d. per bag, a revenue of £325 17s. 6d. Owing to the state of the law it was not possible to collect this royalty, the oysters having been taken from the foreshores; but amended legislation having now been obtained, we expect even better results during the coming year. The Inspector urges the necessity of re-stocking the deep beds from the shores. (See reports.)

Appendix T.

JERVIS BAY.

Oysters are found here in the tributary creeks, both on deep beds and the shores in moderate quantities only, and to such extent have contributed to the supply of the Sydney market. In one of them—Cunambone—the shells have quite a distinctive appearance, being of a dark green colour. The bed formation is decomposed rock. There are localities here which are evidently capable of successful development, and in time will doubtless command attention.

As a conclusion to these remarks on the Home Fisheries Division, we invite attention to the tabulations in the Appendix, showing the quantities of fish brought to market during the year and the range of prices realized.

Appendices R
and S.

NORTHERN FISHERIES DIVISION.

TWEED RIVER.

Appendix V.

This water, situated on the northern boundary of the Colony, contains oysters in quantity. They are in season from October to April. The beds, owing to their remoteness from the metropolis, have not found favour with our dredgers, and consequently have not been much sought after; but now that steam communication has been established, we hope they may contribute their proper share towards the general supply. The oysters are reported to be in very fair condition; those on the shore being plentiful, and of a superior kind. To prevent these oysters being sent out of the Colony, we recommended to raise the royalty.

BRUNSWICK RIVER.

In the early part of the year this river was reported as almost destitute of oysters. A further examination later on showed an improvement, principally on the shores; fairly speaking, the beds here may best be described as limited in extent, and poorly stocked.

RICHMOND RIVER.

The natural beds are situated in inlets near the entrance to the main river; though open to dredging they have not been worked. This water contains a quantity of immature shallow water oysters, and also moderately deep shell banks, similar to those lower down the coast at Cape Hawke. If these beds were properly stocked with the small oysters, a very large development would follow.

Oysters in this river are very regular in their seasons, being poor in winter, and in condition from October. The beds were worked only during the months of February, March, and April, during which time 106 bags were taken.

CLARENCE RIVER.

The natural oyster-beds on this river are open to dredgers, and are at present being worked by no less than sixty-four boats.

When in the early part of this month the beds were thrown open, it was possible from three of them—beds D, E, and F, which had been kept closed for twelve months previously—for one boat with two men to procure easily six bags per diem.

The licensed dredgers were from the first placed under the turn system, in order to preserve the beds, and prevent the oysters being thrown into market in glut quantities. Each dredger was allowed within the week to dredge until he had taken six bags, but no longer; afterwards, as the number of boats increased, the limit was reduced to five bags.

The quantity taken per week has ranged from 250 to 300 bags. During the three weeks the beds have been open the quantity taken is 866 bags.

As the beds D, E, and F, form but a small part of the natural oyster-beds in the river, it is not to be expected they will last long under this large number of boats engaged thereon, even restricted as they are; indeed signs of decrease are already observable.

The oysters open fairly well, and are improving; one portion of F, known as the mud pitch, has shown indications of spawning, and has been withdrawn from dredging.

The remaining natural beds were held and worked under lease until the 30th April last, consequently they had been closed only seven months when proclaimed open. The bed situated above D, E, and F, that is furthest from the sea, is but in moderate condition, there being on it but few oysters young or old, and the beds in many parts affected by a coating of spongy mud.

Those situated below D, E, and F, and nearer the sea, although closed only for the same period, viz., since April, show on the contrary a large quantity of young oysters in fair condition. The Home bed is the most prolific and the most recuperative on the river. On account of the quantity of young oysters it contains, the dredgers are not at present allowed to work it.

It may be mentioned that a small oyster-bed has been formed in the main river, and it is expected, that some marketable oysters will shortly be taken from it.

No oysters had been procured from the main river under the late lessee's occupancy. It is surmised that the formation of this bed is due to the absence for several years of heavy freshes and floods.

Under the head of net and line fisheries there is but little to report, except that floating fish are in abundance. During the mid-winter months a quantity of fresh fish were sent to Sydney, but a considerable portion of them arriving in bad condition were condemned.

Until

Until there are speedy means of transit, or available methods of preserving fresh fish, the abundant grounds of the north coast will be used only to supply the limited local wants.

Wolli River is an inlet which contains a moderate supply of marketable oysters, with fair quantity of immature oysters on the shore.

BELLINGER RIVER.

The deep natural beds are in a reduced condition. Oysters on the shores are in moderate quantity.

NAMBUCCRA RIVER.

The natural beds are but moderately productive, which fact, coupled with the difficulty of transmission to market, has resulted in their failing to attract the attention of dredgers.

MACLEAY RIVER.

Macleay River may be said to be destitute of oysters, although shell-banks in various places indicate their former existence in quantity.

PORT MACQUARIE.

The natural oyster-beds in this inlet have fallen off very much, indeed they are almost destitute of oysters. On the shore is a moderate quantity, but of inferior quality.

CAMDEN HAVEN.

The natural beds have been worked during the year under an expiring lease, and also, subsequently, by dredgers under royalty. They are now much reduced and are closed.

MANNING RIVER.

This inlet has been proclaimed open, and worked by a large number of dredgers. The oysters hence generally realize a high price, sufficient to remunerate dredgers when they can take only half a bag a day.

The beds at present are in reduced condition, and only six boats working.

CAPE HAWKE, WALLIS LAKE.

The natural oyster-beds have been worked under the lease which expired during the year, and subsequently by dredgers under royalty. The condition at present is below fair. The supply of shore oysters is good, and there are suitable localities for planting brood.

We invite attention to Mr. Assistant-Inspector Gyler's reports concerning these three last-named waters, which will be found in the Appendix.

Appendix W.

SOUTHERN FISHERIES DIVISION.

Appendix X.

CLYDE RIVER.

We hold this water to rank very highly in importance as a field for the production of the oyster. Of its capabilities in this respect some idea may be formed from the fact that during the last ten years no less than 13,436 bags were taken out of it.

It contains numerous natural beds, both in deep water and on the shores. They are extremely prolific and the growth exceptionally rapid.

Appendix J.

We invite reference to the *special* report on this river, in which its circumstances and capabilities are explained at length.

DURRAS LAKE

is a considerable sheet of water, situated about 9 miles north from Bateman's Bay, is very prolific both in fish and oysters, but owing to the difficulty of approach the former cannot be availed of as an adjunct to the metropolitan supply.

This lake, at an average depth of 3 to 4 feet of water, is well adapted to oyster layings. It has until recently, been held under lease by Mr. James Barclay, who states he was successful in developing into regular and perfect shape the very stunted brood which he secured in considerable quantities from the mouth of Bateman's Bay. Many of these oysters still remain in the lake, and are evidences of what it is possible to produce under a judicious system of culture.

MORUYA

MORUYA RIVER,

under the care of Acting Assistant-Inspector Tranent, is about 20 miles south from Bateman's Bay. Oysters occur here on ballast heaps and granite reefs; a few also may be found on mangroves. As dredges cannot be profitably used, resource is had to the tongs or nippers. Experts can with this implement secure fair returns with comparative ease. One man so equipped realized recently £12 as the result of one week's work.

TUROSS RIVER

is held by Mr. Robert Martin, under a lease which expires on the 28th February next. This river is stated to be subject to floods. Oysters are grown in it principally on a branch locally known as the Lake. This river has not, so far, been overworked, and oysters exist in considerable quantity.

WAGONGA RIVER.

There is a very limited supply of oysters here, and those that do exist are found on the shores, which are composed of a rocky bottom; beyond the rocks the water suddenly deepens on to a bottom of soft mud, densely covered with weeds. In the hope of improving the supply, these beds have been closed for a period of three years.

PANBULA RIVER.

The oysters in this water are moderately plentiful but small. They are found from the entrance inwards for a distance of 4 miles. On the Broadwater or lake are some splendid positions for culture, and part have been applied for for the purpose. There is not much dredging carried on here at present.

TWFOLD BAY.

There are quantities of undeveloped oysters at the south head of this bay; marketable growth is confined to the tributary rivers but is by no means plentiful, nevertheless they contain ground very suitable for culture, and under judicious management may be made to yield profitable results.

Appendix Y.

 INLAND FISHERIES.

The Fisheries Act does not enter very largely into the regulation of inland fisheries—it simply prescribes the size of mesh to be used, stipulating that the net must not be set wholly across a river or creek; it also fixes the minimum weights of the fish which it shall be legal to offer for sale, but gives no power to close the waters against the use of fishing-nets or to require fishermen to take out licenses, nor does it protect introduced fish. These are matters which will require consideration when new legislation is being framed.

So far as the facilities at our command would permit, we have used our best endeavours to restrict fishermen in the Murray River, our principal inland fishery, to the provisions of the Act. These fisheries have been placed under the supervision of Assistant Inspector Wilshire, who has been very active in stopping irregularities which prior to his appointment had been in practice.

It may not be generally known that the Murray River fisheries form a very considerable factor in the fish supply to Victoria; from a return which appears in the Appendix, it will be seen that during this year more than 147½ tons weight of fish were sent thence from Moama. The fisheries revenue gains no return from this immense production, indeed as the law stands fishermen have not even to pay a license fee.

Appendix K.

Nearer home comes Lake George. Attention having been called in Parliament to the state of the fisheries here, we requested Mr. Lindsay Thompson to visit them. The result of his inspection and inquiry is that, so far as present means of capture are concerned, there need be no apprehension of the fisheries being damaged. Locally they are regarded with much interest and as of much importance, and doubtless if the public taste for fresh water fish grows in Sydney to the extent it has done in Melbourne, this lake will form an important source of supply, and attention will have to be given to its economic development. It is easily reached from Tarago Railway Station, either *via* Collector or Bungendore, and the transmission of fish to the metropolis will be a matter of easy accomplishment. Mr. Thompson's report will be found in the Appendix.

Appendix L.

REVENUE.

The revenue under the Fisheries Act is derived from license and oyster-bags-brands fees, royalties on oysters taken from natural beds, and rentals on areas leased for oyster culture. So far as rentals are concerned, except such as have accrued from leases of oyster beds under the Act of 1868, the return may be set down as nil. When the difficulties surrounding the issue of these leases shall have been overcome, and applicants placed in possession of the areas they have applied for, it is expected that the Fisheries Department will contribute its share towards the general revenue.

Appendices M.
and N.

Indeed, quite apart from this bar to the profitable working of the Act, we have to record that the income has almost equalled the expenditure. In the Appendix will be found tabulated statements showing the number of bags of oysters taken from the several waters during the year, the amount of royalty received thereon, the fees paid for brands, certificates, and licenses of the several kinds, and the proportion of rents for oyster beds held under the Act of 1868.

From all of these we have collected the information that during the year there has been received a total income of £3,432 4s. 2d.

Considering the circumstances alluded to, as well as the difficulties attendant upon the initiation of a new Department, we feel ourselves justified in offering our congratulations on the result achieved.

Appendix O.

It may be of interest to state that during this year there have been won from the beds in the rivers, held under the Act of 1868, which holdings have, with one exception, happily now expired, no less than 6,452 bags of oysters. The only return the Government has received from this extensive take has been the proportion of rent which accrued upon them, amounting to £406 6s. 8d., just about half the income which would have been derived from them if taken under royalty, at even the minimum scale rate of 2s. 6d. per bag.

Appendix P.

We have prepared and append a schedule of applications which have been received to lease areas for purposes of oyster culture. It will be gathered from it that a very large interest is being taken in the industry, and we venture to express our earnest hope that speedy steps may be taken to remove the bar which has hitherto prevented the issue of formal leases. We regard this matter as of the greatest importance, not only in the economy of our Department, but as a means of establishing an industry which will yield support to thousands of persons. Along the oyster-bearing portions of our coastal waters are immense tracts of shore either naturally suitable for oyster culture or easily capable of being made so, and there is no reason why ultimately the canned oyster should not form a staple article of export.

LORD HOWE'S ISLAND.

THOUGH possibly outside the scope of our functions to include in our annual Report on the Fisheries of New South Wales a reference to fisheries so remote as those of this island, yet we venture to do so, with the object of making public valuable information respecting them which has been very kindly compiled by P. F. Adams, Esq., Surveyor-General, from notes taken during his visit to the island some time since.

Appendix Q.

Mr. Adams's letter, to which we invite especial attention, merits careful consideration. We refer particularly to that part of it in which he recommends the reservation of the lagoon, the only breeding-ground, from the use of fishing-nets. We think that in connection with the administration of the affairs of this island the fisheries should receive that attention which they seem to demand.

JAMES C. COX, M.D.,
President.

APPENDIX A.

THE GREAT INTERNATIONAL FISHERIES EXHIBITION—
LONDON, 1883.

PROSPECTUS.—CLASSIFICATION.

Exhibitors to
quote the
Number in this
Column.

		FISHING.
		CLASS I.
		<i>Section I.—Sea Fishing.</i>
Division	1	1. Gear of every description and of all nations used in Trawl, Herring, Long Line, Hand Line, and every other mode or system of Fishing, including all Nets, Lines, Hooks, Harpoons, Tackle, &c., employed in the same.
"	2	2. Oyster Dredges, Crab, Lobster, Prawn, &c., Pots and other appliances for catching fish of this description.
"	3	3. Fishing Craft of all Nations; Models and Representations of the same.
"	4	(i.) Steam Fishing Vessels and Steam Carriers.
"	5	(ii.) Fishing Vessels and Boats other than Steam Vessels.
"	6	4. Ropes and Canvas suitable to Fishing Vessels.
"	7	5. Steam Capstans, Compasses, Barometers, Telescopes, Lights, Lamps, Fog Horns, Systems of Signalling at Night for Fishing Fleets and Vessels, Electric Lights, Luminous Paint, and other equipment of Fishing Vessels; Charts for Fishermen.
"	8	6. Models of Harbours, Piers and Slips for Fishing purposes.
"	9	7. Fishing Tackle and Netting in different stages of preparation, and Machinery used for working up the raw material.
"	10	8. Life Boats, their Equipment, and Life-saving Apparatus of every description.
"	11	9. Appliances and Methods for Breaking the force of the Sea at the entrance of Harbours and elsewhere.
"	12	10. Methods of Communication from the Shore to Light-Ships and Fishing Fleets by Sub-marine Cables.
"	13	11. Methods of Protecting Submarine Cables from injury by Fishing operations (illustrated by models and drawings).
		<i>Section II.—Freshwater Fishing.</i>
"	14	1. Salmon Nets and fixed appliances for catching Salmonidae in all their varieties.
"	15	2. Salmon Rods, Reels, Lines, Artificial Flies and Baits, Gaffs, Spears, Creels, &c.
"	16	3. Trout Rods, Reels, Landing Nets, Lines, Artificial Flies, Baits, Baskets, Bags, &c.
"	17	4. Pike, Barbel, and other coarse Fish-rods, Reels and Tackle, Artificial Spinning Baits, &c.
"	18	5. Traps, Nets, Bucks, Wheels, and all kinds of Apparatus for catching Eels, Lampreys, &c.
"	19	6. Hooks, &c.
"	20	7. Anglers' Apparel of every description.
"	21	8. Boats, Punts, Cobles, Collapsible, Portable, &c., in Models or otherwise.*
		ECONOMIC CONDITION OF FISHERMEN.
		CLASS II.
"	22	1. Apparel and Personal Equipment.
"	23	2. Food and Medicine Chests.
"	24	3. Models and Plans of Dwellings.
"	25	4. Contracts of Partnerships; Insurances of Life, Boats, Gear, &c.; Benefit Societies.
		COMMERCIAL AND ECONOMIC.
		CLASS III.
		1. Preparation, Preservation, and Utilisation of Fish.
"	26	(a) For edible purposes—
"	27	i. Models of fish-curing establishments. Methods of, and models and other representations of any appliances for, drying, curing, salting, smoking, tinning, cooking, &c.
"	28	ii. Fish dried, smoked, cured, salted, tinned, or otherwise prepared for food.
"	29	iii. All products prepared from fish, such as oils, roes, isinglass, &c.
"	30	iv. Antiseptics suitable for preserving fish for food.
"	31	(b) For other than edible purposes—
"	32	i. Oils, manures, and other products prepared from fish.
"	33	ii. Methods of, and models, and other representations of appliances for, preparing oils and manures from fish.
"	34	iii. Sea and fresh water pearl shells; mother of pearl manufactured; pearl sorted.
"	35	iv. Preparation and application of sponges, corals, pearls, shells, and all parts and products of aquatic animals, &c., to purposes useful and ornamental, with specimens.
"	36	2. Transport and Sale of Fish.
"	37	(a) Appliances for carrying fish and for preserving fish during transport or otherwise, and models of the same.
"	38	(b) Models of fish markets, and appliances connected with the same.

FISH

*NOTE.—The above classification is suggested as a convenient one for this class, but it is not intended to exclude any objects which come within the class.

Exhibitors to
quote the
Number in this
Column.

FISH CULTURE.

CLASS IV.

- | | | |
|----------|----|---|
| Division | 35 | 1. Models or Drawings of Fish Hatching, Breeding and Rearing Establishments, including Oyster and other Shellfish Grounds: and all Apparatus and Implements connected with the same, and for transporting Fish and Fish Ova. Food for Fry. |
| " | 36 | 2. Representations illustrative of the Development and Progressive Growth of Fish. |
| " | 37 | 3. Models and Drawings of Fish Passes and Fish Ladders. |
| " | 38 | 4. Scientific investigation. |
| " | 39 | i. Models and drawings of diseases of fish, with special reference to their origin and cure. |
| " | 40 | ii. Processes for rendering streams polluted by sewage and chemical or other works innocuous to fish life (illustrated by models and drawings). |
| " | 41 | iii. Physico-chemical investigation into those qualities of salt and fresh water which affect aquatic animals; investigation of the bottom of the sea and of lakes, shown by samples; aquatic plants in relation to fishing, &c.; researches into the aquatic fauna (animals of the several classes preserved in alcohol or prepared, &c.); apparatus and implements used in such researches. |
| " | 41 | 5. Acclimatisation of Fish. |

NATURAL HISTORY.

CLASS V.—[AQUARIA.]

- | | | |
|---|----|---|
| | | 1. Specimens Living (Marine and Fresh Water), fresh, stuffed, or preserved, Casts, Drawings and Representations of— |
| " | 42 | (a) Alga arranged according to their various species and localities. |
| " | 43 | (b) Sponges, in their natural state. |
| " | 44 | (c) Corals, in their natural state, polyps, jelly-fish, &c. |
| " | 45 | (d) Entozoa. |
| " | 46 | (e) Mollusca of all kinds and shells not included in Class III. |
| " | 47 | (f) Starfishes, sea-urchins, holothurians. |
| " | 48 | (g) Worms used for bait, or noxious; leeches, &c. |
| " | 49 | (h) Perfect insects and larvæ of insects, which are destroyers of spawn or serve as food for fish. |
| " | 50 | (i) Crustacea of all kinds. |
| " | 51 | (k) Fish of all kinds. |
| " | 52 | (l) Reptiles, such as tortoises, turtles, terrapins, lizards, serpents, frogs, newts, &c. |
| " | 53 | (m) Aquatic and other birds hostile to fish or fishing. |
| " | 54 | (n) Aquatic and amphibious mammalia (otters, seals, whales, &c.) and others detrimental to fish. |
| " | 55 | 2. Works on Ichthyology. Maps illustrating Geographical Distribution, Migration, &c., of fishes and spawn. |
| " | 56 | 3. Specimens and representations illustrative of the relations between extinct and existing fishes. |

HISTORY AND LITERATURE OF FISHING—FISHERY LAWS—FISH COMMERCE.

CLASS VI.

- | | | |
|---|----|--|
| " | 57 | 1. Ancient Fishing Implements or their reproductions—Models—Pictures—Books—Emblems—Charters and Seals of Ancient Fishermen Guilds. |
| " | 58 | 2. Fishery Laws of different Countries. |
| " | 59 | 3. Copies of Treaties, Conventions, &c., dealing with International Fishery Relations. |
| " | 60 | 4. Reports, Statistics, and Literature of Fish, Fishing, and Fisheries. |
| " | 61 | 5. Reports on Acclimatisation of Fish, and of attempts in this direction. |

LOAN COLLECTIONS.

CLASS VII.

Collections within the scope of the foregoing classes.

MONEY PRIZES.

The Committee will be prepared to receive and consider the offer of Money Prizes for any Special Exhibits or Essays connected with the objects of the Exhibition.

ESSAYS.

PRELIMINARY NOTICE.

Prizes of £100 will be given for each of the following subjects, viz.:—

1. The Natural History of Commercial Fishes of Great Britain, with especial reference to such parts of their natural history as bear upon their production and commercial use.
2. Relations of the State with Fishermen and Fisheries, including all matters dealing with their protection, regulation, &c.
3. On the possible increase of the supply of Fish, and on improved facilities for their economic transmission and distribution.

Conferences are proposed to be held for the purpose of reading and discussing papers on subjects connected with the Exhibition.

REGULATIONS.

REGULATIONS.

Royal Patronage.

1. A Great International Fisheries Exhibition, under the Patronage of Her Majesty the Queen and the Presidency of H.R.H. the Prince of Wales, will be held in London in 1883.

Date.

2. The Exhibition will be opened on the 1st of May, and continue open for a period of not less than six months.

Objects.

3. The principal objects to be admitted are comprised in the annexed Classification, which is intended to include all kinds of specimens of fish life, and to illustrate all the modes by which the marine and fresh water animals of economic value are captured and utilized, together with the commercial, scientific, social, historic, and legislative aspects of such fisheries.

Rewards.

4. Medals in gold, silver, and bronze, and Diplomas of Honour, will be awarded by a Jury, the composition of which will be settled later.

All expenses to be borne by Exhibitors.

5. No charge will be made for space, but Exhibitors will have to pay every expense of transit, delivery, fixing, and removing their exhibits, and they must, either personally or by their agents, superintend the reception and installation, and at the close of the Exhibition the removal of their goods; in default thereof, the Committee reserves to itself the right of doing whatever may be considered necessary, and at the expense of the Exhibitor.

Applications.

6. Applications for admission must be made on printed forms, which will be supplied on application; these are to be sent to the General Secretary in London, on or before the 1st July, 1882, except under special arrangements or concessions.*

Allotment.

7. The General Secretary will, before the 1st October, 1882, or as soon after as practicable, notify to applicants the decision of the Committee, and will indicate the space (if any) which has been accorded to them, and give to each a number.

Loan Department.

8. Contributors to the Loan Department are requested to communicate with the Secretary, who will supply forms to be filled up by them.

Foreign Countries.

9. The Foreign Correspondents that may be appointed are invited to enter as soon as possible into communication with the General Secretary. The Correspondent will be charged with the consideration of all questions relative to the distribution of the space allotted to his country. The Committee will therefore not correspond directly with foreign Exhibitors, except in those countries where no Correspondent is appointed.

Foreign Countries.

10. The Committee will place at the disposal of Foreign Correspondents all information and plans that may be useful for their arrangements.

Foreign Countries.

11. The applicants for space from countries in which no Correspondent has been appointed will correspond directly with the General Secretary of the Committee.

Railway Rates.

12. The Committee will endeavour to obtain, from the various English Railway Companies, special terms for the conveyance of exhibits to and from the Exhibition, and should they succeed in doing so, such arrangements will be communicated to intending Exhibitors.

Railways, &c.

13. The Committee will not interfere in any way between the Railway Companies, the Carriers, and the Exhibitors, with reference to the dispatch, transmission, reception, management, or return of goods exhibited.

Marks on Packages.

14. All packages containing goods intended for exhibition must have painted on them the distinctive mark (I.F.E.), in red paint, and they must also have painted on them the name and number of the Exhibitor.

Waybills.

15. The waybill accompanying all packages must contain the name of the Exhibitor, his number, and address.

Exhibitors or Agents to receive own goods.

16. Each exhibitor must provide, either personally or through an agent, for the dispatch, transmission, reception, unpacking, and arrangement of his goods, and for the verification of their contents when unpacked. If neither the exhibitor nor his agent be present to receive the packages on arrival at the Exhibition, the carrier will be directed to take them away; but should any goods be deposited in the Exhibition premises during the absence of the exhibitor or his agent, the Committee will not be responsible for any loss or damage from whatsoever cause arising.

Foreign

*N.B.—With reference to Rule "6" an extension of time till September 1st, 1882, will be granted to distant Colonies and Countries.

Foreign Packages.

17. Packages from Foreign Countries must likewise have painted on them in distinctive marks the letters (J.F.E.) in red paint. They must be addressed to the exhibitor himself or his agent. They must all be marked in such a way as to show distinctly from whence they come, the name of the country, and the number of the exhibitor being painted legibly thereon.

Passages.

18. Exhibition spaces.—The space granted to an exhibitor within the building is available for floor space, exclusive of the passages for the public.

Show cases.

19. Show cases.—No particular form or design is prescribed for cases, counters, platforms, &c., but they must not exceed the following heights, without the special written permission of the Committee:—

Show cases and partitions	...	...	...	10 feet	above the floor.
Counters	...	...	...	3 "	"
Platforms	...	...	...	1 foot	"

Railings.

20. Exhibitors may place railings of a uniform height of 2 feet 6 inches above the floor level. In every instance the railings must be within the area of the "stand," *i.e.*, the space allotted.

Floors.

21. The flooring must not be altered, removed, or strengthened, for the convenience of arrangement, except by sanction of the Committee, and at the expense of the exhibitor.

No Obstructions.

22. No exhibitor will be permitted to display exhibits in such a manner as to obstruct the light or vistas through the avenues, or to occasion inconvenience, injury, or otherwise disadvantageously to affect the display of other exhibitors.

Decorations.

23. Decorations.—In order to ensure uniformity of decoration and general good effect, no exhibitor will be allowed to put up any flags, banners, or other kind of decoration, without permission.

Signs.

24. Signs.—No sign or name-board may be placed otherwise than parallel with the main passages, that is, parallel with the frontage of the respective stands, and should be as near to the back of the space as possible, so as not to interfere with the vista. The signs to be black and gold. All signs must be hung subject to the approval of the Director.

Placards.

25. No printed or written bills may be displayed unless they are neat in design.

Exhibitors' Offices.

26. Offices.—Any exhibitor who may obtain permission to erect an office on his allotted space must conform to the following rules:—

The office must not exceed 8 feet in height; must be placed at the back of the stand, unless otherwise sanctioned; and must be painted black and varnished, with gilt beadings.

Empty Cases—immediate removal.

27. The spaces outside the allotments for Exhibitors being required for the necessities of circulation, packages and empty cases will not be allowed to remain there. Cases must be unpacked as fast as received, and the empty cases taken away by the Exhibitors or their Agents. The Committee decline to accept any responsibility with reference to empty cases, which must be at once removed from the building, at the expense of Exhibitors.

Empty Cases.

28. The Committee will have nothing whatever to do with warehousing or the preservation of empty cases, or reserve any space for the purpose.

Exhibitors to keep Stands clean.

29. Exhibitors will be required to provide all necessary attendance and to keep their stands and exhibits properly cleaned and in good order, during the whole period of the Exhibition.

Non-transfer.

30. No Exhibitor will be allowed to transfer any allotment, or to allow any other than his own duly admitted exhibits to be placed thereon, except by permission of the Committee.

Exhibitor's Name.

31. All goods exhibited must be in the name of the person who signed the application form.

Selling Price.

32. Exhibitors, being traders, are requested to mark the selling price of the articles exhibited complete, so as to facilitate the judgment of the Jury, as well as for the information of visitors.

Non-removal and Perishable Articles.

33. Objects sold cannot be taken away before the close of the Exhibition, without the special permission of the Committee. Special arrangements will be made with regard to perishable exhibits.

Water,

Water, Gas, or Steam Machinery in motion.

34. Exhibitors of apparatus requiring the use of water, gas, or steam must state on applying for admission the quantity of water, gas, or steam which they may consider necessary. Those who wish to show machinery in motion must state the rate of speed at which the machine is to be driven. The furnishing of all counter shafting, pulleys, gas, water, steam, &c., must be at the entire expense of the Exhibitor, but under the direct control of the Committee or their appointed officer.

Dangerous Substances.

35. All fulminating and explosive substances and all dangerous substances are absolutely forbidden to be sent.

Receptacles.

36. Spirits, alcohol, oils, essences, corrosive substances, and generally all substances which might spoil other articles or inconvenience the public, can only be received in solid and suitable vessels of small size.

Catalogues.

37. The Committee reserve the sole right of compiling a catalogue of the exhibits, under regulations which will be duly notified. Each nation will, however, have the right to produce at its own expense, but in its own language only, a catalogue of all the objects in its own Section.

Hand-bills.

38. All hand-bills, printed matter, &c., for gratuitous distribution, connected with exhibits, will be under special regulations, and must first receive the approval and permission of the Committee, or the Director, which may be withdrawn at any time.

No Photographs, &c.

39. No article exhibited may be photographed, drawn, copied, or reproduced, in any manner whatsoever, without the special sanction of the Committee.

Non-liability for Loss or Damage.

40. The Committee will not hold itself responsible for any loss or damage occurring to any exhibit from any cause whatsoever; but while declining any responsibility, it is the intention of the Committee to take such precautions as they deem necessary.

Future arrangement as to date of Reception and Jury.

41. Future regulations will settle in due time the arrangements for the date of reception, location of goods, tickets of admission for Exhibitors and Assistants, and the formation and working of the Jury.

Right to alter Rules.

42. The right to add to, alter, amend, or expunge any of these Rules is reserved by the Committee.

All Rules binding.

43. Both Englishmen and Foreigners, in becoming Exhibitors, declare by so doing their compliance with the whole of these Regulations, together with such other Regulations as the Committee may issue from time to time.

44. The Committee reserve the right to remove the objects belonging to any Exhibitor who shall not conform to the Regulations.

Non-liability for Accidents.

45. If any damage or injury shall be caused or occasioned during the Exhibition, by any exhibited machine, implement, or article, to any visitor or other person, or to any officer, servant, or others then and there employed by the Committee of the Great International Fisheries Exhibition 1883, then the Exhibitor to whom such machinery, implement, or article may belong shall indemnify and hold harmless the said Committee from and against all actions, suits, expenses, and claims on account or in respect of any such damage or injury which may be so caused or occasioned.

THE GREAT INTERNATIONAL FISHERIES EXHIBITION—LONDON, 1883.

APPLICATION FOR SPACE.

Submitted to the Secretary for approval.

Name of Exhibitor

Address

General condensed description of exhibits

Total ground space	feet superficial	} As per details hereunder.
Total continuous counter space	feet run	
Total wall space	feet superficial	

If apparatus requires use of water, gas, or steam, state quantity. (See Regulation 34.)

1st, water
2nd, gas
3rd, steam

If

If machinery in motion, state speed, &c. (See Regulation 34.)

I hereby engage to abide by all the Rules and Regulations either already made, or to be made, by the Committee.

Dated this _____ day of _____, 1882. Signature _____ Exhibitor.

N.B.—This form should be filled up and sent to the Secretary of "The Great International Fisheries Exhibition, London, 1883," 24, Haymarket, S.W., before the 1st July, 1882.

Name of Exhibitor

Particulars of the space asked for above.	"Division." (See classification.)	Ground Space, For large or weighty articles, or large show-cases.		Dimensions of largest articles.	Space for continuous counter, 3 feet 6 inches broad, 3 feet high. (See note below.)	If goods be exhibited in a show-case, "Yes" or "No."	* Wall space (in feet).			Remarks.		
		Length.	Breadth.				Length, width in feet.	Feet run.	Height.		Width.	Projection.
In class I.	No.	feet	feet	by								
" II.	No.	feet	feet	by								
" III.	No.	feet	feet	by								
" IV.	No.	feet	feet	by								
" V.	No.	feet	feet	by								
" VI.	No.	feet	feet	by								
		Total area ground space in superficial feet (As per above.)										

Exhibitors are requested to keep a copy of their applications for reference in future correspondence.

* Wall space will most likely not be contiguous to the stands for other exhibits.

N.B.—It is requested that wherever possible show-cases and exhibits may be placed on continuous counters, as above.

LIST OF EXHIBITS PROPOSED TO BE SHOWN IN THE SPACE APPLIED FOR.

By _____ Address _____

N.B.—Small Articles of the same description must be entered as a collection of, or sets of, or samples of, &c., and be described under a single "Article Number."

Here state Class No. _____ Special Notice.—A separate form must be filled for each class.

Division.	See Schedule and Classification.—Articles to be entered according to the consecutive "Division Number" to which they belong.	Approximate weight if over 5 cwt	Measurement in feet.		
			Length.	Width.	Height.
Division No.	Article No. 1	Short Description of Article.			
Division No.	Article No. 2				
Division No.	Article No. 3				
Division No.	Article No. 4				
Division No.	Article No. 5				
Division No.	Article No. 6				
Division No.	Article No. 7				
Division No.	Article No. 8				
Division No.	Article No. 9				
Division No.	Article No. 10				
Division No.	Article No. 11				
Division No.	Article No. 12				

Exhibitors can procure more blank forms on application, and they are requested to be particular in putting the article's running number, and to keep a copy of the entire entry, for reference in future correspondence.

THE GREAT INTERNATIONAL FISHERIES EXHIBITION.—LONDON, 1883.

MEMORANDUM FOR COLONIES.

1. In order to secure uniformity of action as regards the exhibitors residing in any Colony, it is of importance that there should be in each one central representative (or correspondent) to act on behalf of the exhibitors in such Colony.

- 1st. The central representative (or correspondent) should undertake to distribute prospectus, application forms, &c., to those likely to become exhibitors.
- 2nd. He should receive the forms (when filled up) applying for space, the list of articles, &c.
- 3rd. He should communicate upon all matters directly with the General Secretary in London (Sir Brandreth Gibbs, 24, Haymarket, London), and should inform him from time to time of any applications for space and of the exact nature of such applications.
- 4th. He should act generally as the representative of the exhibitors in such Colony.
- 5th. When the Committee in London shall have decided how much space is allotted to such Colony, it will be the duty of the representative to divide it among the exhibitors who have applied.

2. The prospectus (sent herewith) sets forth the "divisions" under which the objects will be grouped. In correspondence respecting any regulation, in the prospectus, its number should be quoted, and in the case of reference to objects to be exhibited, the "division" number should be named.

3. It is quite necessary that each exhibitor should keep a copy of his entire entry for future reference.

4. Special attention should be paid to the date by which all applications should be lodged with the General Secretary in London. (See Regulation "G" in the prospectus.)

5. In the case of any Colony whose fishing operations are so limited as not to require a representative of the exhibitors, communications can be addressed by individual exhibitors direct to the General Secretary in London.

6. A further supply of prospectuses, blank application forms, blank list of articles, &c., can be obtained on demand made to the General Secretary in London.

7. Immediately a central representative is appointed in any Colony, his name and address should be communicated to the General Secretary in London.

8. Any expenses of whatsoever nature connected with the representation of any Colony, if not borne by the respective authorities of such Colony, must be defrayed by the Colonial exhibitors themselves.

All communications addressed to the General Secretary in London must be prepaid.

General Secretary—

SIR BRANDRETH GIBBS,

24, Haymarket, London.

APPENDIX B.

GREAT INTERNATIONAL FISHERIES EXHIBITION,

SOUTH KENSINGTON, LONDON, 1883.

CATALOGUE OF THE EXHIBITS IN THE NEW SOUTH WALES COURT.

INTRODUCTORY REMARKS.

THE greater portion of the exhibits in the N. S. Wales Court have been liberally supplied by the Trustees of the Australian Museum, at the request of the Commissioners, N. S. Wales Fisheries, having been specially prepared by the skilled taxidermists of that institution, the Commissioners themselves undertaking, through their energetic Secretary, Mr. Lindsay Thompson, the preserving of the tinned fish and oysters, and procuring from the various beds the large and interesting collection of oysters displayed in the Court, as well as the fishing-boat, nets, and lipes, the fish-oils, the photographs and oil-paintings of the food-fishes, with many other interesting articles mentioned in the Catalogue.

The notes appended to each of the different samples of oysters have been collated from the reports sent with each to the Commissioners by the Inspectors and Sub-Inspectors of the various leased beds in the Colony of New South Wales.

One of the most marked features in the fish fauna of the Australian seas is the almost entire absence of the cod tribe (Gadidæ), a family among which the cod-fish itself, the ling, the haddock, the English whiting, the hake, &c., supply such immense quantities of valuable food, and afford so much employment to thousands of human beings in the Old and New Worlds. This want is, however, amply supplied by members of other families, such as the Mugillidæ, Sciaenidæ, and Carangidæ, which visit the Australian shores in vast shoals. From among these, fisheries might be formed, which, if carried on under efficient management, experience, and skill, with a comparatively small expenditure, would in the future bid fair to rival the largest and most important in the world. Unfortunately there are at present no fish-curing or canning establishments in New South Wales.

With the exception of one species, *Retropinna richardsonii*, gill, a species not used for food, the Salmonidæ are naturally absent, but this family has been so successfully introduced into the Tasmanian waters that it is highly probable, ere long, even salmon will form an important article of export.

With regard to the Clupeidæ (the herrings, pilehards, sprats, and anchovies), the species of this family are very numerous, and occur in quite as large shoals as in any other part of the world.

When the Mugillidæ, the most valuable for canning purposes, but which only occur at a certain season of the year, are gone, there are many other families, the members of which are also found in immense quantities, for instance, the Sciaenidæ: *Sciaena antarctica* and *Otolithus atelodus*; the Sparidæ: *Chrysophrys australis*, *C. sarba*, *Girella tricuspidata*, *G. simplex*, and *Pagrus unicolor*; the Carangidæ: *Seriola lalandii*, *S. gigas*, *S. grandis*, *Temnodon saltator*; the Scombrosocidæ: *Hemiramphus intermedius* and *H. regularis*; the Scombridæ, which include the mackerels: *Scomber australasicus*, *S. colias*, *Thynnus pelamys*; the Trachinidæ: *Sillago ciliata*, *S. maculata*: *S. bassensis*—all of which occur at various seasons of the year, and, being obtainable in large quantities, would afford lucrative employment to hundreds of men, women, and children, and food for thousands.

Moreover, with more experience and knowledge of the proper trawling-grounds, still further sources of supply will arise.

At present, a great difficulty is the proper preservation of fish after their capture for transit inland and elsewhere. This arises from the heat of the climate, the scarcity of ice, and the want of efficiently constructed and swift boats for transit. Doubtless such wants will in due course be remedied, as the demand for fish-food is daily on the increase.

The fishing industry as yet may be regarded as in its infancy. This is shown by the fact that the only nets in general use by the fishermen are the ordinary trawling-seines and mashing-nets, while there is only one style of boat, a model of which is exhibited in the Court.

It

It may not be out of place here to draw attention to some of the principal features of the New South Wales Court, among which may be enumerated the large sun-fish, *Orthogoriscus*, sp., the luth, *Dermatochelys coriaceous*, the group of Péron's seals, *Otaria cinerea*, exhibited for the first time in England and Europe, the large collection of food-fishes stuffed and in spirits. The sponges and oysters deserve attention, while the walls are decorated by life-sized oil-paintings of fishes and large photographs of the fish-markets and certain of the Government offices and other magnificent buildings, highly creditable to Mr. James Barnet, the Colonial Architect.

CLASS I.

SECTION 1.

Seine Net, in general used by the fishermen of Port Jackson.

Regulation mesh. "Bunt" or central portion $2\frac{1}{2}$ inches, length 27 fathoms; wings or sides, mesh 3 inches, and (when wet and stretched, measuring from knot to knot diagonally) length of each wing 27 fathoms. Cost £10 to £20 10s.

Set of hand lines, mounted with hooks and sinkers, ready for use.

No. 1. Large Shark Line and Hook, length 40 yards. Retail price, 10s.

No. 2. Deep-Sea Line, 100 yards. 3s. 6d.

No. 3. "Schnapper" Line, 50 yards. 3s. 6d.

No. 4. "Kingfish" Line, 50 yards. 5s.

No. 5. "Black-Bream Line, 40 yards. 1s. 6d.

No. 6. "Squire" Line, 50 yards. 2s. 6d.

No. 7. "Flathead" Line, 40 yards. 2s. 6d.

No. 8. "Red-Bream" Line, 40 yards. 1s. 6d.

No. 9. "Bait" Line, 20 yards. 6d. A light line used for catching small fish, chiefly Mackerel and "Yellow-tail," for bait.

SECTION 1, 3.

Model of a centre-board fishing-boat, with sails, &c., and gear complete, size $3\frac{1}{2}$ inches to the foot. The usual length of these boats is from 20 feet to 22 feet, with 6-foot beam. Cost £30 to £40, according to finish.

Length of model, 6 feet.

CLASS IIIa.

FISH PREPARED FOR FOOD.

Div. 26. II. a. Smoked Fish tinned.

II. b. Sun-dried Salted Fish.

FISH TINNED FOR FOOD.

SMOKED.

Whiting (*Sillago ciliata*).

Tailor (*Temnodon saltator*).

Gar-Fish (*Hemirhamphus regularis*).

Black Bream (*Chrysophrys australis*).

Grey Mullet (*Mugil grandis*).

FRESH FISH.

The Jew Fish (*Sciæna antarctica*).

Tailor (*Temnodon saltator*).

Salmon (*Arripis truttaceus*).

Whiting (*Sillago ciliata*).

Murray Cod (*Oligorus macquariensis*).

Black Fish (*Girella tricuspidata*).

Schnapper (*Pagrus unicolor*).

Trevalley (*Caranx georgianus*).

Black Bream (*Chrysophrys australis*).

Long-Tom (*Belone ferox*).

Grey Mullet (*Mugil grandis*).

Flounder (*Pseudorhombus russellii*).

Eel (*Anguilla australis*).

Oysters (*Ostrea glomerata*).

Prawns (*Penæus esculentus*).

B.—OILS FROM FISH, OTHER THAN FOR EDIBLE PURPOSES.

Oils from the following species:—

1. The Sun-Fish (*Orthogoriscus* sp.).
Oil and strips of the cartilage cut up for making glue.
2. Sea Mullet (*Mugil grandis*, Castelnau).
3. Black Stinging-Ray (*Trygon pastinaca*, L.).
4. "Tiger" Shark or "Wobbigong" (*Crossorhinus barbatus*).
5. "Grey-Pointer" Shark (*Carcharodon rondelatii*).
6. Rayner's Shark (*Galeocerdo rayneri*).

DUGONG OILS.
(Culinary and Edible Purposes.)

Oil and Lard from the Dugong (*Halicore australis*).
(See Notes on *Sirenia*, D. 54, n.)

CLASS V.

NATURAL HISTORY, MUSEUM SPECIMENS.

Division 42, a.—Algae obtained in Port Jackson and adjacent coast in Trawling.

Division 43, b.—Sponges in their natural state.

A large and valuable collection of Sponges from Port Jackson, &c., preserved in spirits of wine: about 50 species; 140 specimens.

Division 44, c.—Corals from Port Jackson.

1. *Cylicia quinaria*, Tenison-Woods. A littoral species, found in rock-pools at low tides, and also dredged in 20 fathoms. Animal yellowish white to pink.
2. *Cylicia smithii*, Dana.
3. *Cylicia tenella*, Duncan.
4. *Astrangia adusta*, Lütken. Dredged in about 10 fathoms; Port Stephens; rare.
5. *Plesiastrea urvili*? An incrusting species of Reef Coral, recently found alive in Port Jackson. Animals iridescent, varying from deep blue to bright green.
6. *Heteropsammia elliptica*, T.-Woods.
7. *Balanophyllia buccina*, T.-Woods. Found on stones and rocks at low tides; rarely obtained alive. Animals yellow, orange, or pink.
8. *Conocyathus sulcatus*? D'Orbig. A common species dredged on sandy and shelly bottoms, and at various depths, in Port Jackson. Animal pink to straw-yellow.

BRYOZOA, &c.

An interesting collection of Bryozoa, Hydroids, Gorgonias, &c., from the Australian coast, and carefully determined by Mr. Haswell, embraces the following species among others:—

- Catenicella hastata*, Griffith's Point, Victoria.
Catenicella ventricosa.
Catenicella taurina, R. B. Broughton Islands.
Catenicella lorina, Haswell. Griffith's Point, Victoria.
Mesenteripora repens, Haswell. Broughton Islands.
Cellepora granulosa, Haswell. Holborn Island.
Cellepora, sp. Port Molle.
Cellepora, sp. Port Stephens.
Cellepora, sp. Port Jackson.
Cellepora, sp., from Thursday Island, N.A., with pores made by minute Actiniae.
Cellepora lævis. Holborn Island.
Onchopora immersa, Haswell. Holborn Island.
Silenaria maculata, Busk.
Conescharella conica, Haswell. Holborn Island.
Escharia, sp. Holborn Island.
Escharia, sp. Port Jackson.
Hemescharia, sp. Port Jackson.
Flustra, sp. Port Jackson.
Biflustra, sp. Port Jackson.
Retepora, sp. Broughton Island.
Retepora cellulosa, Busk. Port Jackson.
Allepora, sp. Port Jackson.
Scrupocellaria cervicornis, R. B. Port Curtis.
Scrupocellaria, sp. Thursday Island.
Salicornaria gracilis.
Amathia spiralis, Lamx. Port Stephens.
Amathia cornuta, Lamx. Port Jackson.
Nellia oculata, R. B. Port Molle.
Carbacea cribriformis, R. B. Thursday Island.
Carbacea, sp. Port Denison.
Carbarea rudis, Busk. Port Jackson.
Cellularia cuspidata, R. B. Gloucester Passage.
Bugula, sp. Port Jackson.
Idmonea radians, Port Jackson.
Idmonea milneana, D'Orb. Holborn Island.

(Many other genera and species as yet undetermined, and are probably new.)

Division

Division 46, c.

EDIBLE MOLLUSCA.

OYSTERS.

Ostrea glomerata, *O. virescens*, *O. subtrigona*, Sow., *O. mordax*, Gld., *O. edulis*, var. *purpurea*, Hanley.)

A large collection of Oysters, in numerous varieties, and from beds in different localities. Most of these beds are natural beds; very few of them formed by artificial layings; all are under lease, and more or less under cultivation.

The Rock-Oysters, although usually known under several different names, are now by most conchologists admitted to be only localised varieties of one and the same species, *Ostrea glomerata*. If we accept this view, then we have only two species which are used as articles of food—*O. glomerata*, in its many varieties, and *O. edulis*, L., *O. purpurea* being only a variety of the latter, which is identical with the small form known as the "Native" in the London markets.

Ostrea sp. (No. 69), from Coffin's Bay in South Australia, is another variety of the same species found in the Adelaide market, and frequently producing irregularly-formed pearls of large size, but of no commercial value.

Ostrea virescens is a rare species, only occasionally found at very low tides on some of the numerous islands in Port Jackson. Other species (*O. crista-galli* and *O. imbricata*) were obtained by Mr. A. Morton at Port Denison, Queensland; and the "Hammer-Head Oyster" (*Malleus albus*, Lam.), &c., are found on our coasts, but do not find their way into the market as articles of food.

The following collection, from seventy different beds and localities, is exhibited to show the numerous forms which our *Ostrea glomerata* assumes in various places, and the great wealth which may be developed by proper legislation, administration, and cultivation of the Oyster-beds in New South Wales.

NEWCASTLE OYSTERS, HUNTER RIVER.

- No. 1. From the main channel known as the Bluff Bed; depth of water from 1 to 24 feet.
 2. From the Beaton Bed; depth of water from 4 to 15 feet.
 3. From the western side of the channel; part of it becomes dry at low water; the deepest part of it is about 8 feet.
 4. From the western side of the channel; part of it becomes dry at low water; the deepest part of it is 5 feet.
 5. Is from the first bed in Fullerton Cove on the east side of the bay; depth of water from 1 to 20 feet.
 6. Is from the next bed on the west side of the channel; depth of water from 6 to 15 feet.

HAWKESBURY-RIVER OYSTERS.

- No. 7. From Browera Creek. Natural "Dredge Oysters." Length of bed 10 miles, 4 to 8 or 10 feet wide, with depth of water 4 feet in some places, at others from 10 to 12 feet at low water.
 8. From "Muna Muna" Creek. Cultivated Oysters, laid on an artificial bed, under cultivation, at the entrance in Feb., 1882, having improved very well; depth of water 5 feet at low water.
 9. Cultivated Oysters, laid in March, 1882, on a bed, at the entrance to Mooney Creek, in 3 feet of water at low water; have not done so well.
 10. The very best Rock-Oysters; dry at low water, very scarce, and bring the highest price in the market when obtainable.

MANNING-RIVER OYSTERS.

- No. 11. From Harriett's Bed; 100 yards long and 10 to 12 yards broad; depth of water 8 feet. This bed is now completely exhausted, the bottom being of black muddy sand; destroyed by over-dredging.
 12. From Blackbutt's Bed; 150 yards long and 10 to 12 yards wide; depth of water 12 to 20 feet; bottom same as above.
 From mouth of Graham's-Creek Bed; 150 yards long, 4 to 8 yards wide; depth of water 4 to 8 feet.
 14. From Lec's Bed; 300 yards long, 60 to 70 yards wide; depth of water 5 to 12 feet; rocky bottom, irregular.
 15. From Owen Smith's Back Bed; 300 yards long, 60 yards wide, depth 4 to 12 feet; bottom very rocky and irregular.
 16. From Shubert's Bed; 300 yards long, 70 yards wide, depth 2 to 12 feet.
 17. From P. Smith's Bed; 300 yards long, 10 to 20 yards wide, depth 4 to 20 feet.
 18. From Scott's Creek Bed; 250 yards long, 20 yards wide, depth 2 to 10 feet; rocky bottom.
 19. From Catton Bed; length 200 yards, breadth 60 yards; depth of water from 3 to 20 feet; bottom—sand, clay, and mud.
 20. From M'Dermid's Bed; length 500 yards, breadth from 50 to 60 yards; depth of water from 5 to 16 feet; bottom, rocky.

CLARENCE-RIVER OYSTERS.

- No. 21. From the House Bed; depth of water 3 feet.
 22. From the House Bed; depth of water 6 feet.
 23. From the House Bed; depth of water 17 feet. The House Bed is the most important of the Clarence-River Oyster-beds.
 24. From Rotgut Bed; depth of water 3 feet.

25. From Rotgut Bed ; depth of water 16 feet. The Oysters from this bed have had an indifferent reception in the market, and the bed has accordingly received its peculiar name. The bed was well worked last year (1881), and it is supposed that it is on this account that the Oysters are this season (December, 1882), for the first time, free from the objectionable defect from which the bed takes its name.
26. From Captain Dick's Bed ; depth 4 to 6 feet in the Lake Channel, with an area of about $3\frac{1}{2}$ acres ; and produces the best quantity of Oysters.
27. From the Mud Patch ; depth 12 to 14 feet. It is a small bed, interrupted in places with mud patches, hence its name.
28. Rock-Oysters, taken from the stones on the inner side of the dyke at the Clarence Heads.
29. From Brodie's Bed ; depth 3 to 6 feet.
30. From Brodie's Bed ; depth 16 feet. Contains an area of about 8 acres
31. From Lake Bed, which covers an area of 7 acres, and is said to have been one of the finest beds in the Clarence River ; several portions of it have been covered by shifting sand ; depth of water 3 to 4 feet.

MORUYA-RIVER OYSTERS.

- No. 32. The Beds extend about half a mile on each side of the river, and are covered with from 8 to 12 feet of water.

SHOALHAVEN-RIVER OYSTERS.

- No. 33. Bed 300 yards from the mouth of Broughton Creek, and about 200 yards long ; depth of water from 10 to 16 feet ; rocky bottom.
34. Bed about 400 yards from Broughton Creek ; about 150 yards long ; depth of water 12 feet ; rocky bottom.
35. Bed about 100 yards long ; depth of water from 7 to 14 feet ; rocky bottom.

JERVIS-BAY OYSTERS.

- No. 36. Currumbene Creek ; the bed is about 2 miles from the mouth of the Creek ; about 150 yards long ; depth of water from 5 to 10 feet ; rocky bottom.
37. Currumbene Creek ; bed about 300 yards from the abovementioned bed ; about 200 yards long ; depth of water from 5 to 12 feet ; rocky bottom.
38. From Bherrewerre ; the length of the bed is about 200 yards ; depth of water from 4 to 9 feet ; rocky bottom.

CROOKHAVEN-RIVER OYSTERS.

- No. 39. Bed worked out ; depth from 6 to 8 feet ; bottom, shells.
40. Rock-Oysters from the Dyke, Crookhaven River.

GEORGE'S-RIVER OYSTERS.

- No. 41. O'Connell's Oyster-bed dredging-ground ; length of bed about 400 yards, width about 40 yards ; depth of water 10 to 20 feet.
42. Oven-Beach Bed ; about 20 chains long ; width of bed about 25 yards ; depth of water 20 to 30 feet.
43. Punt-Reach Bed ; about 150 yards long, width about 20 yards ; depth of water about 10 to 15 feet.
44. "Big Half-moon" Bed ; about 100 yards long, width about 20 yards ; depth of water about 20 to 25 feet.

RICHMOND-RIVER OYSTERS.

- No. 45. Known as the Upper Bed ; dredged from the depth of 7 feet.
46. Taken from a mud-flat left bare at low-water.
47. Rock-Oysters taken from the rock at the Pilot Station, Richmond River Heads.

CLYDE-RIVER OYSTERS.

- No 48. Sample from 14 to 20 feet depth of water ; bottom shelly and shingly.
49. Sample from 25 to 35 feet depth of water ; bottom hard slaty bed, with large loose rock.
50. Sample from 12 to 20 feet depth of water ; bottom gravel and shell.
51. A hard rock-bed, with large loose stones ; depth of water about 40 feet.
52. Soft shingly rock-bed of a yellow colour ; depth of water about 14 to 20 feet.
53. Shell and shingly bed, with a rocky shore, depth of water about 20 feet.
54. Hard rocky bottom ; depth of water about 60 feet.
55. Hard slaty-rock bed ; very few shells ; depth of water about 40 feet.
56. Soft yellow rock-bed ; no shingle ; depth of water from 14 to 20 feet.

CAMDEN-HAVEN OYSTERS.

- No. 57. "Stinker's Creek"; depth of water 6 to 10 feet, with pipe-clay and ironstone bottom covered with oyster-shells and sandy mud.
58. Lower Bed, Maine River; depth of water 10 to 13 feet, with broken shells and sandy mud bottom.
59. Middle Bed, Maine River; depth of water 6 to 10 feet, with shells and sandy mud bottom.
60. Known as the Upper or Top Bed, Maine River.
61. The Upper or Top Bed, Maine River; depth of water from 6 to 9 feet, with oyster-shells and silty bottom.

LAKE-TUROSS OYSTERS.

- No. 62. True Mud-Oyster. *Ostrea edulis*, Linn., var. *purpurea*, Hanley; *O. Angasii*, Sowerby. Sample of Newcastle Oysters, being destroyed by steam traffic in the river.
63. These Oysters are being destroyed by the large quantity of silt spreading over the natural oyster-bed. They only live a few days after being taken from the water, and even when freshly opened the animal is of a dirty-white colour, and quite unfit for food.

CAPE-HAWKE OYSTERS.

- No. 64. This is the so-called Drift Oyster of the Sydney oystermen *Ostrea subtrigona* of Sowerby. An overgrown form of *Ostrea glomerata*, Gld.

LAKE CUTGEE, NEAR BERMAGUI.

- No. 65. True Mud-Oyster. *Ostrea edulis*, Linn., var. *purpurea*, Hanley; *O. Angasii*, Sowerby.

AUCKLAND, NEW ZEALAND.

- No. 66. Rock-Oyster. *Ostrea glomerata*, Gld.

CAPE UPSTART, QUEENSLAND.

- No. 67. Rock-Oyster. *Ostrea mordax*, Gld. Variety of *Ostrea glomerata*, Gld.
- No. 68. The true Mud-Oyster. *Ostrea edulis*, Linn., var. *O. purpurea* (Hanley); *O. Angasii* (Sowerby). From Port Jackson.
- No. 69. A variety of the Mud-Oyster (*O. edulis*, L.), from the South Coast of Australia about 130 miles west of Adelaide, near Coffin's Bay; hard limestone bottom, no mud. This variety produces pearls, but of no commercial value. (Obtained from Messrs. Taylor Brothers, Adelaide.)
- No. 70. *Ostrea virescens*, Angas. A rare species found at very low tides on some of the small islands in Port Jackson. (From Mr. Brazier's collection.)

COLLECTION OF OTHER EDIBLE MOLLUSCA.

1. *Haliotis naevosa*, Mart. The "Mutton-fish," or Ear-shell as it is sometimes called, was once very abundant on our coast, and is still plentiful on certain unfrequented parts. It is considered a great delicacy by the Chinese, by whom it is chiefly used, and worth from 10d. to 1s. per lb.

1 a. Animal dried; 1 b. Animal dried and salted; 1 c. The shell is used for making ornaments, &c.

2. *Ninella straminea*, Mart. Found under ledges of the rocks at low water, and still tolerably plentiful in the neighbourhood of Port Jackson. With other shell-fish they formed one of the chief articles of food in the early days of the aborigines, and are still eaten by some of the colonists; when boiled slowly or steamed for a considerable time the animal becomes soft and is easily extracted from its shell. The shells are used for ornaments when polished, and in the manufacture of buttons. Zoologists may be interested in the fact that a small parasitic crustacean is sometimes found imbedded in the integument of this species.

3. *Trochocochlea taniata*, Q. et G.

4. *Tectarius pyramidalis*, Quoy.

5. *Littorina mauritiana*, Lam.

These, known under the name of "Periwinkles," are occasionally eaten, being sold in the streets to the juvenile members of the community. They are found in considerable numbers on the rocky shores all along our coasts.

6. *Potamides ebeneum*, Brug. This is a much larger animal than any of the preceding, and, although frequently eaten, is more often used as bait by amateur fishermen. It abounds on the extensive mud and sandy flats of Port Jackson and other inlets of the coast, and may be gathered in quantities at low tides.

7. *Triton australis*, Lam. Formerly plentiful in crevices under shelving rocks on the seaboard. Seldom used as food, perhaps from its scarcity. It is a fine handsome shell, and attains comparatively a large size.

8. *Mytilus hirsutus*, Lam. This bivalve, frequently known as the "Mussel," is found in large quantities, growing together in masses on the rocky shores often left dry by the tides, but also at a considerable depth. When roasted it has much the same flavour as an Oyster treated in the same way, and is esteemed by many people. It may be cooked in a variety of ways, as Clams are in America.

9. *Anomalocardia trapezia*, *Desh.* Usually known as "Clams," &c.; this species is quite equal to the well-known Clam of America. It is to be regretted that it is not more in use as an article of food in the Colonies. Numbers may be taken by trawling over the sandy flats at the mouth of the Hunter and Parramatta rivers, &c., or at low tides by wading among the sea-grass (*Zostera*) nearer the shore.

10. *Tapes undulata*, *Born.* This species is not often used as an article of food in the Colonies, although allied species are usually eaten in other countries. A very small species of an allied genus found at Alexandria is used at Aden and Port Said as a common article of food.

11. *Tridachna elongata*, *Lam.* This species is common on the reefs on Lord Howe Island, and is palatable and nutritious. Like the "Clam," it may be cooked in a variety of ways.

12. *Chione calophylla*. This species is only obtainable by dredging or trawling, unless baited traps be used. While evidence is wanting as to its use as an article of food, being probably not found in sufficient numbers, there is no reason to doubt its usefulness in this way. It was formerly much sought after by conchologists, being a very ornamental species and somewhat rare; lately, however, it has been found comparatively plentiful at the mouth of the Parramatta River and Lane Cove, on a black-mud bottom.

13. *Ostrea virescens*, *Angas.*

It is to be hoped no naturalist would have the hardihood to break open the shell of so rare a species for the sake of the delicious morsel contained therein. *Ostrea virescens* is only found at very low tides on certain islands in Port Jackson. The specimens have been obtained from Mr. John Brazier, C.M.Z.S., who has also been good enough to furnish the scientific names of the shells mentioned in the foregoing collections, according to the latest version by conchologists.

CEPHALOPODA—

Octopus.

Loligo australis, *Gray.* Squid.

Sepioteuthis australis, *Quoy et Gaim.* Squid.

Sepioteuthis, sp. Squid.

Sepioteuthis, sp. Squid.

Sepia plangon, *Gray.* The Cuttlefish.

Similar species to the above are dried by the Chinese and Japanese, and used as articles of food. The squids are used by the colonists, being boiled and served on the table in white sauce. As these animals are very plentiful on our coasts, a large trade might be developed with China and Japan, &c. At present they are seldom used except for bait by the fishermen.

The Octopi grow to a large size, their arms sometimes attaining a length of 6 feet. The Cuttles seldom exceed 6 or 8 inches in length of body; but the "back bones" or internal shells of some, exceeding 15 inches in length and 6 inches wide, are occasionally found thrown up on the sea-beaches after heavy gales.

NON-EDIBLE MOLLUSCA.

1. *Aplysia tigrina*, *Rang.* Port Jackson.

Horny shell of animal, dry.

(*Spirit Specimens*)—

2. *Aplysia*, sp. Port Jackson.

3. *Aplysia*, sp. Port Jackson.

4. *Aplysia*, sp. Port Jackson.

5. *Aplysia*, sp. Port Jackson.

6. *Aplysia*, sp. Port Stephens.

7. *Aplysia*, sp. Port Stephens.

The above were obtained in great numbers in the trawl.

8. *Dolabella rumphii*. Botany Bay, Port Jackson, and Port Stephens.

9. *Trigonia lamareki*.

A large collection, showing many varieties of colouration, exhibited by Dr. J. C. Cox, F.L.S., Hunter-street, Sydney.

Division 47, f.

Collection of Ascidians and Echinodermata from Port Jackson.

Dry and in spirits, consisting of various species of *Echini*, *Holothuria*, &c.; but only one species, from Lord Howe Island, is used as an article of food.

The collection includes the following:—

Salmacis bicolor.

Salmacis alexandra, *Bell.*

Salmacis, sp.

Temnopleuru toreumaticus.

Tripneustes variegatus.

Strongylocentrotus erythrogrammus.

Centrostephanus rogersii.

Breynia australis.

Astropecten polyacanthus.

Anthenea tuberculata.

Stereoderma validum, *Bell.*

Cucumaria, sp.

&c. &c. &c.

A large collection of Ophiuridæ and other allied forms undetermined.

Division

Division 50, *i.*

Collection of Crustacea in spirits.

CRUSTACEA—

1. *Actea tomentosa*, *M.-Edu.*
2. *Atergates floridus*, *Rm.*
3. *Neptunus pelagicus*, *Linn.*
4. *Nectocarcinus integrifrons*, *Latr.*
5. *Micippa spinosa*, *Stimp.*
6. *Leptomithrax spinulosus*, *Haswell.*
7. *Paramithrax sternocostulatus*, *A. M.-Edu.*
8. *Hyastenus diacanthus*, *A. M.-Edu.*
9. *Grapsus strigosus*, *Herbst.*
10. *Astacopsis bicarinatus*, *Gray.* } Freshwater Crayfish.
11. *Astacopsis serrata*, *Gray.* }
12. *Alpheus edwardsii*. The "Nipper."
13. *Penæus macleayi*, *Haswell.* } Prawns.
14. *Penæus esculentus*, *Haswell.* }
15. *Penæus canaliculatus*, *O.* }
16. *Ranina dentata*.
17. *Palinurus hugelii*, *Heller.* } Saltwater Crayfish or "Lobsters."
18. *Palinurus edwardsii*.

(EDIBLE CRUSTACEA.)

Nos. 3, 10, 11, 14, 15, 16, 17, 18 are used as food, and find a ready sale; they would form a valuable article of food dried. Many of the smaller species are also dried and eaten by the Chinese.

Division 51, *k.*

Collection of Food Fishes.

(127 Genera, 180 Species.)

PERCIDÆ—

Stuffed and in Spirits.

- Lates colonorum*, *Günther.*
Lates calcarifer, *Bleeker.*
Lates victorie, *Castlenau.* Victoria.
Enoplosus armatus, *White.*
Neoanthias güntheri, *Castlenau.*
Serranus damelii, *Günther.*
Plectropoma annulatum, *Günther.*
Plectropoma semicinctum, *Cuv. et Val.*
Plectropoma ocellatum, *Günther.*
Plectropoma cinctum, *Günther.*
Genyoroqe macleayana, *Ramsay.* (Specimen not arrived, represented by a large life-sized oil painting.)
Glaucosoma scapulare, *Ramsay.*
Priacanthus macracanthus, *Cuv. et Val.*
Apogon fasciatus, *White.*
Arripis salar, *Richardson.* (*Centropistes truttaceus*, *Cuv. et Val.*)
Oligorus macquariensis, *Cuv. et Val.*

Numerous specimens from various parts of the Colony. The Macquarie, Murrumbidgee, Richmond, and Clarence Rivers; and Lake George.

- Ctenolates ambiguus*, *Richardson.*
Ctenolates flavescens, *Casteln.* Macquarie River.
Therapon unicolor, *Günther.*
Therapon cuvieri, *Bleeker.*
Therapon percoides, *Günth.*
Therapon richardsoni, *Casteln.* Bell's River.
Therapon macleayana, *Ramsay.* Macquarie River.
Pristipoma hasta, *Bleeker.*
Histioporus recurvirostris, *Richardson.*
Histioporus labiofus, *Guth.* This specimen not arrived (see Photo.)
Gerres ovatus, *Günther.*
Gerres filamentosus, *Cuv. et Val.*

SQUAMIPINNES—

- Chætodon strigatus*, *C. et V.*
Scatophagus multifasciatus, *Richardson.*
Drepane punctata, *Cuv. et Val.*
Scorpiæ æquipinnis, *Richards.*
Atypichthys strigatus, *Günth.*

NANDIDÆ—

- Plesiops bleekeri*, *Guth.*

MULLIDÆ—

- Upencichthys porosus*, *Cuv. et Val.*

SPARIDÆ—

SPARIDÆ—

- Pachymetopon grande*, Günth. (Two very large stuffed specimens.)
Girella tricuspidata, Cuv. et Val.
Girella simplex, Richardson.
Girella elevata, Macleay. (Stuffed.)
Haplodactylus lophodon, Günth.
Haplodactylus obscurus, Casteln.
Pagrus unicolor, Cuv. et Val. (Two large specimens, stuffed; weight, 27 lbs.)
Pagrus unicolor, Cuv. et Val. (Red Bream, young of the Schnapper.)
Chrysophrys sarba, Horsk.
Chrysophrys australis, Günth.
Chrysophrys hasta, Bleeker.

CIRRHITIDÆ—

- Chironemus marmoratus*, Günth.
Chilodactylus morwong, Ramsay.
Chilodactylus vittatus, Garr.
Chilodactylus macropterus, Richardson.
Chilodactylus fuscus, Casteln.
Latris forsteri, Casteln.

SCORPÆNIDÆ—

- Scorpena cruenta*, Richardson.
Scorpena cardinalis, Richardson.
Pterois zebra, Cuv. et Val.
Centropogon marmoratus, Günth.

TEUTHIDÆ—

- Teuthis nebulosa*, Q. et G.

BERYCIDÆ—

- Beryx affinis*, Günther.

KURTIDÆ—

- Pempheris compressus*, White.
Pempheris macrolepis, Macleay.

POLYNEMIDÆ—

- Polynemus macrochir*, Günth.

SCIENIDÆ—

- Sciæna antarctica*, Castelnau.
Corvina argenteus, Macleay.
Otolithus atelodus, Günth. (*O. taraglin*, Macleay.)

TRICHTURIDÆ—

- Thyrsites atun*, Cuv. et Val.

ACRONURIDÆ—

- Prionurus microlepidotus*, Lacép.

CARANGIDÆ—

- Trachurus trachurus*, Cuv. et Val.
Caranx declivis, Jenyns.
Caranx georgianus, Cuv. et Val.
Seriola lalandii, Cuv. et Val.
Seriola gigas, Günth.
Temnodon saltator, Bleeker.
Trachynotus ovatus, L.
Equula edentula, Bleeker.
Psettus argenteus, L.
Neptomenus brama, Günther.
Neptomenus travale, Casteln.

CYTTIDÆ—

- Zeus australis*, Richardson.
Cyttus australis, Richardson.

SCOMBRIDÆ—

- Scomber antarcticus*, Casteln. (*Scomber colias*, L.?)
Naucrates ductor, L.
Elacate nigra, Bl.
Echencis remora, L.

TRACHINIDÆ—

- Percis nebulosa*, Q. et G.
Sillago ciliata, Cuv. et Val.
Sillago bassensis, Cuv. et Val.
Sillago maculata, Q. et G.
Sillago punctata, Cuv. et Val.

(Opisthognathidæ)—

- Opisthognathus jacksonensis*, Macleay.

COTTINÆ—

- Platycephalus cirronasus*, Richardson.
Platycephalus fuscus, Cuv. et Val.
Platycephalus cinereus, Günth.

TRIGLIDÆ—

- Trigla kumu*, Less. & Garn.
Trigla polyommata, Richardson.
Lepidotrigla papilio, Cuv. et Val.

GOBIIDÆ—

- Eleotris aporos*, Bleeker.
Cristiceps macleayi, Casteln.

SPHYRÆNIDÆ—

- Sphyræna obtusata*, Cuv. et Val.
Laniopeca mordax, Günth. (*Neosphyræna multiradiata*, Casteln.)

MUGILIDÆ—

- Mugil dobula*, Günth.
Mugil peronii, Cuv. et Val.
Mugil argentus, Günther.
Mugil waigiensis, Q. et G.
Myxus elongatus, Günth. (Fam. ?)
Nematocentrus splendida, Peters.

FISTULARIDÆ—

- Fistularia serrata*, Cuv.

LABRIDÆ—

- Cossyphus gouldii*, Richardson.
Cossyphus unimaculata, Casteln.
Labrichthys laticlavus, Rich.
Coris lineolata, Cuv. et Val.
Odax semifasciatus, Cuv. et Val.
Olistherops cyanomelas, Richardson.

ANACANTHINI.

GADIDÆ—

- Lotella callarias*, Günth.
Lotella fuliginosa, Günth.
Pseudophysis barbatus, Günth.

PLEURONECTIDÆ—

- Arnoglossus bleekeri*, Macleay.
Pseudorhombus russellii, Gray.
Pseudorhombus multimaculatus, Günth.
Solea microcephala, Günth.
Solea macleayi, Ramsay.
Pardachirus pavoninus, Lacép.

Synaptura nigra, Macleay.
Lophonectes, sp. nov.
Tapirisolea, sp.

PHYSOSTOMI.

SILURIDÆ—

- Copidoglanis tandanus*, Mitchell.
Neosilurus hyrtlii, Steind.
Cnidoglanis megastoma, Richardson.
Cnidoglanis lepturus, Günth.
Cainosilurus australis, Casteln.
Arius australis, Günth.

SCOPELIDÆ—

- Saurus myops*, Cuv. et Val.
Saurida nebulosa, Cuv. et Val.
Saurida truculenta, Macleay.
Aulopus purpurissatus, Richardson.

SCOMBRESOCIDÆ—

- Belone krefftii*, Günth.
Belone ferox, Günth.
Hemirhamphus intermedius, Cant.
Hemirhamphus regularis, Günth.
Hemirhamphus commersonii? Cuv. et Val.
Scombresox forsteri, Cuv. et Val.

CLUPEIDÆ—

- Chatoessus erebi*, Richardson.
Chatoessus elongatus, Macleay.
Brisbania staigeri, Casteln.
Megalops cyprinoides, Brouss.
Clupea sagax, Jenyns.
Etrumeus jacksonensis, Macleay.
Elops saurus, L.

MURÆNIDÆ—

- Anguilla australis*, Richards.
Conger vulgaris, Cuv.
Muraenesox cinereus, Forsk.
Ophichthys serpens, L.

PLECTOGNATHI.

PLECTOGNATHI.

SCLERODERMII—

- Triacanthus biaculeatus*, *Bl.*
Monacanthus hippocrepis, *Q. et G.*
Monacanthus megalurus, *Richardson.*
Monacanthus ayraudi, *Q. et G.*
Monacanthus granulatus, *Richardson.*

GYMNODONTES—

- Aracana lenticularis*, *Richardson.*
Diodon hystrix, *L.*
Orthogoriscus, sp. nov. (?*O. mola*). (*Orthogoriscus Ramsayi*. Giglioli, "Nature," vol. xxviii, No. 718, p. 315, August 2, 1883.) A remarkably large specimen, 12 feet high by 8 feet long, 2 feet thick; weight 1 ton 3 cwt.

Order *Dipnoi*.

- Ceratodus forsteri*, *Kreffl.* Burnett River.
Ceratodus miolapis, *Günth.* Mary River.
 Recent examples of fossil forms from the Mary and Burnett Rivers, Queensland, Australia.

SHARKS AND RAYS, &c.

Order *Chondropterygii*.

CARCHARIIDÆ—

- Carcharias*, sp. (young).
Carcharias, sp. (young).
Galeocerdo rayneri, *MacD. & Barr.*
Zygæna leeuwenii, *Dum.*

LAMNIDÆ—

- Carcharodon rondeletii*, *Müll. & Henle.*
Odontaspis americanus, *Mitch.*

SCYLLIDÆ—

- Chiloscyllium furvum*, *Macleay.*
Parascyllum nuchale, *McCoy.*
Crossorhinus barbatus, *L.*
Crossorhinus, sp. (? var. of *C. barbatus*, *L.*).

CESTRACIONTIDÆ—

- (Recent examples of Fossil Forms.)
Heterodontus philippi, *Lacep.*
Heterodontus galeatus, *Günth.*

RHINIDÆ—

- Rhina squatina*, *L.*

PRISTIOPHORIDÆ—

- Pristiophorus cirratus*, *Latham.*

RHYNOBATIDÆ—

- Rhynobatus granulatus*, *Cuv.*
Trygonorhina fasciata, *Müll & Henle.*

TORPEDINIDÆ—

- Hypnos subnigrum*, *Dum.*

TRYGONIDÆ—

- Urolophus testaceus*, *Müll & Henle.*

MYLIOBATIDÆ—

- Myliobatis australis*, *Macleay.*

Division 52, 1.

A large Luth and a collection of Freshwater Tortoises, from rivers and lagoons, lakes, &c., of New South Wales.

THE LUTH—

- Dermatochelys coriacea*, —.

The leather-backed Turtles, or Luths, are by no means common in the Australian seas, during the last fifteen years only six specimens have been recorded on our coasts. They are usually met with while at sea, but occasionally enter the harbours and bays, probably with a view of laying their eggs on the shallow sand-spits. The present specimen was captured a few months ago (1882) on a sand-spit at Newcastle, at the mouth of the Hunter River, in New South Wales. A very large specimen, exceeding 6 feet in length, was also taken during the latter end of the year, and boiled down for the sake of oil and glue; its head only being saved, is now in the Australian Museum.

FRESHWATER TORTOISES—

- Chelymys victoriae*, *Gray.*
C. krefftii, *Gray.*

These are very numerous in all the Australian rivers, and cause much trouble and annoyance to the fishermen in general, and rod-and-line fishers in particular, by the dexterous manner in which they remove the baits. There are six well-known species, but the present are perhaps the most numerous individually, and grow to at least 8 inches across by 12 inches in length.

During

During a recent search for Ganoids, &c., in the Burdekin River, Mr. Morton, who was sent in charge of the fishing-party (Exploration of Caves and Rivers), informs me that they were obliged to "lift" the set-nets every hour; and even during that short time many valuable specimens of fish which had become "meshed" were completely destroyed. In certain parts of the river, and in some of the adjacent lagoons, these pests were so numerous that the fishing there was ultimately abandoned. Aged individuals taken in the Mary River had their backs completely covered with a thick growth of water-weeds.

CLASS V.

BIRDS.

Division 53, m.

Aquatic and other Birds hostile to fish and fishing.

ACCIPITRES—

1. *Haliaeetus leucogaster*, *Gm.* The Great Fish-Eagle. Male and female.
2. *Pandion leucocephalus*, *Gould.* The Osprey. Male, female, and young.
3. *Haliastur indus*, *Vieill.* (*Var. H. girrenera.*) Male.
4. *Haliastur sphenurus*, *Vieill.* Male and female.

CHARADRIIDÆ—

5. *Lobivanellus lobatus*, *Latham.* The Spur-winged Plover. Male and female.
6. *Hæmatopus fuliginosus*, *Gould.* The Sooty Oyster-catcher. Male, adult.
7. *Hæmatopus longirostris*, *Vieill.* The Oyster-catcher. Male.
8. *Charadrius orientalis*, *Temm.* Oriental Plover. Male.
9. *Charadrius helveticus*, *Linn.* Northern Plover. Male.
10. *Cedicnemus grallarius*, *Latham.* The Stone Plover. Male.
11. *Ægialitis nigrifrons*, *Cuv.* The Black-fronted Sandpiper. Male and female.
12. *Ægialitis ruficapillus*, *Temm.* The Red-naped Sandpiper. Male and young.
13. *Actitis hypoleucos*, *Linn.* Male.
14. *Tringa albescens*, *Temm.* Male and female.
15. *Cladorhynchus pectoralis*, *Dubus.* The Banded Stilt. Male and young female.
16. *Limosa uropygialis*, *Gould.* Male and female.
17. *Gallinago australis*, *Latham.* The Australian Snipe. Male.
18. *Rhynchæa australis*, *Gould.* The Painted Snipe. Adult male.

HERODIONES—

19. *Ardea pacifica*, *Latham.* The Pacific Heron. Male.
20. *Ardea novæ-hollandia*, *Lath.* The New-Holland Heron. Males, females, and young.
21. *Herodias plumiferus*, *Gould.* The Larger Plumed Egret. Adult male.
22. *Herodias garzetta*, *Linn.* The Smaller Plumed Egret. Adult male.
23. *Herodias asha*, *Sykes.* Dusky Reef Heron. Male and female.
24. *Nycticorax caledonicus*, *Lath.* The Nankcen Night Heron. Males, females, and young.
25. *Butorides macrorhyncha*, *Gould.* The Long-billed Mangrove Bittern. Male.
26. *Botaurus poicilopterus*, *Wagler.* The Australian Bittern. Adult male.
27. *Geronticus spinicollis*, *Jameson.* The Straw-necked Ibis. Female.
28. *Platalea melanorhyncha*, *Reich.* Black-billed Spoonbill. Adult male.
29. *Numenius cyanopus*, *Vieill.* The Australian Curlew. Male and female.
30. *Numenius uropygialis*, *Gould.* The Smaller Curlew. Male.

PARRIDÆ—

31. *Parra novæ-hollandiæ*, *Salvadori.* The New-Holland Lotus-bird. Male and female.

ANATIDÆ—

32. *Nettapus albipennis*, *Gould.* The Pygmy Goose. Adult male.
33. *Casarca tadornoides*, *Jardine.* The "Mountain Duck," or Red-breasted Sheldrake. Male and female.
34. *Dendrocygna eytoni*, *Gould.* Eyton's Tree-duck. Adult male.
35. *Anas (Stictonetta) nævosa*, *Gould.* The Freckled Duck. Male and female.
36. *Anas superciliosa*, *Gm.* The "Black Duck" of the Colonists. Male and female.
37. *Anas castanea*, *Eyton.* The Chestnut-breasted Teal. Male and female.
38. *Anas gibberifrons*, *Müll.* The Grey Teal. Male and female.
39. *Spatula rhynchotis*, *Latham.* The Australian Shovel-billed Duck. Male and female.
40. *Nyroca australis*, *Gould.* The Australian White-eyed Duck. Male and female.
41. *Erismanura australis*, *Gould.* The Australian Blue-billed duck. Male and female.
42. *Biziura lobata*, *Shaw.* The Musk Duck. Male and female.

PODICIPITIDÆ—

43. *Podiceps novæ-hollandiæ*. The New-Holland Grebe, "Red-necked Grebe," "Dabchick." Male and female.
44. *Podiceps nestor*, *Gould.* The Hoary-headed Grebe. Male and female.
45. *Podiceps cristatus*, *L.* *Var. P. australis*, *Gould.* The Australian Crested Grebe. Adults, male and female.
46. *Eudyptula minor*, *Forst.* The Smaller Penguin. Adult male and female.

GAVIÆ—

Lariniæ—

47. *Larus pacificus*, *Lath.* The Pacific Black-backed Gull. Adults and young, male and female.
48. *Larus (Xema) novæ-hollandiæ*, *Steph.* The New-Holland Shore-Gull. Adults and young, male and female.

Sterninæ—

Sternine—

49. *Hydrochelidon hybrida*, Pallas. Adult male. *H. fluvialis*, Gould.
50. *Sterna caspia*, Pallas. The "Gull-billed" or Caspian Tern. Male and female.
51. *Sterna anglica*, Mont. *Gelochelidon macrotarsa*, Gould. The Great-footed Tern. Adult male and female.
52. *Sterna media*, Horsfield. The Bengal Tern. Males, females, and young.
53. *Sterna bergii*, Licht. Berg's Tern. Males and females.
54. *Sterna frontalis*, Gray. *S. melanorhyncha*, Gould. The Black-billed Tern. Male, female, and immature male.
55. *Phaeton phœnicurus*, Gmelin. The Red-tailed Boatswain-bird. Adult male.

PROCELLARIIDÆ—

56. *Diomedea exulans*, Linn. The Wandering Albatross. Adults and young, male and female.
57. *Diomedea melanophrys*, Temm. The Black-eyebrowed Albatross. Adult male.
58. *Puffinus (Nectris) brevicaudus*, Brandt. The Short-tailed Mutton-bird. Male and female.

PELECANIDÆ—

59. *Plotus novæ-hollandiæ*, Gould. The Snake-necked Diver. Adults, male and female.
60. *Sula serrator*, Banks. The Southern Gannet. Adults, male and female, and young.
61. *Graculus novæ-hollandiæ*, Steph. The Great Black Cormorant. Adults, male and female.
62. *Graculus varius*, Gmelin. The White-bellied Cormorant. Adult male.
63. *Graculus melanoleucus*, Vieill. The Snail White-breasted Cormorant. Adults, male and female.
64. *Graculus stictcephalus*, Bp. The Little Black Cormorant. Adults, male and female.
65. *Pelecanus conspicillatus*, Temm. The Australian Pelican. Adults, male and female.

Division 54, n.

GROUP OF AUSTRALIAN EARED SEALS.

Arctocephalus (Otaria) cinereus, Peron. Adults, male and female, and young ones.

There are two, if not three, species of Seals still frequenting the New South Wales coast. The largest, called the Sea Leopard, *Stenorhynchus leptonyx*, is the rarest, being occasionally found after severe gales, and then generally in a dead or dying condition. Some of these animals attain the length of from 10 to 14 feet. The skin would make good leather; but it is of no value for its fur, and being so seldom found, cannot be looked upon as of any commercial value.

The more common species, *Otaria cinerea*, Péron, which a few years ago was so rapidly becoming extinct that it was found necessary to have them protected by Government, is now happily on the increase, and a fine herd of this beautiful species still inhabits the "Seal Rocks," a little north of Port Stephens. With respect to this species, Professor J. W. Clark, of Cambridge, has kindly sent me the following note:—
 "Otaria cinerea, Péron. This species was first determined by Péron, whose 'Voyage aux Terres Australes' was published in 1810. He brought home no specimens; but a skull, collected at Port Western by MM. Quoy and Gaimard in 1830, was considered by them to represent Péron's species. This skull is now in the Museum at Paris, and may be regarded as the type of the species. The skull of the male exhibited in the New South Wales Court has been compared with it, and the two are certainly identical. It is the first time that the animal has been seen in England."

An interesting account of the Seal-Fisheries formerly carried on in the Australian Colonies will be found in Mr. A. W. Scott's valuable work on Seals and Whales.

SIRENIA.

Halicornes australis. The Dugong. Male and female.

A fine pair of these curious creatures*, with oil and lard extracted from their flesh, samples of the skin and hide, and salted meat from the same animals.

The oil is nutritious, and in great demand for medicinal as well as culinary purposes, being considered superior to cod-liver oil by many medical men; it is pleasant to the taste, resembling fresh olive-oil, and perfectly colourless when pure, becoming opaque and white with cold below 65° F.

The food of the Dugong consists of sea-grasses, chiefly a species of *Zostera*, which grows luxuriantly on the sandy mud-flats at the mouths and estuaries of rivers, and in the shallow bays along the coast. They are still plentiful all along the north-east coast, and extend their wanderings as far south as Moreton Bay, where at one time they were also plentiful; and they have been occasionally observed as far south as the Tweed and Richmond Rivers; but this is now of rare occurrence. The colour of the living animal varies in tints of very light olive-brown above, the belly being of a pale flesh-colour; when dead the colour of the back becomes lighter, the olive tints fading away. Some specimens, notably two (male and female), taken March, 1874, at Rockingham Bay, were, when dead, of a uniform dull flesh-colour, and measured respectively 8 and 10 feet; but as a rule the male is the larger.

In its habits, actions, and movements in the water the Dugong closely resembles the Manatus. Some few years ago Dugong-fishing was carried on with much energy in Moreton Bay, Wide Bay, and also in the vicinity of Rockhampton, &c., where these grotesque mammals were then abundant. Of late years, however, they have become so scarce that the fisheries have been abandoned, and the species thus saved for a time from being exterminated.

Dr.

* The animals have been carefully cured and beautifully mounted by Mr. E. Spalding, late of Sydney, now Taxidermist in the Brisbane Museum, Queensland.

Dr. Hobbs, of Brisbane, who has studied the Dugong from a commercial point of view more closely than anyone else in the Colonies, was the first to bring the nutritive and medicinal qualities of the oil prominently before the public; his numerous papers and valuable pamphlets published on the subject at various times, extending over a period of many years, testify to the large amount of labour, skill, and ability expended thereon.

Division 55, 2.

WORKS ON ICHTHYOLOGY.

Descriptive Catalogue of Australian Fishes. 2 vols. By the Hon. Wm. Macleay, F.L.S., M.L.C., &c.
Fish and Fisheries of New South Wales. By the Rev. J. E. Tenison-Woods, F.L.S., F.G.S., &c.
Reports of the Royal Commission of Fisheries of New South Wales.
Fisheries Act of New South Wales, 1881. By Alex. Oliver, Esq., M.A.

PHOTOGRAPHS OF AUSTRALIAN FISHES NAMED.

One hundred species are here represented, including many of new and rare forms and of types in the Australian Museum.

Forty Oil-paintings of Australian Fish, coloured from Life. Painted for the Commissioners of Fisheries by Messrs. Podmore and Carso, of Sydney, N.S.W., Artists. They represent the following species:—

LIST OF OIL-PAINTINGS OF AUSTRALIAN FISHES.

(Natural size.)

1. The "Nannagai" (*Beryx affinis*).
2. River-perch (*Lates colonorum*, Günth.)
3. Macleay's Perch (*Therapon macleayana*, Ramsay).
4. The Yellow Perch (*Olenolates flavescens*).
5. The Black Rock-Cod (*Serranus damelii*, Günth.)
6. Macleay's Gonyoroge (*Gonyoroge macleayana*, Ramsay).
7. The Salmon (*Arripis salar*, Richardson).
8. Ditto ditto
9. The Black Bream (*Chrysophrys australis*).
10. The Tarwhine (*Chrysophrys sarba*).
11. The Black Fish (*Girella tricuspidata*).
12. The Schnapper (*Pagrus unicolor*).
13. The Blue Groper (*Cossyphus gouldi*).
14. The Carp (*Cheilodactylus fuscus*).
15. Ditto ditto
16. Forster's Trumpetor (*Lalris forsteri*).
17. The Sergeant Baker (*Aulopus purpurissatus*).
18. *Saurida ferox*, Ramsay, sp. nov.
19. The Yellow-tail? (*Trachurus trachurus*), adult.
20. The Yellow-tail (*Caranx declivis*), young.
21. The White Travalley (*Caranx georgianus*).
22. *Neptomenus brama*.
23. The Tailor (*Temnodon saltator*).
24. The Jew-Fish (*Sciæna antarctica*). Adult.
25. Ditto ditto Young.
26. The Pike (*Sphyræna obtusata*).
27. The Whiting (*Sillago bassensis*, C. et V.)
28. The King-Fish (*Seriola lalandii*).
29. Ditto ditto
30. The Sea-Mullet (*Mugil grandis*, Casteln.)
31. The "Long-Tom" (*Belone ferox*).
32. The Flathead (*Platycephalus cinereus*).
33. Ditto ditto
34. Ditto ditto
35. The Red Rock-Cod (*Scorpena cardinalis*).
36. The Flying Gurnard (*Trigla kumu*).
37. The Flounder (*Pseudorhombus russellii*).
38. The Sole (*Synaptura nigra*, Macleay).
39. The Silver or Pike Bel (*Muraenesox cinerea*).
40. *Auxis ramsayi*, Casteln.

Division 56, 3.

Specimens of Fish illustrating the relations between Extinct and Fossil forms.

- Ceratodus forsteri*, Krefft. From the Burnett River.
Ceratodus miolepis, Günther. From the Mary River.
Cestracion (*Heterodontus*) *philippi*, Lacép. Port Jackson.
Jaws of the same, stained with eating the Echinus, *Centrostephanus rogersii*.
Cestracion (*Heterodontus*) *galleatus*, Günther. Port Jackson. Jaws of the same.
To these have been added the following Mollusca, living representatives of fossil forms:—
Trigonia lamarekii. Port Jackson.
Trigonia margaritacea, Lam. Tasmania.
Ostrea edulis, L. Port Jackson.

CLASS

CLASS VI.

Division 57, 1.

Collection of Fish-Spears from Northern Australia, &c., used by the Aborigines.

Divisions 58 to 61.

*Fisheries Acts of New South Wales.**Reports of Royal Commissions on Fisheries of New South Wales and Tasmania. (See Class V, Division 55, a.)*

In addition are exhibited, on the north and south walls, &c., photographs of the fish-markets at Sydney, of some of the principal public buildings in the city, and of the mountain scenery of the coast-range known as the Blue Mountains.

There are also on exhibition in the court two large albums well filled with beautiful photographs of city buildings, suburban scenery, views in the Botanic Gardens, and harbour of Port Jackson, and of the ravines, gullies, and gorges of the Blue Mountains; and a panoramic view, 18 feet in length, of the Harbour and City of Sydney.

Various Government statistical papers, reports, and publications issued by the Government, on the Colony and emigration, &c., may be had on application to the "Secretary in charge of exhibits," at the office.

The Principal Under Secretary to The Secretary to the Fisheries Commission.

Sir,

Colonial Secretary's Office, Sydney, 28 September, 1883.

I am directed by the Colonial Secretary to transmit herewith, for the information of the Commissioners of Fisheries for New South Wales, a copy of a letter from the Agent-General for this Colony, enclosing copies of two communications received from Mr. E. P. Ramsay, in charge of the exhibits contributed by New South Wales to the International Fisheries Exhibition.

I have, &c.,

CRITCHETT WALKER.

[Enclosures.]

The Agent-General to The Colonial Secretary.

London Fisheries Exhibition.

Sir,

5 Westminster Chambers, Victoria-street, S.W., 10 August, 1883.

I have the honor to enclose herein copies of two communications received by me this morning from Mr. E. P. Ramsay, Curator of the Australian Museum, now in charge of the exhibits contributed by New South Wales to the International Fisheries Exhibition.

2.
0 June.
0 August.

I have, &c.,

SAUL SAMUEL.

E. P. Ramsay, Esq., New South Wales Court, to The Agent-General.

International Fisheries Exhibition, South Kensington,

London, 10 June, 1883.

Sir,

I have the honor to inform you that, notwithstanding many delays with the carpenters and decorators, the Court was in a sufficiently advanced state to be opened on the day appointed, and, since, many more exhibits which had not then arrived have been displayed.

The whole Court has a neat and solid appearance; all our fittings are good and substantial, being black ebonized wood and plate-glass cases by Sage.

The decorations, by Gillow, are quiet, and sufficiently attractive without being showy, our object being to exhibit our collections, and not specimens of wall decorations, so painfully apparent in the elaborate and gaudy designs of other Courts.

The Lunette, an allegorical design representing Great Britain, Commerce, and the Colonies, which occupies the south end of the building, was a happy thought, and gives tone to the whole Section. I am sure you will be pleased to hear it is considered a decided "hit."

The whole of the exhibits entrusted to my care from the Colony of New South Wales have now been displayed in plate-glass ebonized cases prepared for their reception. The last consignment of pictures sent by the Commissioners of Fisheries from New South Wales reached me on Friday last, and, after being prepared for hanging, have been placed with those of a previous consignment on the north and south walls of the Court, along with the photographs of public buildings which you were good enough to lend.

During the present week I shall be employed preparing details of the exhibits for a catalogue, a *résumé* of which I have already sent in to the compiler of the general catalogue. I regret to say that the whole of the dried and smoked fish (becoming damp on the voyage), and the collection of dry Echinodermata from the Australian Museum, arrived in such a bad state that I thought it better not to exhibit them.

Three or four of the glasses of the pictures were broken, but these were the only casualties. All the other exhibits arrived in splendid order, make a very good show, and are highly appreciated by the many scientists who have come to examine them.

I regret to say that I have been obliged to stop printing the labels for the specimens, owing to the exorbitant prices charged by the printers; and I purpose now either employing a ticket-writer or doing them myself, unless I can make more satisfactory terms with some other less expensive firm of printers.

I expect to have the catalogue finished by the end of this month, after which I propose to visit some other fishing stations on the south coast.

I have, &c.,

ED. P. RAMSAY

E.

E. P. Ramsay, Esq., to The Agent-General.

10 August, 1883.

Sir,

Since my last general report, dated 10th June, I have the honor to inform you of the arrival of a large fishing-net from Sydney. This fills up a gap in our exhibition, and will give you a good idea of one of the simple though effective methods we employ in the capture of our fishes.

The boat and gear, net, and set of fishing lines, make a small but interesting exhibit which has attracted much attention. People here, imagining that we must have already developed extensive fisheries, from the large collection of food fishes which we exhibit, were not less surprised at our very limited materials and methods of capture as at the immense undeveloped wealth of our fisheries and fish fauna.

You will be pleased to hear that very great interest has been excited by the Colony's exhibits; the paintings of our food fishes, the fishes themselves, and the photos of our public buildings are centres of attraction for the public in general, and more frequent than pleasant are the visits of numbers of persons who, wishing to emigrate, call at the office for information about the Colony; while on the other hand, from a Museum point of view, our collections are considered second to none in the Exhibition. Many scientific men have expressed themselves greatly pleased with the richness and peculiarities of our fauna, and with the general "get-up" of the collections.

As the awards of the Judges are not yet published, it may be somewhat premature to say anything about them; nevertheless I cannot resist mentioning that we have already been recommended for several first-class awards, which, considering the circumstances under which we are exhibiting, may be considered highly satisfactory.

It is gratifying to be able to report that, since the occasion on which you had the honor of meeting their Royal Highnesses in our Court, it has been visited on several occasions by members of the Royal Family and Household, notably the Prince and Princess of Wales, and the younger members of the Royal Family. Last week Lord Derby and Sir Robert Herbert paid an official visit, and expressed themselves much pleased with what they saw; many other noblemen and scientific men have called, and congratulated us on our exhibits.

We have had a great many applications for specimens of Natural History, and the report of the Judges will plainly show that our specimens, as Museum exhibits, are second to none in the Exhibition. In most cases I have referred the applicants to the Trustees of the Australian Museum, as the objects asked for were the property of that body.

I do not think it will be worth while (except in one or two instances) to bring our exhibits back to Sydney. They are, with very few exceptions, duplicates, and good exchanges can be effected here for them with other public Museums and private individuals.

The Marquis of Hamilton has been good enough to present to the Trustees of the Australian Museum the bodies of two young seals. From one I have obtained a very interesting skull showing the "milk dentition," and from the other a skin and skull which will make a very nice specimen for mounting. I have also obtained, through the instrumentality of Professor Huxley, a very fine specimen of the "Thrasher" shark (*Alopias vulpes*), a species not hitherto represented in our Museum. From numerous other persons and several Museums I have received many specimens, either as exchanges or donations, a return in detail of which will be forwarded at the close of the Exhibition. In the meantime the donation and exchange books kept in the office at the Exhibition will show how I am proceeding in that direction.

During the last four weeks I have acted on Juries, selecting to act on such as I thought I should derive information valuable to the Colony. These included *Dried Fish as Food*, and the *Tinning of Fish for Food*, Edible Crustacea and Mollusca, in deference to a recommendation by my colleagues, the Commissioners of Fisheries to the Government of New South Wales, in which they requested that I should obtain all the details possible respecting the tinning and preserving of fish, &c, for food. I shall here notice only one method of opening tinned goods which bids fair to revolutionise the whole tinning trade. The tin containing the fish, oysters, fruit, &c., or whatever it may be, is opened by a slight pressure with the end of a dessert spoon or fork, without the use of any knife, opener, or other implement. In future there will be no such things as "tin-openers" required.

The large collection of oysters exhibited have attracted the attention of the American growers, whose oyster-beds are beginning to show signs of a decided decrease. They threaten to come over and "rent a few hundred miles of our country" which can grow such molluscs. Our collection contains examples from sixty-five of our principal beds, including samples of our mud oysters (the English native, *Ostrea edulis* Lum.) Our rock, drift, and one or two rare species, with a peculiar variety of *Ostrea edulis* I obtained at Adelaide, which produces pearls, although of little value.

Among the minor exhibits which attract attention is a photograph of New Guinea natives in their native costume, the British public doubtless wondering why we were so anxious to annex such a country and such a people. I have also a small exhibit of their implements of chase and warfare.

Two large albums of photographs, containing views of public buildings, mountain scenery, various parts of the harbour of Port Jackson, the Botanic Gardens, Parks, and environs of Sydney, are an attractive feature. These have been kindly lent by James Fairfax, Esq.

With respect to the models of fishing boats and nets, I have not yet examined all on exhibit, and, except in the case of the herring boats, I have had no practical experience of their fitness for our coast fishing. This will form the subject of a special report, which I hope to be able to send in on my return from the Scotland fisheries, whither, with your approval, it is my intention to visit again towards the end of this month.

I find, if I am to obtain any practical information respecting the fisheries in Great Britain and Ireland, and Europe, I must visit these while the fishing is going on, and not wait until after the Exhibition, when for the most part they will be over. And moreover, the cold and stormy weather will have set in, and only very few boats will venture to sea.

I have, &c.,

E. P. RAMSAY.

The Agent-General to The Colonial Secretary.

Fisheries Exhibition.

Sir, 5, Westminster Chambers, Victoria-street, S.W., 19 October, 1883.

I have the honor to forward herein for your information a copy of the Supplement to the *London Gazette* of the 16th instant, containing a list of the awards at the International Fisheries Exhibition.

I have, &c.,
SAUL SAMUEL.

Extract from Supplement to the *London Gazette*, October 17th, 1883.
The Awards of the International Juries, confirmed and issued by the Commissioners acting on behalf of Her Majesty's Government.

JURY No. 20.

Section 2.—*Living Fish.*

Name.	Exhibit.	Award.
Australian Museum	Sparidæ	Silver Medal.
Do	Cirrhitidæ	Gold "
Do	Triglidæ	Silver "
Do	Serenidæ	Bronze "
Do	Scombridæ	Gold "
Do	Mugilidæ	Silver "
Do	Muraenidæ	Gold "
Do	Orthogoniscus	Silver "
Do	Squalidæ	Gold "
Do	Raiidæ	Silver "

JURY No. 23.

Section 2.—*Fish.*

Commissioners of Fisheries..... | Smoked and Dried Fish

| Bronze Medal.

JURY No. 3.

Sea-fishing Lines, Hooks, Baits, and Harpoons.

New South Wales Government..... | Novel and Good Collection of Fishing Gear.....

| Bronze Medal.

JURY No. 5.

Fishing Boats.—Ropes and Canvas.

New South Wales Government

Collective Exhibit

| Silver Medal.

Commissioners of Fisheries

Tinned Fish

"

JURY No. 16.

Antiseptics for preserving Fish.

Australian Museum	Exhibit of Fish	Gold Medal.
Do	do	"
New South Wales Commission.....	Collection of Drawings	"
Hon. W. Macleay	Work on Ichthyology	"
Rev. E. Tenison-Woods	do	Diploma.
E. P. Ramsay.....	Photograph and MS.	Gold Medal.

SECTION 3.

Natural History.—Mammal, Birds.

New South Wales

General Exhibit.....

| Gold Medal.

JURY No. 26.

Fishes of Commercial Value.

Australian Museum

Percidæ

| Silver Medal.

APPENDIX B 2.

Experimental Trip with the Beam Trawl Net, between Jervis Bay and the South Head of Botany, October, 1883.

THE importance of developing the fisheries of New South Wales and of diverging from the ordinary original and comparatively crude methods from which the present supply emanates, has for some time past received the earnest consideration of the Commissioners, who, in the furtherance of this object, have to acknowledge the courtesy of the Government in granting them the means of experimenting with appliances which, although completely foreign to the Colonies, are almost universally used by fishermen in other parts of the world.

During the existence of the Garden Palace various implements used in many parts of the world for fishing purposes were imported and placed in the office of the Fisheries Commission, where they could be inspected. There could be seen a purse seine net used in North America—a drift net used in the Scotch herring fisheries—a bultow line with many hooks, used by the French fishermen at Newfoundland—a long line used by the Norwegian cod-fishers in the North Sea; glass baits and floats; an otter trawl net; a trammel net; and a large beam trawl net, much used by the Great Grimsby fishermen over the vast fishing areas of the Doggerbank. All these were valuable, and the Commissioners anticipated initiating a series of experiments which could not have failed to have been highly appreciated, but which were, owing to the total destruction of the nets in the disastrous conflagration at the Exhibition Building, necessarily and almost indefinitely prolonged. However, from the desire to continue these experiments emanated the

the manufacture, in the Fisheries Office, of a large beam trawl net, by some experienced trawlers in the service of the Commission, of exactly similar dimensions and pattern as those successfully used at Great Grimsby for capturing turbot, soles, plaice, dories, red mullet, whiting, &c. It is a large bag-shaped net, across the mouth of which a beam is affixed to keep the mouth open, hence its name the beam trawl. With the view of experimenting upon its capabilities, the Commissioners applied for and received permission to obtain a necessary steamer and appliances for its experimental working, the result of which they have the honor to submit for your inspection.

On the morning of the 22nd October, the steamer "Dove," 60 tons register, under the personal superintendence of Mr. Dent, and under the captainship of J. Dalton, together with Inspector Mulhall, Assistant-Inspector Grant, and boatmen George Glading and Richard Hellings (the manufacturers of the net, and both practical experienced trawlers), started from the wharf at Botany Bay at 10.30 a.m. for the highly-reputed fishing grounds at Jervis Bay. During the passage they eased her for ten minutes for the purpose of testing the condition of the schnapper grounds, 5 miles off the coast, nearly opposite Stanfield Bay. Here the fish were very plentiful, many being caught during the short interval of trial. The passage was then continued towards Jervis Bay, which was reached at 12.30 p.m.

At half-past 8 on Tuesday morning, with the wind blowing hard from the north-east, the trawl was tried across the bay in 10 fathoms of water, and after trawling for a period of three hours, during which initiatory trial the trawl worked in good order, it was raised with the following result, viz.:—two lifters, some stingrays, and a few small sand sharks, with two or three flatheads. This on the whole was somewhat disappointing, as during the casting of the net flathead were plentifully caught with the lines, in fact so quickly as to warrant the expectation of an unusually large haul. It was now blowing very hard, and the steamer heading seaward steered a direct course to Wollongong, which was reached at 12.30 p.m. The trawl on the trip up could not be used, owing to the heavy sea which was on. On Wednesday the 24th, at 7 a.m., Wollongong was left, the course being direct for Port Hacking, a hard north-east wind and a choppy sea making steaming difficult and tedious, the comparatively short trip being extended to 5 p.m. It was intended to steer seaward during the night, and trawl off the Coronulla Beach, but a gale of wind from the south came on just when a start was being made, and necessitated a continuance at the anchorage until 7 a.m. on Thursday, when upon steaming eastward the sea was too heavy to successfully or conveniently cast the trawl, consequently the course was shaped for Botany, which was reached at 10 a.m. At 3 p.m., after the reception of some gentlemen on board who were interested in fishing, notably Inspector Seymour, the sea was again faced with the idea of trawling, but as the gale still blew with unabated violence a direct course was steered for Sydney, which was reached at half-past 6 p.m. On Friday morning, 10 a.m., a southern course was steered from Sydney, until a point about 6 miles off the South Head of Botany was reached, when the trawl was cast in 40 fathoms of water. After trawling for three hours the trawl was lifted from a depth of 55 fathoms, and although containing no weeds of any kind, had evidently worked well on the bottom. The result of this trawl was remarkable and interesting, as about three dozen of a red fish of the genus *Lepidotrigla*, stated by the English fishermen on board to be very like the English latchet, were captured—these were very small, weighing about half a pound; some john dories, some small stingrays (about two dozen), and three or four skates resembling very much the skates captured in English waters, weighing about 4lbs.; with these were captured some saw-fish. A return to Botany was then made, anchorage being reached at 8 o'clock p.m. At half-past 9 on Saturday morning the party started south, and when 4 miles wide of Coronulla Reef cast the trawl again in 22 fathoms of water, and steered a course of south by east, until after a period of three hours trawling a depth of 40 fathoms was reached; it was raised, and found to contain several dozen of the aforementioned species of *Lepidotrigla*, about fourteen john dories, five or six saw-fish, a number of small stingrays, one flathead, and two or three soles, but no skates.

During the commencement of this trial the depth of 22 fathoms gradually shoaled into 18 fathoms, which depth was carried over a space of 4 miles, on a white regular sandy bottom, when suddenly it dropped into 40 fathoms, showing a coarse sandy bottom. This sudden dip was important, as showing the necessity of a careful survey.

This ended the series of trawling experiments, which, although somewhat delayed by violent winds almost continuously prevalent during the whole course of the trawling experiment, are on the whole we think to be considered a success, especially as far as the actual working of the trawl was concerned.

The fish captured were almost without exception genuine representatives of the English species caught in a similar manner, the *Lepidotrigla* especially being full of interest. The trawl worked in good order, and reflects in its working credit upon all concerned, especially the experienced trawler George Glading, whose position of mate on a 70-ton Grimsby smack was evidently gained by a thorough knowledge of his business and diligent attention to his duties. The steamer and all contrivances for the successful working of the net behaved well; Mr. G. Dent, the owner, and the captain having thoroughly identified themselves with the objects of the trip, and gave most useful, in fact necessary assistance unsolicited; the steamer, although being actually engaged for six days, being altogether detained ten days in the service of the Commission, without charge for the extra time originally arranged for.

The result of these experiments does not definitely determine the conclusion that the large beam trawl cannot be profitably worked in the Australian waters. The Commissioners trust the Government will still further extend their courtesy in allowing them to make a further series of experiments, which would definitely determine whether any degree of success can be expected to attend the use of the trawl.

APPENDIX C.

THE Commissioners of Fisheries for New South Wales recommend to the Colonial Secretary the following Bill, providing for the development and regulation of the Fisheries and the preservation and culture of Oysters, with the view to its being passed into law in lieu of the "Fisheries Act 1881."

46 VICTORIÆ, 1883.

A BILL

To provide for the development and regulation of the Fisheries and the preservation and culture of Oysters.

WHEREAS the existing Statute Law is insufficient to preserve Preamble. from exhaustion the natural supplies of marine and other edible Fishes and it is expedient that such law should be repealed and that more effective measures should be adopted to check the wanton or unnecessary destruction of immature fish and oysters and to prevent the disturbance of the various nurseries and breeding-grounds during certain months of the year as well as that greater facilities should be given for the establishment of artificial oyster-beds and more effective means be supplied for the preservation and development of natural oyster-beds And it is also expedient in order to carry out these and the several purposes herein set forth and to establish a better system of protecting and regulating the said Fisheries that a central and local Boards of Control should be created clothed with the powers and duties hereinafter declared Be it therefore enacted by the Queen's Most

Fisheries and Oyster Culture.

Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Preliminary Provisions—Appointment of Commissioners &c.

Short title and
arrangement of Act.

1. This Act may be cited for all purposes as the "Fisheries and Oyster Culture Act 1883" and its provisions are arranged in the order and comprise the subjects following viz.:—

Preliminary Provisions—Appointment of Commissioners &c.

—ss.

PART I.—*Net and Line Fisheries—ss.*

PART II.—*Oyster Fisheries—ss.*

PART III.—*Private Fisheries—ss.*

PART IV.—*Legal Procedure—Miscellaneous—ss.*

SCHEDULES.

Interpretation of
terms.

2. In this Act unless the context requires a different meaning the following words within inverted commas shall bear the respective meanings hereby assigned to them:—

"Fish"—All or any of the varieties of marine or fresh-water fishes enumerated in the First Schedule hereto

"Oyster"—Every kind of edible oyster and the spat brood and ware thereof.

"Lobster"—The salt-water crayfish commonly called "lobster."

"Crayfish"—The fresh-water crayfish or Murray River lobster.

"Crab"—Any edible crustacea not including prawns shrimps lobsters or crayfish.

"Governor"—The Governor with the advice of the Executive Council.

"Commissioners"—The Commissioners of Fisheries appointed under this Act.

"Shore"—The portion of Crown Lands situate between high and low water mark.

"Bunt"—The middle portion of a seine or hauling or garfish net between the wings but not being more than one-third of the whole length of such net.

"Wing"—The portion of a seine or hauling net on each side of the bunt.

"Mesh of net"—The distance from knot to knot measured diagonally from cork to lead line the net being wetted and stretched and prepared for use in accordance with the regulations.

"Lessee" includes every assignee or sub-lessee.

"Boat" includes any vessel or punt of any description whatsoever.

"Steamboat"—Any ordinary boat propelled by steam.

"Tidal Waters"—All waters which ebb and flow over Crown Lands within the territorial jurisdiction of the Crown in New South Wales and every lake and lagoon in the said Colony ordinarily subject to the influence of the tides (although the communication with the sea may for the time be closed) the soil or bed whereof is the property of the Crown together with in each case the soil of such Crown Lands.

"Natural Oyster-bed"—Any shore bank bed or place of deposit in any tidal waters wherein oysters which have not been laid down by artificial means are or shall be found.

"Justice"—Any Justice of the Peace.

"Inspector" includes Sub-Inspector or Assistant Inspector of Fisheries.

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3. The Act twenty-eighth Victoria number ten intituled "*An Act to protect the Fisheries of New South Wales*" the Act thirty-first Victoria number ten intituled "*An Act to amend the Fisheries Act of 1865*" the Act thirty-first Victoria number twenty intituled "*An Act to regulate Oyster Fisheries and to encourage the formation of Oyster-beds*" the Act forty-fourth Victoria number twenty-six intituled "*An Act to provide for the development and regulation of the Fisheries of the Colony*" and so much of the thirty-eighth section of the "Lands Acts Amendment Act 1875" as empowers the Governor in Council to grant leases of Crown Lands for the purpose of a fishery are hereby repealed but without prejudice to the past operation of or to any right lawfully created offence committed or penalty incurred under any of the said Acts.

Repeal of
28 Vic. No. 10
31 Vic. No. 10
31 Vic. No. 20
44 Vic. No. 26

4. The duty of protecting developing and regulating the Public Fisheries of New South Wales shall be vested in five Commissioners to be called the "Commissioners of Fisheries" who by that name shall be a body corporate with perpetual succession and a common seal with power to hold real and personal estate and to sue and be sued and to take and be the subject of all legal proceedings by such name And the duties power and authority of the said Commissioners shall extend to the territorial limits of the Colony such body corporate shall be composed of five persons to be appointed by the Governor by Commission under the Great Seal each of whom shall hold office for the term of five years from the date of his appointment unless his office become vacant in the meantime by death or resignation but subject nevertheless to removal by the like authority but any Commissioner may be reappointed after the expiration of his term of office The Governor shall either by the original Commission or otherwise as to him seems proper appoint one of the Commissioners to be President and the President or in his absence one of the Commissioners appointed from time to time by the meeting shall preside at all meetings and at any voting shall have an original as well as (in cases of equality of votes) a casting vote any three Commissioners shall be a quorum.

Constitution of
Fisheries Commis-
sioners as a Body
Corporate.

5. It shall be lawful for the Governor on the recommendation of the Commissioners to appoint local Boards also so many Inspectors Sub-Inspectors or Assistant-Inspectors of Fisheries and other officers as they may think necessary for the purposes of this Act and to assign to all such officers such salaries as they may think fit And all such officers shall act under the control and direction of and be responsible for the due performance of their duties to the Commissioners.

Inspectors of
Fisheries.

6. It shall also be lawful for the Commissioners with the consent of the Governor to appoint any officer of Customs or officer in the Department of the Marine Board stationed at any outport or pilot station on the coast of the Colony or other person to act as an assistant Inspector of Fisheries at such outport or station and for such extent of waters as may be placed under his supervision All such assistant Inspectors shall carry out the directions of the Commissioners so far as practicable to the best of their ability and shall act in concert with the Inspectors and shall be paid such sums in addition to their ordinary salaries (if any) as the Commissioners may appoint.

Assistant
Inspectors at
outports &c.

7. All Police Magistrates and all members of the Police Force shall within their respective districts be and have the powers and authorities of Inspectors of Fisheries *ex officio*.

Certain persons
to be Inspectors
ex officio.

8. The Governor by proclamation in the *Gazette* may define the various Fisheries of the Colony situated in any tidal waters and distribute the same into divisions as recommended by the Commissioners And each of such divisions shall be placed under the supervision of one or more Inspectors or Sub-Inspectors as the Commissioners may decide Provided always that the Governor on the recommendation

Division of
Marine Fisheries.

of

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of the Commissioners may by a like proclamation from time to time rescind any such definition and alter the boundaries of any such division or subdivide the same.

Regulations.

9. The Governor on the recommendation of the Commissioners may from time to time make such orders rules and regulations as shall be found expedient for the purpose of giving effect to the provisions of this Act and may impose and prescribe such other provisions for the development and regulation of the Fisheries and the Preservation and culture of Oysters as he may deem necessary And it shall be lawful for the Governor to impose a penalty not exceeding in any one case the sum of *twenty* pounds for the breach of any such rules orders regulations or provisions And all such rules orders regulations and provisions shall on publication in the *Gazette* be and have the full force of law Provided always that a copy thereof shall be laid with all convenient dispatch before Parliament if then sitting or if not then in session within one calendar month after the commencement of its next session.

PART I.

Net and Line Fisheries.

Proclamation of close fisheries.

10. It shall be lawful for the Commissioners to declare by notice in the *Gazette* that any specified tidal waters shall be exempted from net-fishing from time to time as they may think fit The fisheries in all such tidal waters so specified shall be termed "Close Fisheries" and the periods during which the same are so exempt from net-fishing "Close periods" Provided always that it shall be lawful for the Commissioners in like manner to rescind or vary any such periods.

Seine or hauling net.

11. Every seine or hauling net when used for the purpose of catching or enclosing fish in tidal waters shall be deemed to be an unlawful net whenever or wherever so used if the mesh of such net shall measure diagonally when prepared for use wetted and stretched in accordance with the regulations less than two inches and one quarter in the bunt which shall not exceed fifty fathoms in length or three inches in the wings which in like manner shall not exceed in length seventy-five fathoms each or if the same when cast and shot shall enclose a space measuring more than four hundred yards along the corks from one end of such net to the other unless such net be a *boná fide* gar-fish or prawn net and used for catching gar-fish or prawns only (as the case may be).

Gar-fish net.

12. No net shall be deemed to be a *boná fide* gar-fish net of which the bunt exceeds thirty fathoms in length or has a mesh less than one and a quarter inch ascertained in the usual manner but such gar-fish net shall have on each side of the bunt a wing hung on the same cork and lead lines not longer than the bunt of such net and of which the mesh shall not be less than two inches.

Prawn net.

13. No net shall be deemed to be a *boná fide* prawn-net which exceeds fifteen fathoms in length or of which the mesh is less than one inch ascertained as aforesaid.

Meshing net.

14. No net will be permitted to be used as a meshing net the mesh of which is less than three and one half inches ascertained as aforesaid and the length of which exceeds sixty fathoms.

15. Any two or more nets placed behind or near to each other in such a manner as to diminish the mesh or means of escape for enclosed fish shall be deemed to be an unlawful net.

Stalling illegal.

16. The setting of any net of a less mesh than four inches by the process known as "stalling" whereby a net is staked or set across any tidal waters is hereby declared to be illegal.

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17. The provisions of the foregoing sections as regards size of mesh and length of net shall not apply to the use of drift-nets or purse-seines in the open sea.

18. Every net when used for the purpose of catching or enclosing fish in inland waters that is to say in any river or creek not influenced by the tides or in any fresh-water lake lagoon or pond shall be deemed to be an unlawful net if the mesh of such net shall measure diagonally when prepared for use wetted and stretched in accordance with the regulations less than four inches in any part thereof or if such net (whatever the size of the mesh) be staked fixed or set completely across any such river or creek. Provided always that nothing in this section contained shall apply to the owner of the soil or bed of inland waters using or setting a net within such waters to capture fish for breeding purposes or for stocking a fishery or for his own consumption only.

19. If any person shall in any close fishery during any close period place shoot cast or haul any fishing-net whatever or stake fix or set any such net for the purpose of catching taking or enclosing any fish enumerated in the First Schedule hereto or in such manner that any such fish might be caught or taken thereby such person shall be liable to a penalty not exceeding *fifty* pounds and not less than *ten* pounds. And every person aiding or assisting in the shooting casting or hauling of any such net or being in any boat from which any such net shall be shot cast or hauled in contravention of the provisions of this section shall incur a like penalty. And every person convicted under this section shall if holding a license under this Part be deemed by conviction to have forfeited his license. And all fish taken in violation of the provisions of this section together with all fishing-nets used for the purpose of taking the same shall be forfeited to Her Majesty and shall be disposed of as provided by the Regulations. Any inspector constable or officer of Police may with or without warrant apprehend and take before one or more Justices any person found offending against the provisions of this section to be dealt with as hereinafter provided and may in like manner seize every such net.

20. If any person shall catch or attempt to catch any fish by casting hauling or shooting any net having a mesh or length less than the said respective dimensions of the several kinds of nets hereinbefore described for the seine or hauling garfish prawn or meshing nets or nets for inland waters such person shall for the first offence be liable to a penalty not exceeding *five* pounds and not less than *two* pounds and for a second or subsequent offence to a penalty not exceeding *twenty* and not less than *five* pounds.

21. The Justices shall in every case where an offender is convicted under any of the preceding sections order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

22. If any person shall sell or consign or expose for sale or have in his possession or on his premises any fish of any of the species mentioned in the Second Schedule hereto of a less weight than that set opposite the name of such fish in such Schedule or prescribed by any regulation he shall be liable to a penalty not exceeding *two* pounds for the first offence and for the second or any subsequent offence to a penalty not exceeding *five* pounds and not less than *two* pounds. And all such under-weight fish together with all other fish found in the same basket or other receptacle or exposed on the same table or stand or found in the same boat cart or vessel with such under-weight fish shall be forfeited and be disposed of in accordance with the regulations. And any Inspector officer of police or person authorized in writing by him may seize any fish which under this section are liable to forfeiture and take the same before any Justice who upon view thereof

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thereof shall declare whether or not such fish are under weight and if he declare them to be so shall order them to be forfeited and to be disposed of in accordance with the regulations. The provisions of this section shall not apply to any Curator of a Museum or Zoological Collector holding a permit from the Commissioners or to any owner of a private fishery in respect of fish taken therefrom or to any person being in possession of fish for purposes of pisciculture or to any aboriginal taking or being in possession of fish for his own consumption but in every such case of exemption the proof thereof shall be upon the defendant or person charged.

As to riddling prawns.

23. All prawn-fishers and other persons catching prawns shall in order to separate the marketable from the unmarketable prawns riddle or separate them but only in the waters where the same have been caught and in such a manner as to permit the small prawns to escape. And if any prawn-fisher or person shall fail to comply with such directions or shall riddle or separate any prawns after boiling or cooking the same or when such prawns are dead shall be liable to a penalty not exceeding *five* pounds and not less than *two* pounds.

Close season for prawns in certain rivers &c.

24. It shall not be lawful for any person to catch or attempt to catch prawns by means of a net or by any other mode of capture during the months of June July August and September in any year in any tidal waters of or tributary to the river Hunter or in any other tidal waters to which the Governor shall by proclamation in the *Gazette* declare the provisions of this section to extend. And if any person shall catch or attempt to catch any prawns in contravention of this section in any such tidal waters he shall be liable to the like penalties as are provided by section twenty-one hercof.

Licensing of fishing-boats.

25. Every boat or steamboat used or intended to be used for the purpose of catching for sale or engaged by hire for the purpose of catching any of the varieties of fish whether marine or fresh-water enumerated in the First Schedule hereto by net or line shall be licensed. The fee for every such boat license shall be one pound for the former and five pounds for the latter which shall be paid to the Colonial Treasurer at a proportionate rate to above according to date of application and payment of such fees shall cover the interval from the date of payment to the thirty-first day of December of the same year.

Licenses to be taken out by fishermen.

26. Every person employed in catching for sale fish lobsters crabs or prawns in or upon any waters shall pay an annual license fee of ten shillings to the Colonial Treasurer. Such fees shall be payable on the dates and according to the provisions expressed in the last preceding section.

Penalty on unlicensed persons fishing for sale.

27. If any person shall take or attempt to take any fish whether by line or by net without holding a valid fisherman's license or in a boat not licensed as aforesaid he shall be liable for every such offence to a penalty not exceeding *forty* shillings. But nothing in this section contained shall extend to persons on excursion scientific or pleasure parties fishing for purposes other than sale. But in every such case of exemption the proof thereof shall be upon the person charged.

Torpedoes &c. not to be used.

28. It shall not be lawful for any person by the explosion of dynamite or any explosive substance or by means of any poisonous or noxious thing to destroy or take fish in any tidal or other waters in New South Wales and any person so offending shall for every such offence be liable to a penalty not exceeding *forty* pounds and not less than *ten* pounds. But nothing herein contained shall apply to any person duly authorized by the Commissioners (the proof whereof shall be on him) to explode torpedoes or dynamite in any such waters.

Penalty for damaging nets by placing obstacles on hauling grounds.

29. If any person without the authority of the Commissioners shall drive or place any stake log stone mooring or other thing whatever likely to damage a fishing-net if dragged over or against it in any water

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water whatever within the reach of a seine of lawful length and if any damage shall be sustained by any lawful fishing-net through coming into contact with such stake log stone mooring or thing or if any person shall sail or drive a vessel or boat over any net legitimately set for purposes of fishing such person shall be liable to a penalty not exceeding *ten* pounds and in addition shall pay such compensation to the owner of such net as may be awarded by the adjudicating Justices.

30. Every person who shall be found using a fishing-net of any kind whatsoever in any waters shall on demand give his true name and residence to any Commissioner Inspector Justice officer of police or constable and to any owner or occupier of land bordering such waters or over which they ebb and flow And if any such person shall refuse or neglect to comply with such demand or shall give a false or fictitious name or residence he shall be liable to a penalty not exceeding *five* pounds.

Netters to give name and residence when demanded.

31. Any inspector officer of police or constable and any person authorized in writing by any Justice of the Peace may at any time enter any premises or dwelling or go on board any boat and search for and seize and take away any net which has been used in contravention of the provisions of this Act or which is or is suspected to be of less dimensions in the mesh or of a length not permitted by this Act or the regulations And every such seizure shall be at once reported to the Commissioner who on being satisfied that the net so seized has been used as aforesaid or is an unlawful net shall direct the same to be taken before a Justice who may order it to be forfeited to Her Majesty.

Search for and seizure of unlawful nets.

32. Any person who shall commit any act in breach of or be guilty of any default or non-compliance with the requirements or prohibitions of any of the foregoing sections shall in every case where no penalty or forfeiture has been in such case provided be liable to a penalty not exceeding *ten* pounds and not less than *one* pound.

PART II.

Oyster Fisheries.

33. Charts or plans of all rivers inlets estuaries creeks and other oyster-bearing waters in New South Wales according to such scale and in such manner as the Commissioners may direct shall be prepared as soon as practicable after the passing of this Act And the position and boundaries of all areas leased or lawfully occupied under this Act shall from time to time be charted thereon.

Plans of oyster-bearing waters to be prepared &c.

34. All leases granted or promised to be granted under the "Oyster-beds Act of 1868" hereby repealed shall be deemed valid to all intents and purposes although such leases comprise natural oyster-beds or portions thereof Provided always that it shall be lawful for the Commissioners to make regulations for the management of such natural oyster-beds during such leases and by such regulations to provide for the forfeiture of such leases if such regulations or any of them be not complied with.

Validation of certain leases under the "Oyster-beds Act of 1868."

35. Crown Lands lying below high-water-mark in any bay river estuary inlet lake or creek or in any tidal waters may be leased by the Governor on the recommendation of the Commissioners for the cultivation propagation and promotion generally of the interests of the oyster

Leases of Crown Lands for oyster-beds or layings.

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oyster fisheries of the Colony All such leases shall be subject to the following and such other conditions and provisions as shall be decided on by the Commissioners from time to time—

- (I.) The boundaries of all lands so leased shall be determined by the Commissioners
- (II.) The term for which any such lease may be granted shall not exceed fifteen or be less than ten years
- (III.) The right to hold such lease shall be determined by auction or tender and all oysters raised from land so leased shall be subject to the scale of Royalties prescribed by the regulations to be approved of by the Commissioners
- (IV.) Every such lease shall contain and be issued subject to such conditions and provisions as may be prescribed by the regulations
- (V.) Occupation under lease shall not give any right or title to the lessee to form or plant oyster-beds or layings on the shore otherwise than included in his lease except for such purposes and during such times as may be prescribed by the regulations
- (VI.) Every such lease shall be in writing or partly printed and partly written and shall define as nearly as practicable the position and boundaries of the land to be leased
- (VII.) Every such lease shall vest in the lessee his executors administrators and assigns the exclusive right during the currency of the lease of laying and planting oysters and of dredging and taking oysters except for the purpose of burning for lime in and from the oyster-bed subject always to the right of any inspector or authorized officer to enter upon any land included in such lease and to test the condition of the layings by dredging or otherwise or for any other authorized purpose
- (VIII.) The Governor may if so recommended by the Commissioners accept at any time a surrender of any lease granted under this section if it shall appear to the satisfaction of the Commissioners that oyster culture cannot be carried on upon the portion demised with any reasonable hope of success or where from any other reason the Commissioners shall report in favour of such surrender

Every lease granted under the provisions of this section shall be subject to the provisions of the ninth section of the "Crown Lands Alienation Act of 1861."

Notice before
granting lease.

36. Before any such lease shall be granted the Commissioners shall cause a notice of the application therefor to be inserted in the *Gazette* and in some newspaper circulating in the Police District within which the land applied for is situated And any person may by memorial addressed to the Commissioners within thirty days after the date of such notices pray that the lease applied for be not granted on grounds considered objectionable Any memorial so presented shall be duly inquired into and if the Commissioners think fit an Inspector shall be sent to visit and report specially as to the site of the proposed lease and the truth of the allegations contained in such memorial And no lease shall be granted of any land if the Commissioners shall be of opinion that such allegations are sustained.

Penalty for injury to
oyster-beds or
layings.

37. It shall not be lawful for any person other than the lessee his agents servants and workmen within the limits of any oyster-bed or laying knowingly to do any of the following acts viz. :—

- (I.) To take or interfere in any way with any oysters on such bed or laying without the consent of the lessee or lawful owner or occupier thereof.
- (II.) To deposit any stone ballast rubbish or substance on such bed or laying

(III.)

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- (III.) To dredge or drag with any implement upon or over such bed or laying unless by direction of the Commissioners or the proper officer of the Department of Harbours and Rivers or the Marine Board, and on payment of compensation for damage done (if any)
- (IV.) To use any implement of fishing except a line and hook on such bed or laying
- (IV.) To place any implement or thing prejudicial or likely to be prejudicial to such bed or laying or to any oysters thereon except for a lawful purpose of navigation or anchorage
- (V.) To disturb or injure in any manner except as last aforesaid any such bed or laying or any oysters thereon

And if any person does any act in contravention of this section he shall be liable for the first offence to a penalty not exceeding *five* pounds and for the second offence to a penalty not exceeding *ten* nor less than *five* pounds and for a third or subsequent offence to a penalty of *twenty* pounds. And every such person shall also be liable to make due compensation to the lessee for all damage sustained by such lessee by reason of such person's unlawful act and in default of payment the same may be recovered by the lessee in any Court not incompetent by statute in respect to the amount or nature of the claim for compensation whether such first-mentioned person has been convicted of an offence under this section or not.

38. If it shall appear to the satisfaction of the Commissioners that any lessee has not within the period of two years from the date of his lease taken measures proper in the opinion of the Commissioners to carry into effect the conditions of such lease then it shall be lawful for them to recommend the revocation of the lease by the Governor who shall have the power to revoke the same accordingly by notification in the *Gazette*. And upon the publication of such notification all the rights and privileges granted by such lease and the term thereby demised shall absolutely cease and determine. Provided always that before making such recommendation the Commissioners shall cause a notice in writing stating their intention to make such recommendation to be served on the lessee or person for the time being entitled to the lease or in case such person cannot be found they shall cause such notice to be inserted as an advertisement at least three times in a newspaper circulating in the Police District nearest to the area leased and also to be published once in the *Gazette*. And no such recommendation shall be made until after the expiration of one calendar month from the service of such notice or from the date of the last advertisement (whichever shall happen last). Leases of the land comprised within any such revoked leases may be disposed of by public auction or otherwise if the Commissioners shall think fit and all such new leases shall be subject to the provisions of section thirty-five of this Act.

Commissioners may recommend revocation of lease in certain cases.

39. It shall be lawful for the Commissioners by notification in the *Gazette* to declare that any portion of the shore abutting on any tidal waters or that any portion of the bed of any estuary bay lake inlet river or creek influenced by the tides with or without any portion of the shore abutting thereon and being the property of the Crown shall be exempt from the power of leasing conferred by this Act and if they think fit either by the same or by any subsequent notification to declare that any such portion shall be a public oyster reserve. Any such reserve may be revoked by the Commissioners by a like notification.

Portions of shore &c. may be exempt from leasing or be declared public oyster reserve.

40. The position of all areas under lease shall be distinctly defined by an officer appointed by the Commissioners.

Marking of natural beds and areas under lease.

41. Dredging licenses not transferable may be issued for a term of one year (but renewable from year to year) bearing date as from the

Dredging licenses.

Fisheries and Oyster Culture.

the first day of January and expiring on the thirty-first day of December in each year. Provided that after the thirtieth day of June in any year one moiety only of such fee shall be payable. The fee for an annual license shall be ten pounds to be paid in each case by the applicant to the Colonial Treasurer.

42. Dredging licenses issued under the last preceding section shall authorize the holder to dredge for and take oysters in leased lands and in such waters and on such beds or places not under lease and at such times as an inspector may appoint and subject to all regulations made under this Act.

Royalty on dredged oysters.

43. For every bag containing or reputed to contain not more than three bushels of oysters the owner shall pay to Her Majesty a royalty to be determined by regulation.

Penalty on unlawful dredging for oysters.

44. If any person other than an inspector or person lawfully authorized in that behalf not being the holder of a dredging license under this Act shall dredge for or otherwise take from any natural bed leased land or abandoned lease or laying as aforesaid any oysters or shall be found dredging for oysters within the limits of such bed leased land or abandoned lease or laying such person shall be liable to a penalty not exceeding *twenty* pounds and not less than *five* pounds and all oysters found in his possession shall be deemed to be oysters unlawfully taken by such person and shall on his conviction be forfeited to the use of Her Majesty.

Oyster-dredgers to be marked.

45. The inspector of each district shall keep a register in which shall be entered the name and registered number of every holder of a dredging-license who shall dredge for oysters within such district. And every such holder shall register his name and number of the boat to which he belongs with such inspector and the same shall be painted in white letters not less than three inches long on a black ground on the quarters of every boat or vessel—herein termed oyster-dredger—employed by such holder in dredging for oysters. Every person who shall at any time dredge for or take or attempt to take oysters on any such bed or laying as aforesaid in any boat or vessel not marked in accordance with the requirements of this section shall for every such offence be liable to a penalty not exceeding *ten* pounds.

Licensing of oyster-dealers.

46. Every person dealing in or selling oysters whether wholesale or by retail shall for each place of business take out an annual license for each of which he shall pay a fee of five pounds. Such license shall entitle the holder to sell and dispose of oysters in any one part of New South Wales during the year commencing on the first day of January and ending on the thirty-first day of December and shall be renewed annually by a like payment within fourteen days after the first-mentioned day. Provided that on applications for licenses made after the thirtieth day of June in any year one moiety only of such license fee shall be payable. Such licenses may be granted by the Commissioners or by any police magistrate and the fee shall be paid to the Colonial Treasurer. And every person who shall deal in or sell oysters without holding a license under this section shall be liable to a penalty not exceeding *twenty* pounds and not less than *five* pounds.

Property in oysters &c.

47. All oysters within the limits of any land comprised in any lease granted under this Act or being within the limits of a private fishery under this Act shall be the absolute property of the lessee or owner of such private fishery respectively and shall for all purposes whatsoever be deemed to be in the actual possession of such lessee or owner. And all oysters removed without lawful authority by any person from any land so leased or from any such fishery or laying shall be deemed to be the property of such lessee or owner and he shall be deemed to have the right to the possession thereof for all purposes whatsoever.

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whatsoever Oysters on a natural oyster-bed or public oyster-reserve shall be deemed to be and continue (until lawfully removed therefrom) the property of Her Majesty.

48. Every person who shall gather or burn live oysters for the purpose of converting the shells into lime whether he be the holder of a lease or license under this Act or not shall for every such offence be liable to a penalty not exceeding *fifty* pounds. Penalty on burning live oysters for lime.

49. No person shall dredge for or take oysters at any time between sunset and sunrise (except an owner upon his private oyster fishery) under a penalty for every offence not exceeding *twenty* pounds. And if such person be a lessee or licensee under this Act his lease or license may be cancelled by the Commissioners. Oysters not to be dredged between sunset and sunrise.

50. All oysters shipped on board any vessel shall be placed in bags branded in accordance with the regulations. And the master of every vessel on board which oysters are shipped shall enter the same in the manifest stating the quantity and the name of the consignor and consignee and report the same to an officer of the Customs. And any oysters carried in any vessel in contravention of this section may be seized by an inspector officer of Customs or of police and forfeited to Her Majesty. And every such master who shall fail to comply with any of the requirements of this section shall be liable to a penalty of not less than *ten* pounds. Provisions for sea-carrriage of oysters.

51. It shall be lawful for the Commissioners on report that the whole or any portion of a natural oyster-bed or that any group of oyster-beds has by over-dredging or from any other cause been reduced to such a state that the further dredging of oysters from such bed or beds ought to be suspended to prohibit by notice in the *Gazette* for any term not exceeding three years the dredging or taking of oysters from such bed or beds or portion thereof as may be described in such notice by any persons whosoever other than an inspector or person authorized by him or by the Commissioners. When natural oyster-beds may be closed.

52. If any person shall without lawful authority—the proof of which shall lie on him—at any time during the period mentioned in such notice take or dredge oysters from any natural oyster-bed or portion thereof described in such notice such person shall be liable to a penalty not exceeding *twenty* pounds nor less than *five* pounds. And all oysters and the bags containing them together with all dredging appliances found in the possession of any person so offending may be seized and upon conviction of the offender shall be forfeited to Her Majesty.

PART III.

Private Fisheries.

53. Any person entitled to an estate of freehold in possession in any land and any lessee of land with the consent in writing of the reversioner (which consent such reversioner is hereby authorized to give) may apply in writing to the Commissioners for a license to establish a private fishery in or over any part of such land. Private fisheries may be established.

54. The applicant for any such license shall state in his application the nature of his estate or interest in such land and shall describe the area in and over which he proposes to establish his fishery the purpose or purposes for which such license is desired the mode (if any) in which he proposes to admit in and over such area the sea or any tidal-waters the distance between high-water-mark and the point at which the admission of such waters has been or is to be effected the position of such area with reference to any harbour river creek bay inlet Particulars to be stated by applicants for private fisheries.

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inlet lake arm of the sea or part of the coast in or near the shore or bank of which such area is situated And such application shall be accompanied by an explanatory plan or tracing and by any other particulars which the Commissioners may require.

Report on application.

55. Such application together with all plans and documents accompanying it shall be referred by the Commissioners to any officers whom they may think fit to consult to report whether any rights of the Crown or the public are likely to be prejudiced or injuriously affected by any work in connection with the proposed fishery And such officers are hereby required to furnish such reports to the Commissioners within sixty days from date of reference.

Power to grant or refuse license.

56. Upon the receipt of such reports it shall be lawful for the Commissioners to refuse such license absolutely or to grant it in terms of such application or with such modifications thereof and subject to such conditions as they may think fit all of which shall until revoked be binding on the grantee and his successors in title in respect of the area over which such license extends.

Revocation of license.

57. Any license so granted may be revoked by the Commissioners at any time if they shall be of opinion that the conditions therein expressed or any other terms of the grant have not been faithfully complied with.

Grant &c. when to take effect.

58. The grant and the revocation of any such license shall severally take effect upon notification in the *Gazette* Provided that there shall upon every such grant be paid to the Colonial Treasurer the sum of *ten* pounds.

Officer.

Legal effect of license.

59. The grant of a license for a private fishery shall have the effect—

- (I.) Of vesting in the grantee and his successors in title to the area described in the license and as appurtenant to such area the exclusive right during the continuance thereof of stocking such area with fish of any kind whatsoever (including oysters lobsters crabs prawns shrimps whelks cockles mussels and any other varieties of crustaceans or molluscs) and of taking therefrom any such fish and their shells
- (II.) Of vesting the property (at law or in equity) in any such fish while the same are within the limits of such area in such grantee and his successors in title any rule of law to the contrary notwithstanding
- (III.) Of vesting in such grantee and successors the right to the influx and efflux of the tide into and over the aforesaid area by such means of admission as the license provides and in case the license provides no such means or the same are doubtful then by cutting a trench or passage through or laying one or more pipes under the shore Also a right to construct a sluice so as to permit the tide to ebb and flow into and from such area
- (IV.) Of vesting in such grantee and successors a right to enter upon the shore where the works for the admission of tidal waters are situated and to repair such works stopping the traffic thereover (if necessary) for any period not exceeding seven days in any one year in order to repair or renew the same
- (V.) Of abrogating any rule of law so far as it might be held to confer any public right-of-way or of navigation on and over such area or any public right of fishing for or taking fish by nets lines or other appliances whatsoever in or upon such area

In the case of a grant to a lessee the reversioner and in the case of a grant to a tenant for life or *pur autre vie* the remainder man shall with reference to the lessee tenant for life or *pur autre vie* respectively be included under the expression "Successor in title."

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60. No trench or passage through the shore for the purpose of permitting the tide to ebb and flow to and from such area shall at any point exceed a width of twelve feet and every such trench or passage shall at the cost of the licensee or his successors in title be bridged by such a substantial bridge or means of crossing as the license shall prescribe or (if none shall be so prescribed) as the Commissioners shall determine. And every such bridge or crossing shall be maintained in good order and repair by such licensee or successors and shall in every case be furnished with substantial handrails on either side and be not less than twelve feet wide between the rails.

Provision for bridge across trenches &c.

61. In places where at low tides large flats are left uncovered by water or where any land subject to overflow by the tide belongs to the applicant or where the land of the applicant abuts on or is in the vicinity of some tidal creek from which it is proposed to admit the water the terms and conditions of the license (except the sum to be paid for such license) may be modified by the Commissioners so as to suit the special circumstances of the locality.

Terms and conditions of license when to be modified.

62. The limits of a private fishery shall in every case be marked by substantial stakes placed at a distance not exceeding fifty yards from one another or (where such staking is not reasonably practicable) in such manner as the regulations shall prescribe. But in any proceedings taken by the owner of such fishery for larceny or any offence or matter under this Act it shall not be necessary for him to prove that the requirements of this section have been duly complied with.

Marking limits of private fishery.

PART IV.

Legal Procedure—Miscellaneous.

63. All offences penalties and forfeitures under this Act or any regulation made thereunder may be heard determined and recovered and all proceedings therefor may be taken in a summary way by and in the name of any inspector or by and in the name of any person authorized by the Commissioners before any two or more Justices in pursuance of the provisions of the Acts regulating summary convictions before Justices and every defendant shall be a competent witness in his own case. Provided that if any person shall be adjudged to pay any sum by way of penalty or otherwise the adjudicating Justices shall order such sum to be paid (together with costs to be fixed by the said Justices) either forthwith or within such period as the said Justices shall appoint and if such sum and costs (if any) shall not be paid at the time so appointed the same shall be levied by distress and sale of the offender's goods and chattels and for want of sufficient distress or in the discretion of such Justices without any such distress such offender may be imprisoned with or without hard labour for any term not exceeding *three* calendar months unless such sum be sooner paid.

Procedure.

64. The amount of every penalty fine or forfeiture recovered under this Act shall be paid one moiety to the informer or prosecutor and the other moiety to the Consolidated Revenue Fund.

Appropriation penalties &c.

65. Any person aggrieved by any conviction order or adjudication of Justices under this Act may appeal therefrom to the next Court of Quarter Sessions holden in the district in which the subject matter of the appeal arose unless such Sessions shall be held within fourteen days from the date of such conviction order or adjudication

Appeal.

and

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and in that case to the Court of Quarter Sessions then next following And such Court shall have power to hear and determine the matter in a summary way in accordance with the Acts in force regulating appeals from summary convictions And the decision of such Court shall be final and conclusive Provided always that the appellant shall have given written notice seven days at least before the hearing of the appeal of his intention to appeal and stating the grounds thereof to the or one of the adjudicating Justices and to the prosecutor and provided that such appellant shall also pay into the hands of such Justice the full amount of any penalty or sum awarded against him together with costs within twenty-four hours next after such conviction order or adjudication and also enter into a bond with two sureties approved by such Justice conditioned to prosecute such appeal with effect and to abide the event thereof and to pay the full amount of all costs which may be awarded against him.

Assaulting &c.
inspectors and others
in execution of their
duty.

66. Any person who shall assault resist or obstruct or encourage any other person to assault resist or obstruct any inspector assistant inspector constable officer or other person whomsoever in the execution of his duty under this Act shall incur a penalty not exceeding *fifty* pounds nor less than *ten* pounds or be liable to imprisonment not exceeding *six* calendar months And the adjudicating Justices may in addition to any such penalty order a sufficient sum to be paid by the offender to cover any damage or injury sustained by the person so assaulted resisted or obstructed which sum shall be recoverable in the same manner as a penalty under this Act.

Offenders may be
apprehended and
bailed.

67. Any inspector of fisheries or member of the police force may with or without warrant seize any net dredge or other implement of fishing which any person found offending against any of the provisions of this Act may then be using and may also with or without warrant apprehend and lodge with the gaoler or person in charge of any gaol watch-house lock-up or police station any person found offending against any of the provisions of this Act who on demand made shall refuse to give his true name and address but any Justice or subject to the conditions prescribed by the regulations any such gaoler or person in charge may liberate any person so lodged in custody on such person entering into a recognizance (with or without sureties) in the sum of twenty pounds conditioned for his appearance before two or more Justices at a day and place to be therein mentioned.

Justice may grant a
warrant to enter
suspected places.

68. Any Justice of the Peace upon an information on oath that there is probable cause to suspect any breach of the provisions of this Act or of any regulation thereunder to have been committed may by warrant under his hand and seal authorize and empower any Inspector of Customs or Police or any officer to enter any dwelling-house or premises or vessel or boat whatsoever for the purpose of searching for and seizing any unlawful net dredge implement or engine or any fish or oysters taken in contravention of this Act or any proclamation or regulation thereunder.

Police to aid and
assist inspectors.

69. All members of the police force and all persons employed in the department of the Marine Board the Customs or Harbours and Rivers if called upon to aid and assist any inspector or other officer in the execution of any power or authority vested in him by this Act are hereby authorized and required to aid and assist such inspector or officer in the lawful exercise of any such power or authority.

Larceny from con-
tiguous oyster-beds.

70. Whenever a person shall be charged with larceny of oysters from any oyster-bed lease or laying which may be contiguous to another or others it shall be sufficient in alleging and proving the place from which such oysters were stolen to allege and prove that such oysters were stolen from one or other of such contiguous beds leases or layings and that the same belonged to and were in the lawful possession of one or other of the lessees or owners thereof.

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71. The production of any of the undermentioned documents ^{What instruments &c. to be evidence.} writings or publications shall be conclusive evidence in all Courts as to the several matters contained therein and in the case of a lease promise of lease or license that the same was duly issued viz. :—

- (I.) A lease or promise of lease or a copy thereof bearing the common seal of the Commissioners.
- (II.) Any license or a copy thereof bearing the like seal.
- (III.) A copy of the *Gazette* containing any regulation or notification purporting to be made under this Act.

72. All fish or oysters of which the taking possession exposure ^{Search for and seizure of fish or oysters.} for sale consignment or purchase for sale is prohibited by this Act may be searched for seized condemned and dealt with according to law by any inspector or by any person holding the written authority of the Commissioners or of any Justice or any search warrant under the hand and seal of any Justice or authorized by any regulation under this Act.

73. This Act shall come into force on the sixtieth day after its ^{Operation of Act.} passing.

74. The Commissioners shall on or before the thirty-first day ^{Report by Commissioners.} of December in every year report to the Minister charged with the administration of this Act as to the state of the fisheries in the several divisions thereof and such report shall be laid before both Houses of Parliament The Commissioners shall also furnish to the said Minister such reports accounts plans vouchers and documents relating to any act or matter done by them or within their control or cognizance as he may by writing under his hand addressed to the said Commissioners require The Commissioners shall in all matters be subject to the like control by the Governor as any Department of the Public Service.

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SCHEDULES.

FIRST SCHEDULE.

Marine Fishes.

Bream.	Flounder.
Flathead.	Sole.
Whiting.	Mullet—
Tarwhine.	Sea [including the variety
Blackfish.	commonly known as hard
Garfish.	gut mullet.]
Long Tom.	Flat-tail.
Pike.	Sand.
Perch.	Travally.

Fresh-water Fishes.

Murray Cod.	Ordinary Fresh-water Perch.
Golden Perch or Yellow Belly.	Black Perch.
Silver Perch or Bream.	

SECOND SCHEDULE.

Lawful Weights for Fish.

Description of Fish.		Weights in ounces avoirdupois.
<i>Marine</i> ...	Schnapper or Red Bream	16 ounces.
	Bream (Black)	6 "
	Tarwhine	5 "
	Blackfish	5 "
	Rock-cod (Black or Red)	8 "
	Gurnet	4 "
	Flathead	8 "
	Mullet—	
	Sea [including the variety commonly	
	known as hard gut mullet]	12 "
	Flat-tail	4 "
	Sand	4 "
	Whiting	4 "
	Flounder	4 "
	Sole	4 "
Pike	8 "	
Travally	6 "	
Garfish	2 "	
Lobster Salt-water or Crayfish	10 "	
<i>Fresh-water</i> ...	Cod (or Murray Cod)	16 "
	Perch	4 "
	The Murray River Lobster or Fresh-water Crayfish	4 "

APPENDIX D.

COMMISSIONERS OF FISHERIES FOR NEW SOUTH WALES.

JAMES C. COX, Esq., M.D., PRESIDENT.

GEORGE F. WANT, Esq.
JOHN H. GEDDES, Esq.

EDWARD P. RAMSAY, Esq.
FREDERICK THOMAS, Esq.

OFFICIAL STAFF.

- Lindsay Thompson, Secretary to the Commissioners.
- Edward J. Ellis, Clerk.
- John O'Grady, Clerk.
- William Lannen, Messenger.
- James Quinan, Inspector for Home Fisheries Division.
- Thomas Temperley, Inspector for Northern Fisheries Division.
- George G. Benson, Inspector for Southern Fisheries Division.
- Andrew Gyler, Assistant Inspector of Fisheries, Manning River.
- Henry Curan, " Newcastle.
- Peter Smith, " Hawkesbury River.
- Charles Gordon, " Shoalhaven.
- Thomas Mulhall, " Sydney.
- Frederick Smithers, " Eden.
- Osborne Wilshire, " Murray and adjacent waters.
- William M'Grogor (Pilot), Acting Assistant Inspector of Fisheries, Tweed River.
- Thomas Stewart (Pilot), " Bellinger River.
- W. J. Whaites (Pilot), " Nambucca River.
- William Boyd, " Lake Macquarie.
- Richard Seymour, " Fish Market, Sydney.
- John D. Grant, " George's River and Botany.
- R. M. Tracent (Pilot), " Moruya.
- Henry James Dunn, " Port Hacking.
- Henry W. C. Windeyer, " Port Macquarie.
- Thomas Laman, " Port Stephens.
- John Jamieson, " Macleay River.
- A. T. Black, " Broken Bay.
- A. H. Kendall, " Cape Hawke.
- George Glading, Boatman, Sydney.
- Richard Hellings, " Sydney.
- William Boyd, " Lake Macquarie.
- John D. Grant, " George's River and Botany.

APPENDIX E.

An approximate list of Fishes found in the Rivers and on the Coast of New South Wales.

Those marked with an asterisk* only are protected by the Fisheries Acts.

No.	Name.	Author.	Popular name or habitat.
1	<i>Perca fluviatilis</i>	Linn.	The English River Perch--introduced.
2	* <i>Lates colonorum</i>	Gunther	The Perch, or the Sea Perch.
3	* <i>Lates similis</i>	Casteln.	The Gippsland Lakes Perch.
4	* <i>Lates curtus</i>	do	The Richmond River Perch.
5	* <i>Lates ramsayi</i>	Macleay	A rare Parramatta River Perch.
6	<i>Enoplosus armatus</i>	White	The Old Wife, or Bastard Don.
7	<i>Anthias longimanus</i>	Gunther	(Long-fin) known as the Red Perch.
8	<i>Nevanthis guntheri</i>	Casteln.	Port Jackson.
9	* <i>Serranus damelii</i>	Gunther	The Black Rock Cod.
10	<i>Serranus guttulatus</i>	Macleay	Port Jackson.
11	<i>Serranus undulato-striatus</i>	Peters	Do.
12	<i>Serranus hexagonatus</i>	Cuv. & Val.	Coast of New South Wales.
13	<i>Plectropoma annulatum</i>	Gunther	Port Jackson.
14	<i>Plectropoma semi-cinctum</i>	Cuv. & Val.	Do.
15	<i>Plectropoma susuki</i>	do	Do.
16	<i>Plectropoma ocellatum</i>	Gunther	The Wirrah, or Worrah.
17	<i>Genyoroze bengalensis</i>	Bleek	Port Jackson.
18	<i>Genyoroze macleayana</i>	Ramsay	N. Head, Port Jackson.
—	<i>Glaucosoma hebraicum</i>	Richards	The Jew-fish of Western Australia.
20	<i>Glaucosoma scapulare</i>	Macleay	The Pearl Perch.
21	<i>Phacanthus macracanthus</i>	Cuv. & Val.	The Bull's Eye.
22	<i>Phacanthus bennebari</i>	Temm. & Schleg. ...	Port Jackson.
23	<i>Ambassis agassizii</i>	Gunther	Clarence River.
24	<i>Pseudoambassis castelnaui</i>	Macleay	The Murrumbidgee River
25	<i>Pseudoambassis ramsayi</i>	do	Port Jackson.
26	<i>Pseudoambassis jacksonensis</i>	do	Do.
27	<i>Nannoperca australis</i>	Gunther	The Murray River.
28	<i>Nannoperca riverina</i>	Macleay	The Murrumbidgee River.
29	<i>Apogon fasciatus</i>	White	Port Jackson.
30	<i>Apogon guntheri</i>	Casteln.	Do.
31	<i>Apogonichthys gillii</i>	Steind.	Cox's River, Hartley.
32	<i>Arripis georgianus</i>	Cuv. & Val.	New South Wales Coast. (?)
33	<i>Arripis salar</i>	Richards	The Salmon of the Sydney Market.
	The young of <i>Arripis salar</i>	do	Is the Salmon Trout of the Sydney Market.
34	* <i>Oligorus macquariensis</i>	Cuv. & Val.	The Cod Fish of the Murray River.
35	* <i>Oligorus mitchellii</i>	Casteln.	In all western waters.
36	* <i>Ctenolates ambiguus</i>	Richards	The Golden Perch of the Murrumbidgee.
37	* <i>Ctenolates christyi</i>	Casteln.	Edwards' River.
38	* <i>Ctenolates flavescens</i>	Gunth.	The Yellow-belly of the Macquarie River.
39	<i>Murrayia guntheri</i>	Casteln.	Murray River.
40	<i>Murrayia cyprinoides</i>	do	Do
41	<i>Murrayia bramoides</i>	do	Do
42	<i>Murrayia riverina</i>	Kreffl	Do
43	<i>Riverina fluviatilis</i>	Casteln.	Do
44	<i>Macquaria australasica</i>	Cuv. & Val.	Macquarie River.
45	* <i>Therapon cuvieri</i>	Bleek	The Mado or Trumpeter fish.
46	* <i>Therapon richardsonii</i>	Casteln.	The Silver Perch or Bream of the Murray River.
47	* <i>Therapon niger</i>	do	Murray River.
48	* <i>Therapon macleayana</i>	Ramsay	Macquarie River.
49	<i>Agenor modestus</i>	Casteln.	Port Jackson.
50	<i>Lobotes auctorum</i>	Gunth.	Do
51	* <i>Gerres oratus</i>	do	The Silver Belly or Billy, the Silver Bream in Schedule II of Act.
52	<i>Gerres subfasciatus</i>	Cuv. & Val.	Port Jackson.
53	<i>Gerres argyreus</i>	do	Do
54	<i>Pentapns setosus</i>	Bleek	Do
55	<i>Aphareus roseus</i>	Casteln.	Do
56	<i>Chaetodon strigatus</i>	Cuv. & Val.	Do
57	<i>Chaetodon oligacanthus</i>	Bleek	Do
58	<i>Chelmo truncatus</i>	Kner	Do
59	<i>Scatophagus multifasciatus</i>	Rich.	The Butter-fish.
60	<i>Scatophagus argus</i>	Linn.	Port Jackson.
61	<i>Scorpi's equispennis</i>	Rich.	The Sweep.
62	<i>Atypus strigatus</i>	Gunth.	Port Jackson.
63	<i>Plesiops bleekeri</i>	do	Do
64	<i>Trachinops tomiatus</i>	do	Coast of N.S.W.
65	<i>Upenoides traquila</i>	Rich.	Known as a Red Mullet.
66	<i>Upenoides flamingii</i>	Cuv. & Val.	Do
67	<i>Upenoides porosus</i>	do	Do
68	<i>Upenoides signatus</i>	Gunth.	Do
69	* <i>Girella tricuspidata</i>	Cul. & Val.	The Black-fish.
70	<i>Girella simplex</i>	Rich.	Port Jackson.
71	<i>Girella elevata</i>	Macleay	The Drummer.
72	<i>Girella ramsayi</i>	do	Port Jackson.
73	<i>Girella cyanea</i>	do	The Blue Fish.
74	<i>Haplodactylus lophodon</i>	Gunth.	Port Jackson.
75	<i>Haplodactylus obscurus</i>	Casteln.	Do
76	<i>Lethrinus nematacanthus</i>	Bleek	Do
77	<i>Lethrinus punctulatus</i>	Macleay	Do
78	<i>Lethrinus glyphodon</i>	Gunth.	Do
79	* <i>Pagrus unicolor</i>	Cuv. & Val.	The Schnapper.
	* <i>Pagrus unicolor</i> , two years old	Do	Is the Squire.
	* <i>Pagrus unicolor</i> , one year old	Do	Is the Red Bream.

No.	Name.	Author.	Popular name or habitat.
80	* <i>Chrysophrys sarba</i>	Forsk.	The Tarwhine.
81	* <i>Chrysophrys australis</i>	Günth.	The Black Bream.
82	<i>Chironemus marmoratus</i>	Do	Port Jackson.
83	<i>Psiloceranium coxii</i>	Macleay.....	Watson's Bay, Port Jackson.
84	<i>Chilodactylus vittatus</i>	Garrett.....	The Banded Morwong.
85	<i>Chilodactylus macropterus</i>	Rich.	The Morwong.
86	<i>Chilodactylus mulhallyi</i>	Macleay.....	Port Jackson.
87	<i>Chilodactylus fuscus</i>	Casteln.....	The Carp of Sydney Market.
88	<i>Chilodactylus annularis</i>	Do	Port Jackson.
—	<i>Latris hecateia</i>	Rich.	The Hobart Trumpeter.
89	<i>Latris ciliaris</i>	Forst.	Often mistaken for the Hobart Trumpeter.
90	<i>Sebastes percoideus</i>	Rich.	Port Jackson.
91	<i>Sebastes cruenta</i>	Do	Known as a Red Rock Cod.
92	<i>Scorpena bynensis</i>	Do	Port Jackson.
93	* <i>Scorpena cardinalis</i>	Do	The Red Rock Cod.
94	<i>Pterois volitans</i>	Linn.	Port Jackson.
95	<i>Pterois zebra</i>	Cuv. & Val.	Do.
96	<i>Centropogon australis</i>	White	Do.
97	<i>Centropogon robustus</i>	Günth.	The Bull Rout.
—	<i>Centropogon scorpenoides</i>	Guich.	The Garnet of Melbourne Market.
98	<i>Pentaroze marmorata</i>	Cuv. & Val.	The Fortescue.
99	<i>Aplonctis milesii</i>	Rich.	Port Jackson.
100	<i>Synancidium horridum</i>	Linn.	Do.
101	<i>Teuthis jarus</i>	Do	Do.
102	<i>Teuthis nebulosa</i>	Quoy & Gaim	The Black Trevally.
103	<i>Monocentris japonicus</i>	Cuv. & Val.	Port Jackson.
104	<i>Trachichthys jacksoniensis</i>	Macleay	Do.
105	<i>Beryx affinis</i>	Günth.	The Nanuegai.
106	<i>Pempheris macrolepis</i>	Macleay.....	Port Jackson.
107	<i>Pempheris compressus</i>	White	Do.
108	<i>Polynemus iudicus</i>	Shaw	Do.
109	<i>Polynemus macrochir</i>	Günth.	Do.
110	<i>Sciæna antarctica</i>	Casteln.....	The Jew-fish of Sydney Market and the King-fish of Melbourne.
111	<i>Otolithus atelodus</i>	Günth.	The Teraglin.
112	<i>Histiophorus gladius</i>	Brouss	The Sword-fish.
—	<i>Lepidopus caudatus</i>	White	The Scabbard-fish, Tasmania.
113	<i>Trichiurus haumela</i>	Bleek	Port Jackson.
—	<i>Thysites atun</i>	Cuv. & Val.	The Barracoota of S. Coast.
114	<i>Prionurus microlepidotus</i>	Lapeç	Port Jackson.
115	<i>Trachurus trachurus</i>	Cuv. & Val.	The Yellow-tail of Sydney Market, the Horse Mackerel of England.
116	<i>Caranx nobilis</i>	Macleay.....	Port Jackson.
117	<i>Caranx malabaricus</i>	Bleek	New South Wales Coast.
118	* <i>Caranx georgianus</i>	Cuv. & Val.	The White Trevally of Sydney.
119	<i>Caranx leptolepis</i>	Do	New South Wales Coast.
120	<i>Caranx hippos</i>	Linn.	Do do.
121	<i>Caranx ciliaris</i>	Bleek	Port Jackson.
122	<i>Seriola lalandii</i>	Cuv. & Val.	The King-fish of Sydney Market.
123	<i>Seriola nigrofasciata</i>	Rupp	Port Jackson.
124	<i>Seriola grandis</i>	Casteln.....	The Yellow-tail of Melbourne Market.
125	<i>Seriola hippos</i>	Günth.	The Samson-fish.
126	<i>Neptomemus travale</i>	Casteln.....	New South Wales Coast.
127	<i>Temnodon saltator</i>	Blain	The Tailor-fish of Sydney, the Skip-jack of Melbourne Market.
128	<i>Trachynotus ovalus</i>	Linn.	Port Jackson.
129	<i>Trachynotus baillonii</i>	Cuv. & Val.	Do.
130	<i>Psettus argenteus</i>	Linn.	The Silver-fish of market, also the bat-fish.
131	<i>Psenes leucurus</i>	Jenyns	Port Jackson.
132	<i>Equula edentula</i>	Blain	New South Wales Coast.
133	<i>Zeus australis</i>	Rich.	The John Dory.
134	<i>Coryphæna punctulata</i>	Cuv. & Val.	Port Jackson.
135	<i>Brama Raiti</i>	Bleek	Port Hacking.
136	<i>Scomber antarcticus</i>	Casteln.....	The Mackerel of Sydney Market.
137	<i>Thynnus affinis</i>	Cantor	Port Jackson.
138	<i>Thynnus palamys</i>	Linn.	The Bonita.
139	<i>Pelamys australis</i>	Macleay.....	Port Jackson.
140	<i>Auxis ramsayi</i>	Casteln.....	The Horse Mackerel of Sydney.
141	<i>Cybiium commersonii</i>	Lapeç	Commerson's Mackerel.
142	<i>Cybiium guttatum</i>	Cuv. & Val.	Port Jackson.
143	<i>Naucrates ductor</i>	Linn.	The Pilot Fish.
144	<i>Elacato nigra</i>	Blain	The King Fish of West Indies.
—	<i>Echeneis remora</i>	Linn.	The Sucking Fish.
145	<i>Kathetostoma laeve</i>	Blain	The Stone-lifter.
146	<i>Leptoscopus micropygus</i>	Rich.	Port Jackson.
147	<i>Percis coxii</i>	Ramsay	Do.
148	* <i>Sillago maculata</i>	Quoy & Gaim	The Trumpeter Whiting.
—	<i>Sillago punctata</i>	Cuv. & Val.	The Melbourne Market Whiting.
149	* <i>Sillago bassensis</i>	Cuv. & Val.	The Sydney (sand) Whiting.
150	<i>Bovichthys variegatus</i>	Rich.	Port Jackson.
151	<i>Opisthognathus jacksoniensis</i>	Macleay.....	Do.
152	<i>Batrachus dubius</i>	White	Do.
153	<i>Antennarius marmoratus</i>	Lesson	The Angler.
154	<i>Antennarius striatus</i>	Shaw	Port Jackson.
155	<i>Antennarius pinniceps</i>	Cuv. & Val.	Do.
156	<i>Antennarius coccineus</i>	Less. & Gaim.	Do.
157	* <i>Platycephalus bassensis</i>	Cuv. & Val.	The Red Flathead of Sydney.
158	* <i>Platycephalus fuscus</i>	Do	The Flathead of Sydney Market.
—	<i>Platycephalus lavigatus</i>	Do	The Rock Flathead of Melbourne.
159	* <i>Platycephalus cironasus</i>	Rich.	Botany Bay.

No.	Name.	Author.	Popular name or habitat.
160	* <i>Platycephalus longispinis</i>	Macleay	Dredged off Sydney Heads.
161	<i>Lepidotrigla papilio</i>	Cuv. & Val.	The Butterfly Gurnard.
162	<i>Lepidotrigla mulhalli</i>	Macleay	Dredged in Beam Trawl off Botany.
163	<i>Trigla pleuracanthica</i>	Rich.	Port Jackson.
164	<i>Trigla kuma</i>	Lesson, &c., Gurn.	Do.
165	* <i>Trigla polyommata</i>	Rich.	The Flying Gurnet.
166	<i>Dactylopterus orientalis</i>	Cuv. & Val.	Port Jackson.
167	<i>Gobius bifrenatus</i>	Kiener	Do.
168	<i>Gobius semifrenatus</i>	Macleay	Do.
169	<i>Gobius baccatus</i>	Cuv. & Val.	Do.
170	<i>Gobius flavidus</i>	Macleay	Do.
171	<i>Gobius cristatus</i>	Do	Do.
—	<i>Periophthalmus australis</i>	Casteln.	The Queensland Climbing Fish.
172	<i>Eleotris australis</i>	Kreffl	Eastern fresh waters.
173	<i>Eleotris coxii</i>	Do	The Gudgeon.
174	<i>Eleotris grandiceps</i>	Do	Upper Hawkesbury.
175	<i>Eleotris ocycephala</i>	Schleg.	Fresh waters, Sydney.
176	<i>Eleotris macleayi</i>	Macleay	Rope's Creek, Penrith Road,
177	<i>Aristeus fluviatilis</i>	Casteln.	E. and N. fresh waters.
178	<i>Aristeus lineatus</i>	Macleay	Richmond River.
179	<i>Callionymus calauropomus</i>	Richards	Port Jackson.
180	<i>Callionymus calcareatus</i>	Macleay	Do.
181	<i>Callionymus lateralis</i>	Do	Do.
182	<i>Blennius unicornis</i>	Casteln.	Do.
183	<i>Blennius castaneus</i>	Macleay	The Blenny.
184	<i>Petroscirtes variabilis</i>	Cantor	Port Jackson.
185	<i>Petroscirtes anolis</i>	Cuv. & Val.	Do.
186	<i>Petroscirtes solorensis</i>	Bleek.	Do.
187	<i>Petroscirtes fasciolatus</i>	Macleay	Do.
188	<i>Petroscirtes guttatus</i>	Do	Do.
189	<i>Petroscirtes rotundiceps</i>	Do	Do.
190	<i>Petroscirtes oristiceps</i>	Do	Do.
191	<i>Lepidoblennius geminatus</i>	Do	Do.
192	<i>Cristiceps nasutus</i>	Günther	Broken Bay Heads.
193	<i>Cristiceps fasciatus</i>	Macleay	Port Jackson.
194	<i>Cristiceps macleayi</i>	Casteln.	Do.
195	<i>Cristiceps aurantiacus</i>	Do	Do.
196	<i>Cristiceps pictus</i>	Macleay	Do.
197	<i>Cristiceps argyropleura</i>	Kiener	Do.
198	<i>Sticharium dorsale</i>	Günther	Do. (?)
199	* <i>Sphyrna novæ—hollandiæ</i>	Günther	One of the fish known as the Pike.
200	* <i>Sphyrna obtusata</i>	Cuv. & Val.	Do do.
201	<i>Laniopercu mordax</i>	Günther	Do do.
202	<i>Atherina pinguis</i>	Lacep.	Hardy Head.
203	<i>Atherinichthys jacksoniana</i>	Quoy & Gaim.	Port Jackson.
204	<i>Atherinichthys duboulayi</i>	Do	Richmond River.
205	<i>Nematocestris nigrans</i>	Richards	Clarence River.
206	* <i>Mugil grandis</i>	Casteln.	The Sea Mullet.
207	* <i>Mugil dobula</i>	Günther	The Hard-gut Mullet.
208	* <i>Mugil cephalotus</i>	Cuv. & Val.	Port Jackson.
209	* <i>Mugil argentens</i>	Günther	Do. (?)
210	* <i>Mugil peronii</i>	Cuv. & Val.	The Flat-tail Mullet.
211	* <i>Mugil compressus</i>	Günther	Port Jackson. (?)
212	* <i>Mugil petardi</i>	Casteln.	The Richmond River Mullet.
213	* <i>Mugil crenidens</i>	Kuer	The Little Mullet, 6 inches.
214	<i>Aganostoma fosteri</i>	Günther	Little Manly. (?)
215	* <i>Myxus elongatus</i>	Günth.	Talleygalann, Sand Mullet or Talleygalann,
216	<i>Fistularia serrata</i>	Cuv.	The Pipe-fish.
217	<i>Ophiocephalus striatus</i>	Bleek.	Port Jackson.
—	<i>Regalecus gladius</i>	Cuv. & Val.	The Frost Fish of New Zealand.
218	<i>Regalecus jacksonensis</i>	Ramsay	The Frost Fish of Port Jackson.
219	<i>Pomacentrus dolii</i>	Macleay	Inhabits large shells.
—	<i>Glyphyodon victoria</i>	Günther	The Rock Perch of Melbourne.
220	<i>Parma microlepis</i>	Do	Port Jackson.
221	<i>Parma squamipennis</i>	Do	Do.
222	<i>Heliastes hypsiltepis</i>	Do	Do.
223	<i>Trochocopus unicolor</i>	Do	Do.
224	<i>Cossyphus vulpinus</i>	Richards	Do.
225	<i>Cossyphus unimaculatus</i>	Günther	The Pig-fish of Sydney.
226	<i>Cossyphus gouldii</i>	Richards	The Blue Groper.
227	<i>Labrichthys celidota</i>	Forst.	Botany Bay. (?)
228	<i>Labrichthys laticlavus</i>	Richards	Port Jackson.
229	<i>Labrichthys luculenta</i>	Do	E. Coast Australia.
230	<i>Labrichthys parva</i>	Do	Port Jackson.
231	<i>Labrichthys gymnogenis</i>	Günther	Do.
232	<i>Labrichthys nigromarginata</i>	Macleay	Do.
233	<i>Labrichthys dorsalis</i>	Do	Do.
234	<i>Labrichthys labrosu</i>	Do	Do.
235	<i>Labrichthys melanura</i>	Do	Do.
236	<i>Platygllossus miniatus</i>	Cuv. & Val.	Now South Wales coast. (?)
237	<i>Coris lineolata</i>	Do	The Rainbow Fish of Sydney Market.
237a	<i>Coris semicineta</i>	Ramsay	Near Broken Bay.
238	<i>Heteroscarus castelnaui</i>	Macleay	Port Jackson.
239	<i>Odax balentus</i>	Cuv. & Val.	The Kelp Fish of Tasmanian Market.
—	<i>Odax richardsonii</i>	Günther	The Stranger of Melbourne Market.
240	<i>Novacula jacksonensis</i>	Ramsay	Port Jackson.
401	* <i>Odax semifasciatus</i>	Cuv. & Val.	The Rock Whiting of Sydney Market.
242	* <i>Odax brunneus</i>	Macleay	Port Jackson.
243	<i>Olisthrops brunneus</i>	Do	Do.
244	<i>Gadopsis marmoratus</i>	Richards	In fresh waters of N.S.W.

No.	Name.	Author.	Popular name or habitat.
245	<i>Lotella fuliginosa</i>	Günth.	Port Jackson.
—	<i>Lotella callarias</i>	Do	The Cod of Melbourne Market.
246	<i>Lotella marginata</i>	Macleay	The Beardy of fishermen.
247	<i>Lotella grandis</i>	Ramsay	Wollongong.
248	<i>Pseudophycis breviusculus</i>	Richardson	In a large shark from Port Jackson.
—	<i>Pseudophycis barbatus</i>	Günth	The Melbourne Market Rock Cod.
—	* <i>Gemypterus australis</i>	Casteln	The Rock Line of Melbourne Market.
249	* <i>Pseudorhombus russellii</i>	Gray	The Flounder.
250	* <i>Pseudorhombus multimaclatus</i>	Günth.	Port Jackson.
251	* <i>Teratorhombus exerceps</i>	Macleay	Do.
252	* <i>Rhomboidichthys spiniceps</i>	Do	Do.
253	* <i>Ammotretis rostratus</i>	Günth.	Do.
254	* <i>Ammotretis zonatus</i>	Macleay	Do.
—	* <i>Rhombosolea flexoides</i>	Günth.	A Melbourne Flounder.
—	<i>Rhombosolea bassensis</i>	Casteln	The Melbourne Market Sole.
—	<i>Rhombosolea victoria</i>	Do	The Flounder of Melbourne Market.
255	* <i>Solea fluviatilis</i>	Ramsay	The fresh-water Sole in the Hunter River.
256	* <i>Solea microcephala</i>	Günth.	Port Jackson.
257	* <i>Solea macleayana</i>	Ramsay	Do.
258	* <i>Solea lineata</i>	Do	Port Stephens.
259	* <i>Synaptura quagga</i>	Kaup	Port Jackson.
260	* <i>Synaptura nigra</i>	Macleay	The Sole of the Sydney Market.
261	* <i>Plagusia unicolor</i>	Do	The Lemon Sole of Sydney.
262	* <i>Lophonectes gallus</i>	Günth.	Off Botany Heads, in trawl.
263	<i>Copidoglanis tandanus</i>	Mitchell	The Murrumbidgee Cat-fish.
264	<i>Cnidoglanis megastoma</i>	Richardson	Port Jackson.
265	<i>Cnidoglanis lepturus</i>	Günth.	Do.
266	<i>Arius thalassinus</i>	Rupp	Do.
267	<i>Arius australis</i>	Günth.	Hunter and Richmond Rivers.
268	<i>Saurus myops</i>	Cur. & Val.	Port Jackson.
269	<i>Saurida nebulosa</i>	Do	Do.
270	<i>Saurida australis</i>	Casteln	Do.
271	<i>Saurida trunculenta</i>	Macleay	Do.
272	<i>Saurida ferox</i>	Ramsay	Do.
273	<i>Aulopus purpurissolus</i>	Günth.	The Sergeant Baker.
274	<i>Chlorophthalmus nigripennis</i>	Richards.	Off Twofold Bay, in 120 fathoms.
275	<i>Scopelus boops</i>	Do	Off New South Wales Coast.
276	<i>Scopelus coruscans</i>	Gill	Australian Ocean.
277	<i>Retropinna richardsonii</i>	Günth.	Rope's Creek, Penrith Road.
278	<i>Galaxias krefflii</i>	Cur. & Val.	Murray River, &c.
279	<i>Galaxias scriba</i>	Günth.	Port Jackson.
280	<i>Galaxias punctatus</i>	Macleay	Eastern Creek, Penrith Road.
281	<i>Galaxias coxii</i>	Do	Crab Creek, Mount Wilson.
282	<i>Galaxias planiceps</i>	Do	Rankin's Lagoon, Bathurst.
283	<i>Galaxias bong-bong</i>	Do	Rivers at Bong-Bong.
284	<i>Galaxias nebulosa</i>	Do	Long Bay.
285	<i>Galaxias findlayi</i>	Do	In ice pond on Mount Kosciusko.
—	<i>Galaxias ocellatus</i>	Do	The Yarra Trout.
286	* <i>Belone ferox</i>	Günth.	The Long Tom of Sydney Market, only in 1st Schedule.
287	* <i>Belone gracilis</i>	Macleay	Port Jackson, do do.
288	<i>Seombesox fosteri</i>	Cur. & Val.	Do.
289	* <i>Hemirhamphus intermedius</i>	Canl.	The Garfish of Sydney Market.
300	* <i>Hemirhamphus regularis</i>	Günth.	The River Garfish of Sydney Market.
301	* <i>Hemirhamphus argenteus</i>	Beau.	Port Jackson, rare.
302	* <i>Hemirhamphus commersonii</i>	Cur. & Val.	Commerson's Garfish.
—	<i>Osteoglossum teichhardti</i>	Günth.	The Dawson River Barramundi.
303	<i>Chaetossus richardsonii</i>	Casteln.	Murray River and tributaries.
304	<i>Clupea sagax</i>	Jenyns	New South Wales waters.
305	<i>Clupea sundaica</i>	Bleek.	The Herring of the Hawkesbury River.
306	<i>Clupea hypselosoma</i>	Do	A Port Jackson Herring.
307	<i>Clupea moluccensis</i>	Do	Do do.
308	<i>Clupea novæ-hollandiæ</i>	Cur. & Val.	The Nepean Herring.
309	<i>Clupea richmondia</i>	Macleay	Richmond River Herring.
—	<i>Clupea sprattus</i>	Linn.	Of Tasmania; is the Sprat or Garvie of England.
311	<i>Etrumeus jacksoniensis</i>	Macleay	Port Jackson.
312	<i>Elops saurus</i>	Linn.	The Saw-fish.
313	<i>Megalops cyprinoides</i>	Brouss.	Hawkesbury River.
314	<i>Chanos salmoneus</i>	Bleek.	Port Jackson.
315	<i>Chirocentrus dorab</i>	Forsk.	Do.
316	<i>Chilobranchnus rufus</i>	Macleay	Port Jackson.
317	<i>Anguilla reinhardtii</i>	Steind	An Eel in the Hawkesbury & Richmond Rivers.
318	<i>Anguilla australis</i>	Richards	The Eel of our Rivers.
319	<i>Conger labiatus</i>	Casteln.	The Conger Eel of Sydney.
320	<i>Muraenesox cinereus</i>	Forsk.	The Silver Eel of Sydney Market.
321	<i>Myrophis australis</i>	Casteln.	Port Jackson.
322	<i>Muraenichthys australis</i>	Macleay	Lane Cove.
323	<i>Ophichthys serpeus</i>	Linn.	Do
324	<i>Muraena undulata</i>	Jacép.	Port Jackson.
325	<i>Muraena picta</i>	Bleek.	Do
326	<i>Muraena atra</i>	Bleeker	Do
327	<i>Syngnathus margaritifera</i>	Peters	Do
328	<i>Syngnathus tigris</i>	Casteln.	Do
329	<i>Syngnathus cinctus</i>	Ramsay	Do
330	<i>Stigmatophora argus</i>	Richards	Do
331	<i>Stigmatophora nigra</i>	Kaup	Do
332	<i>Phyllopteryx foliatus</i>	Shaw	Do
333	<i>Hippocampus novæ-hollandiæ</i>	Steind	The Sea Horse
334	<i>Monacanthus hippocrepis</i>	Quoy & Gram.	A Leather-jacket.
335	<i>Monacanthus convexirostris</i>	Günth.	Do
336	<i>Monacanthus trachylepis</i>	Günth.	Do Broken Bay

No	Name.	Author.	Popular name or habitat.
337	<i>Monacanthus guntheri</i>	Macleay	A Leather-jacket.
338	<i>Monacanthus brownii</i>	Richards	Do
339	<i>Monacanthus spilomelanurus</i>	Quoy & Gaim.	Do
340	<i>Monacanthus maculosus</i>	Richards	Do
341	<i>Monacanthus castelnaui</i>	Macleay	Do
342	<i>Monacanthus freycineti</i>	Holland	Do
343	<i>Monacanthus prasinus</i>	Casteln.	Do
344	<i>Monacanthus margaritifer</i>	Do	Do
345	<i>Monacanthus megalurus</i>	Richards	Do
346	<i>Monacanthus sulcatus</i>	Holland	New South Wales Coast. (?)
347	<i>Monacanthus granulatus</i>	White	A Leather-jacket.
348	<i>Monacanthus rudis</i>	Richards	Do
349	<i>Monacanthus aynaudi</i>	Quoy & Gaim.	The Leather-jacket so troublesome to schnapper fishers.
350	<i>Monacanthus trossulus</i>	Richards	Do
351	<i>Monacanthus oculatus</i>	Gunth.	Do
352	<i>Monacanthus baueri</i>	Richards	Do
353	<i>Monacanthus macrurus</i>	Macleay	Do
354	<i>Ostracion concatenatus</i>	Bleek	Port Jackson.
355	<i>Ostracion diaphanus</i>	Bleek	Do
356	<i>Ostracion cornutus</i>	Linnaeus	Do
357	<i>Ostracion lenticularis</i>	Richards	Do
358	<i>Tetrodon lervigatus</i>	Linn	Do
359	<i>Tetrodon hypselogenion</i>	Bleek	Do
360	<i>Tetrodon hamiltoni</i>	Richards	The Tode.
361	<i>Tetrodon virgatus</i>	Richards	A Toad-fish.
362	<i>Tetrodon hispidus</i>	Linn.	Do
363	<i>Tetrodon firmamentum</i>	Schleg.	Do
364	<i>Tetrodon lineatus</i>	Bleek	Do
365	<i>Tetrodon amabilis</i>	Casteln.	Do
366	<i>Diodon hystrix</i>	Linn.	The Porcupine-fish
367	<i>Diodon noremaculatus</i>	Cuv.	A Porcupine-fish.
—	<i>Diodon blockii</i>	Casteln.	The Melbourne Sea Hog.
368	<i>Dicotylichthys punctulatus</i>	Kaup.	Port Jackson.
369	<i>Orthogoriscus ramsayi</i>	Guillyoli	Our Sun-fish.
—	<i>Ceratodus fosteri</i>	Kreffl.	The <i>Ceratodus</i> of the Burnet River.
—	<i>Callorhynchus antarcticus</i>	Lacép.	The large Shark recently caught in Melbourne.
370	<i>Carcharias maculoti</i>	Mull & Heale	Port Jackson.
—	<i>Carcharias glaucus</i>	Linn.	The Blue Shark of European seas.
371	<i>Carcharias gangeticus</i>	Mull & Heale	A small Shark, 30 inches long.
372	<i>Carcharias brachyurus</i>	Gunth.	A Shark from Tasmania, 5 to 8 feet long.
374	<i>Galeocerdo rayneii</i>	M'Donald & Darron	The Port Jackson Tiger Shark.
375	<i>Galeus australis</i>	Macleay	The School Shark of Sydney.
376	<i>Zygæna malleus</i>	Shaw	The Hammer-headed Shark.
377	<i>Mustelus antarcticus</i>	Gunth.	Port Jackson.
378	<i>Lamna glauca</i>	Mull & Heale	The Blue Pointer Shark.
379	<i>Carcharodon rondeletii</i>	Do	The White Pointer Shark.
380	<i>Odontaspis americanus</i>	Mitch.	The Grey Nurse Shark.
381	<i>Alopias vulpes</i>	Linn.	A Shark of 7 feet long.
382	<i>Notidanus indicus</i>	Cuvier	A Short Rounded-mouth Shark, 5 feet long.
383	<i>Scyllium maculatum</i>	Bleeker, not Gray	A Shark 2 feet long.
384	<i>Chiloscyllium furvum</i>	Macleay	Port Jackson, two to three feet long.
385	<i>Crossorhinus barbatus</i>	Linn.	The Wobbegong Shark.
386	<i>Heterodontus philippii</i>	Lacép.	The Port Jackson Shark.
387	<i>Heterodontus galeatus</i>	Gunth.	Port Jackson.
388	<i>Acanthias vulgaris</i>	Risso	New Holland, N. S. W. (?)
389	<i>Acanthias blainvilliei</i>	Do	Do do
390	<i>Acanthias megalops</i>	Macleay	Port Jackson.
391	<i>Rhina equatina</i>	Linn.	The Angel Shark.
392	<i>Pristiophorus cirratus</i>	Latham	Port Jackson.
393	<i>Rhinobatus granulatus</i>	Cuvier	Do
394	<i>Rhinobatus banksii</i>	Mull & Heale	Australia, N. S. W. (?)
395	<i>Trygonorbina fasciata</i>	Do	The Fiddler.
396	<i>Hypnos subnigrum</i>	Durn.	Port Jackson.
—	<i>Raja lamprieri</i>	Richards	The Thornback of Melbourne Markets.
397	<i>Raja australis</i>	Macleay	The Australian Skate.
398	<i>Trygon pastinaca</i>	Linn.	The Sting Ray.
399	<i>Trygon tuberculata</i>	Lacép.	Port Jackson.
400	<i>Urolophus testaceus</i>	Mull & Heale	Do
401	<i>Myliobatis aquila</i>	Linn.	Do
402	<i>Myliobatis australis</i>	Macleay	Do
403	<i>Ceratoptera alfredi</i>	Kreffl.	The undescribed Prince Alfred Ray from Manly in Museum.
404	<i>Branchiostoma lanceolatum</i>	Pall.	The Amphoxus and Lancelet.
ADDENDA.			
405	<i>Carassius vulgaris</i>	Linn.	The Crucian or Prussian Carp introduced into the Botany watershed.
406	<i>Cyprinus auratus</i>	Do	The Gold Fish introduced into Sydney watershed, probably only a variety of the last.

APPENDIX F.

FISHERIES ACT, 1881.

OYSTER-BEDS.

COUNTY ROUS.

Tweed River. No oysters dredged for some time; but exist in quantity. Opened to dredging, 31st October, 1883. Royalty, 4s. per 3-bush. bag, 5/12/83.
Brunswick River. Inspector reports almost destitute of oysters.

COUNTY RICHMOND.

Richmond River. Opened to dredging, 18th July, 1883. Supply moderate.
Evans River.

COUNTY CLARENCE.

Clarence River and Tributaries. Proclamation closing beds D, E, and F, expired 17th February, 1883. Leases of other beds expired 30th April, 1883. Deep beds opened, 5/12/83.
Arragan Lake.
Cakora Lake.
Sandon River and Tributaries.
Wooli Wooli River.
Red Rock River.

COUNTY FITZROY.

Red Bank River.

COUNTY RALEIGH.

Bellinger River. Opened to dredging, 30th June, 1883.
Deep Creek.
Nambucca River. Opened to dredging, 30th June, 1883.

COUNTY MACQUARIE.

M-Leay River and tributaries.
Saltwater Creek, Manning River. Opened to dredging, 18th July, 1883.
Port Macquarie. Oyster beds open to dredging. Inspector reports a very bare supply.
Cathie Creek, Lake Innes.
Camden Haven. Opened for dredging, 18th July, 1883.
Manning River and tributaries. Proclamation closing expired 30th March, 1883. Foreshores declared Public Oyster Reserve, and exempt from power of leasing, by proclamation dated 23rd April, 1883. Bed of river recommended to be opened to dredging.

COUNTY GLOUCESTER.

Wallis Lake, Cape Hawke. Lease expired, 31st August, 1883. Opened to dredging, 31st October, 1883.
Myall Lakes.
Port Stephens. Deep beds only opened to dredging, 31st October, 1883.

COUNTY NORTHUMBERLAND.

Hunter River. Closed 5th October, 1883, under Regulation 21.
Tuggerah Beach Lakes.
Broken Bay and Tributaries. Lease expired 30th September, 1883. May be opened on notification.

COUNTY CUMBERLAND.

Narrabeen Lagoon. Opened to dredging, 18th July, 1883.
Port Jackson. Recommended to be proclaimed a Public Oyster Reserve; westerly from a line from Bradley's Head to Point Piper.
Parramatta River. Shores and bed, easterly of the wharf at Ryde, recommended to be exempted from the power of leasing and proclaimed a Public Oyster Reserve.
Botany Bay. Open to dredging on notification.
Weenee Bay, Quibray Bay, Kogarah Bay, Wooloaware Bay (in and around Botany Bay). Closed against dredging, 13th October, 1883.
George's River and Tributaries. Foreshores proclaimed a Public Oyster Reserve. Deep beds opened to dredging, 12th June, 1883.
Port Hacking. Exempt from the power of leasing, and proclaimed a Public Oyster Reserve, 31st July, 1883.

COUNTY ST. VINCENT.

Shoalhaven River and Tributaries. Shores of Good Night Island exempted from leasing, and proclaimed a Public Oyster Reserve. Opened to dredging, 18th July, 1883.
Broughton Creek. Closed for twelve months, 5th December, 1883.
Crookhaven River.
Wollomboola Lagoon.
Currambene Creek.
Jervis Bay and Tributaries. Opened to dredging, 18th July, 1883.
Cullendulla Creek. Closed for three years, 30th June, 1883.
Conjola, or Currijarong Creek. Inspector reports a small quantity of oysters on rocks.
Croobyar Creek.
Swan Lake.
Burril Lake. Inspector reports that there are no oysters.
Durras Lake, or Water. Closed against dredging till 20th August, 1885.
Clrde River and Tributaries. Lease expired, 31st August, 1883. Opened to dredging on notification. Bherewerre

Bherewerre Creek. Opened to dredging, 30th June, 1883.
 Tomago River. Closed for three years, 30th June, 1883.
 Buckenbowra River.

COUNTY DAMPIER.

Moruya River. Opened to dredging, 9th October, 1883.
 Congo Lake. Opened to dredging, 18th July, 1883.
 Coila Lake.
 Tuross Lake and River. Under lease to Robert Martin to 28th February, 1884. Annual rental, £135.
 Birroul Lake.
 Mummuga Lake.
 Wagonga River. Closed for three years, 30th June, 1883.
 Bullengalle Lake.
 Nangudga Lake.
 Corunna Lake.
 Tilba Tilba Lake. Opened to dredging, 18th July, 1883.
 Little Lake.
 Wallaga Lake. Inspector reports there are no oysters.
 Bermagui River. Closed for three years, 30th June, 1883.
 Murrah, or Dry River.
 Bunga Lake.
 Wapengo Lake.
 Narrawillie Creek. Proclamation closing Oyster Beds expired 12th January, 1882. Opened for dredging. Inspector reports favourably of this water for oyster culture.
 Nelson Lake. Contains oysters in small quantities—suitable for culture.
 Baronda Lake. Contains oysters in inconsiderable quantity—suitable for culture.

COUNTY AUCKLAND.

Bega River.
 Wallagoot Lake. }
 Merrimbula Lake. } Contain only mud oysters, but in very large quantity.
 Panbula River and Lake. Opened to dredging, 18th July, 1883. Contains rock oysters only.
 Twofold Bay and Tributaries. Reported as being at present unfit for dredging operations. Declared open, by proclamation, 15th July, 1881; *vide* Appendix, Fisheries Act, 1881.
 Wouboyn River. Contains only rock oysters, but capable of culture.
 Myrrial River. Produces oysters of the finest quality.
 Towamba Lake. Opened to dredging, 18th July, 1883.
 Bittangabee Creek. Contains only a few oysters.
 Brow Lake. Opened to dredging, 18th July, 1883.
 Candleleg Creek. Opened to dredging, 18th July, 1883.

APPENDIX G.

Mr. W. A. Haswell to The Commissioners of Fisheries.

Gentlemen, Sydney, 9 January, 1883.
 I have the honor to inform you that, in accordance with your request, I have examined a number of specimens of worms forwarded by the Inspector of Fisheries, on the Hunter River, on the supposition that they might be the cause of the recent mortality among the oysters in the beds in that district. I find among them representatives of several genera, some of which I am already acquainted with as inhabitants of Port Jackson—the largest and commonest being *Lepidonereis amblyodonta* of Schmarda; but they are all free-living, non-parasitic annelides, such as occur in abundance among beds of mussels and oysters, and in similar situations; and I have little hesitation in expressing the opinion that, whatever be the cause of the disease amongst the oysters, it is not to be attributed to these annelides.

I have, &c.,

WILLIAM A. HASWELL.

APPENDIX H.

TUGGERAH BEACH LAKES.

Secretary to President of the Fisheries Commission.

MR. HARGRAVES informed me this morning that the officer of the Works Department who had been sent to examine the entrance to the lakes had returned, and that his report might shortly be expected.

He explained, in reference to the lakes generally, that the effect of closure from the sea was to cause a sickness amongst the fish; that the mullet showed black spots through their flesh and that they were full of worms, and that when dead they remained flaccid and never attained rigidity.

He also said that when the restrictions of the 17th section Fisheries Act are removed, the lake will be despoiled by Chinamen, unless means are provided for the daily transit of fish thence to Sydney market.

That the supply from the lakes will be enormous, and that it might be in the province of the Commissioners to provide a means of communication, at any rate in the first instance, in order to open the way for subsequent private enterprise.

L. G. T.

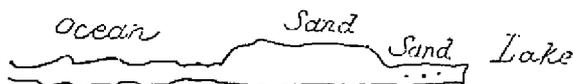
12/4/83.

Mr.

Mr. Commissioner Want to The President of the Fisher's Commission.

Sir,

I have the honor to inform you that, by direction of the Fisheries Commissioners, I visited Tuggerah Beach Lakes, on the 9th inst., in the steam launch "Florrie," chartered for the occasion. Arrived off the entrance to the lakes about 3 o'clock p.m., and found that the same was closed from the ocean by a neck of island about (150) one hundred and fifty yards from water to water and sanded up in the natural channel say for 30 or 40 feet, about from 4 feet high, the remaining distance being some (7) seven or (8) eight feet high, thus:—



I made inquiries from Mr. Hargraves, a resident there of some years standing, and ascertained from him that it would be a most costly undertaking at present and not absolutely necessary for the preservation of the fish in the lake for several reasons to open the same, which I found afterwards borne out by a visit to the upper end of the first or southern lake, where most of the fishermen live. When at work there, I may state, in the first place, it is only for a limited number of months (in the winter) that these men can carry on fishing operations with a successful issue, as the fish will not keep in summer to reach the market; in the second place, the lake is almost divided into three lakes by narrow necks of water, and in each of these the rocks are conspicuous along the shore, preventing any hauling in fully half the same; thirdly, the difficulty of getting the fish to market.

At Mr. Hargraves' place, which is situated at Bungaroo Norah head, the small steamers embark their freights of fish, which can only be done in fine weather at this point. The lake is about two (2) miles by land from the ocean at this point, and the fish are carted over in bullock drays, at a charge of one shilling a basket, by Mr. Hargraves.

I examined several fishermen, and they were all of opinion that the lakes were full of fish, and little, if any, object would be gained by opening the mouth of the entrance to the lakes. I was preceded by the Central Inspector, Mr. Quinan, and boatman Hellings, who went by sailing-vessel to Terrigal the previous day, and who had ridden over by the entrance, with a view of inspecting the nets and boats.

We examined the boats, nets, &c., having walked across the two miles and back, returning by steamer, on the 18th inst.

The fishermen are divided in the lakes, some fishing the northern lake and sending their fish overland to Newcastle, and then to Sydney by steamer. From what I could learn, there must be some forty fishermen at work in the vicinity.

I may add, in conclusion, I found the water on the coast from Terrigal to Bungaroo Norah plentifully supplied with fish. The schnapper kind can be caught as fast as the lines could be put down, and if properly worked could more than supply the wants of the market at present from line-fishing alone. The night before I arrived at Bungaroo Norah, 180 baskets of fish were carted across to the steamers, irrespective of the catch in the upper lakes, which I learned was nearly as great.

I have, &c.,
G. F. WANT.

Mr. E. J. Hargraves to The Secretary, Fisheries Commission.

Sir,

Noraville, 10 October, 1883.

I was informed to-day that Mr. Stuart had authorized the expenditure of £20 in order to let out Tuggerah Beach Lake, and that my father had had an interview with you on the subject, when you informed him that I had advised Mr. Want that it was not necessary and would be an expensive work, consequently you must see Dr. Cox about it.

When Mr. Want was here in June last it would have been an expensive work to let it out, but now the lake has risen to such a height that about £20 judiciously expended would let it out in a few days, but no time ought to be lost.

If you have come to a decision and place the amount in my hands I will do the best I can with it, and feel convinced the amount will suffice.

At present the men fish under much difficulty, the lake being so high.

You will most probably receive this letter on Friday, and please reply as soon as possible, as I would at once proceed with the work, all the fishermen being willing to work at it.

I remain, &c.,
E. J. HARGRAVES,
Wamberal, near Gosford.

The Secretary of the Fisheries Commission to Mr. E. J. Hargraves.

[*Extract.*]

Sir,

Fisheries Office, Sydney, 15 October, 1883.

I have the honor to acknowledge the receipt of your letter dated 10th instant; and having laid it before Dr. Cox, the President of the Fisheries Commission, I am directed to inform you that he is most anxious that the work should be proceeded with, and will feel obliged if you will undertake its supervision, at a cost of £20 * * *

I have, &c.,
LINDSAY THOMPSON,
Secretary.

Extract from Mr. E. J. Hargraves' letter to the Secretary to the Commissioners of Fisheries.

Sir,

Noraville, 22 October, 1883.

I have the honor to acknowledge the receipt of your communication of the 15th instant, with reference to the opening out of Tuggerah Beach Lakes to the sea. On the 6th instant some of the settlers commenced the work, and on the following day had let the water out. * * * * *

I have, &c.,
E. J. HARGRAVES.

The

The Secretary of the Fisheries Commission to Mr. E. J. Hargraves.

Sir,

Fisheries Office, Sydney, 27 October, 1883.

Referring to your letter dated 22nd instant, I am desired by the President of the Fisheries Commission to say that, from a piscicultural standpoint, he regards the Tuggerah Beach Lakes as of the greatest possible interest and importance; and holding this view, he will be extremely obliged if you will favour him as far as you conveniently can with replies to the following queries:—

1. For what period had the lakes been closed from the sea?
2. Prior to their being opened, had the water become very fresh?
3. By letting out the water, how many feet have the lakes fallen?
4. Are the lakes now fully subject to tidal influence?
5. Can you suggest any means of permanently preventing the outlet from being again blocked?
6. Before the water was let out did you notice any young fish of those species which you know are common to the sea—such as mullet, black bream, flathead, &c., in the lakes?
7. Have you any idea if schnapper were enclosed in the lakes, and if they lived till the water was let out?
8. As far as you observed, were the fish at all diseased through having been so long pent up?
9. Have you noticed if fish are now entering the lakes from the sea?

It is desired to ascertain by this accidental experiment if our ordinary sea-fish will live and breed in artificial waters and be commercially profitable; and if you can supply information on the points raised in the foregoing queries you will confer a great favour on the Commissioners.

I have, &c.,

LINDSAY THOMPSON,
Secretary.

Mr. E. J. Hargraves to The Secretary of the Fisheries Commissioners.

Sir,

Noraville, 11 November, 1883.

Referring to your letter of the 27th ultimo, inviting information on the following queries, I can say, in answer to No.

1. That the lake has been closed for a period of eighteen months.
2. The water about the foreshores and flats was brackish, but the water in the lakes, as a whole, salt. This is my own opinion, and I am supported in it by the men now fishing here.
3. About 3 feet.
4. Yes.
5. There are a few rocks visible at low-water in the channel of the entrance, and if these were blown up with dynamite I think it would not be so likely to silt up again.
6. I noticed more young mullet, whiting, and bream in the lake last January and February than I had at any time for the last twenty-two years, in fact, for miles along the shores just at dark the water was alive with them, and it was no trouble to shoot as many as six to eight mullet at one shot about one foot long.
7. I know for a fact schnapper were enclosed in the lake, as just after it was closed I caught many very large ones, and the fishermen have caught at times for the last five months as many as three to five baskets during the night in their nets; and only a fortnight since I knew of fifteen fine ones caught with a line, and attended to them myself.
8. I found no sign of disease, but remarked how thick their tails were, and thought at the time they were more like the outside sea schnapper, or improved lake schnapper, I cannot say; but the quality splendid and thoroughly healthy.
9. I have not noticed, but have been informed that large quantities of mullet were seen coming into the entrance about ten days since; but as this is not the season for mullet to travel the fishermen think these are mullet returning that went out with the fresh.

Since the entrance has been opened the men have caught a quantity of Long Toms, but for the previous five months did not take a single one; and, from this fact, I have no doubt that fish are entering the lake; besides, the fish are as plentiful to catch now as the day the men commenced to fish, viz., the 6th June last.

I have not present time been able to make it convenient to see the people who let the entrance out and get their signatures to the vouchers you sent me, but will try and do so this week.

I have, &c.,

E. J. HARGRAVES.

APPENDIX I.

SPECIAL REPORT ON THE HAWKESBURY RIVER OYSTER-BEDS.

The Secretary to The President of the Fisheries Commission.

Sir,

Fisheries Office, Sydney, 4 November, 1883.

In compliance with instructions conveyed to me by the Commissioners of Fisheries, I have made an inspection of the oyster-bearing portions of the Hawkesbury River and its tributaries. For the information of yourself and colleagues I proceed to furnish you with the particulars I have collected, and to note a few suggestions which have occurred to me in respect to the capabilities and future disposition of the shores of those waters.

I will commence by stating that the oyster-beds are in a completely impoverished state, and the Commissioners undertake their management at quite an initial point of progress. I am happy to be able to assure them that, from the statements I shall have to make in sundry portions of this report, they will gather that the recuperative powers of these waters are so great as to lead to the expectation that in the short space of twelve months most satisfactory results will be obtained, but to secure those results in large measure the beds will have to be tended with the greatest possible care.

Accompanying

Accompanying is a rough tracing showing, amongst other points, the limits of the river and tributaries within which the oyster can be produced in fair marketable quantities.

Within those limits, which extend from Porto Bay, on the east, to Mangrove Creek on the west, the grounds generally may be divided into two classes—those suitable for culture and those for breeding. The former may be said to embrace the shores of the creeks and upper parts of the main river; the latter, the lower parts of the main river and the mouths of the creeks. The fattening grounds, as a rule, improve as they reach towards the oyster-bearing limit.

The value of these waters as oyster-producing areas may be classed in the following order:—

Mooney Creek,	Milson Island,
Berowra Creek,	Mullet Creek,
Murrumurra Creek,	Mangrove Creek.
Porto Bay,	

Applications have been lodged for the lease of nearly the whole lengths of the shores of Mooney and Berowra Creeks, and, for economic reasons, which will appear in the course of my report, it seems to me absolutely essential that, in some way or other, the applicants should be securely placed in *immediate* possession of the areas for which they have applied.

There are no deep beds in the Hawkesbury River except those in Berowra Creek, which perhaps may be so designated, but oysters taken from the shores and placed in suitable localities, covered permanently by a depth of 4 or 5 feet of water, will thrive quickly. Oysters will also mature if placed below the line of half-tide, but not to the same extent as when permanently covered.

The oysters in Mooney, Berowra, and Mullet Creeks have a distinctly varied appearance, and can be readily distinguished. I furnish a specimen of each, thinking they may prove of interest to the Commissioners.

There is no general time for spatting; it occurs at different times in different creeks, and it cannot even be asserted that each creek will spat at the same time of each year.

Mr. Inspector Smith will make this a matter of future special observations, and report results as they occur.

It would be desirable to know what are the compositions of the ground and water on which the oysters will most readily fatten. With the view of obtaining this information, I might venture to suggest the institution of a series of chemical and microscopical examinations of the bottoms and waters of good, indifferent, and poor oyster-bearing grounds.

Doubtless the strength and set of the tide and the density of the water will be conditions largely affecting the question. As regards the latter I have ascertained, by rough experiment, that while sea-water has a density of 9 or 10 per cent. greater than pure fresh water, water covering oyster-bearing ground has not more than 5 to 6½ per cent.

The examinations could be undertaken by the Government Analyst's Department, and if successful would be of large value to ostraculturists.

The bottom generally of the Hawkesbury River and its tributaries consists of a soft mud, which cannot be effectually utilized for oyster culture unless properly prepared and hardened. The cost of this preparation must form an important factor in determining the rent, fair as between the Crown and the lessee, to be demanded on areas to be leased.

From inquiries I have made I find it would be possible for one man to prepare, at a low average, about 10 square yards per day, and as an inducement to persons to engage in the development of this industry, possibly the Commissioners will for the present accept this average as part of the data on which to base their estimate.

In my own opinion it would be very desirable to demand only the minimum rent of 20s. for every 100 yards, and to impose a reduced royalty on all oysters raised. In this way the interests both of the Crown and the lessees would be regarded, and the one could not unduly gain at the expense of the other.

I refer to a suggestion made by Mr. Assistant-Inspector Smith in a recent letter, to the effect that the oyster-beds should be closed for twelve months, under the provisions of the Fisheries Act. I indorse that suggestion so far as regards the unapplied-for portions of the upper river and the creeks, but think that no bar should be placed upon the *immediate* granting, under conditions of course, of those portions for which applications have been lodged.

I think those portions should be handed over to the applicants *at once*; if possible under formal lease. If not, under such conditions as, while they shall assure to the applicant a security of tenure over any improvements entered upon, shall reserve to the Crown power to impose such regulations and such modifications of boundaries as may, after more mature consideration than the Commissioners have yet been in a position to bestow on the subject, seem necessary to the public interest.

Viewing this suggestion from an economic stand-point, I see that on consideration it must commend itself; for if the shores be handed over to the applicants the Commissioners will be assured that, in self-interest, attention will be bestowed and money expended on them which must produce beneficial results, while otherwise if these same shores are merely protected by a close season they will have to be tended throughout its term at the expense of the Crown, or more harm than good will result. I instance the case of the Hunter River beds, which through being left to themselves have now to be recovered at considerable cost.

It will be seen further on in my report that the shores of the lower main river, and notably of Dangar and Long Islands, are very prolific as breeding-grounds and spat-collectors. I think that the shores of the river and of all the islands below Peate's Ferry should be set apart as an oyster reserve for breeding purposes. If this be done, it will enable the lease applicants to secure under spatting licenses any quantity of stock for their layings.

So far nothing has been done in this direction, and care will have to be taken to prevent unnecessary waste and destruction in the collection of this spat and brood; for though at present the supply seems inexhaustible the industrious pursuit of oyster culture will very soon make a reduction in the amount available.

The cost of collecting and laying this spat and brood may be estimated at from 1s. 6d. to 2s. per 3-bushel bag.

It may be interesting to have stated that, calculated at the minimum rental of 20s. for every 100 lineal yards of shore for which applications to lease have already been made, the income to be immediately derived from this proportion of the river amounts to over £400, as against the sum of £127 for which the whole of the river was previously leased.

If

If in addition a royalty be determined upon, the revenue to be derived will be largely augmented; but in fixing the same the fact should be recognized that the oysters will be the result of private enterprise and labour, and should therefore be taxed at a much lesser rate than could be fairly demanded for oysters from natural beds on which no private labour has been bestowed.

I refer to the remark at the commencement of my report that the Commissioners undertake the disposition of these beds at practically an initial point of development. If my suggestions as to closing leasing, and reserving be adopted, the Commissioners will in twelve months' time be in a position to determine how far the method has succeeded; if, then, as a matter of experiment only, it is worth the trial.

In anticipation of the results which the Commissioners may reasonably expect to flow from a proper administration of these most valuable oyster fisheries, it becomes necessary to institute arrangements to provide for the due payment of royalty and issue of permits, as well as to guard against the removal of under-sized oysters.

In this connection I propose the establishment of what for present purposes may be called an inspection station. A very eligible site for such a station is to be found at the Flat Rock Point, near where the railway will cross the Hawkesbury. All vessels pass this point, and at it a railway station will be established. A Fisheries Inspector so placed would oversee both the water and the rail traffic, and prevent the possibility almost of any infringement of the Fisheries Act.

The land at Flat Rock has been largely reserved or resumed for railway purposes, and it would be quite worth while to ask for an area of (say) 1 rood for the Fisheries Department.

At this stage I may suggest for consideration the desirableness of granting to a lessee of shore fronting Crown Land a permissive occupancy at nominal rental, of (say) 1 rood of such land as a residence for a caretaker; if this be not done, owners of leases fronting alienated lands will possess an undue advantage.

I may here refer to the great advantage I possessed in having had the steam launch "Scylla" placed at my disposal; without such a valuable aid I could not have travelled over the extent of ground I did under a fortnight, and then not without great labour and with far less facilities for observation.

In the knowledge of this, I venture to bring especially under the notice of the Commissioners the absolute necessity of a steam-boat for the service of their Department. If the Commissioners are to be possessed of a minute knowledge of the oyster-bearing waters entrusted to their control, a steam-vessel is an essential in enabling them to procure it.

In view of the improbability of obtaining a vessel suitable for sea-going purposes, I suggest that a small launch, of dimensions and weight to allow of its being hoisted on the deck of an ordinary trading vessel, be at once asked for, at a cost not to exceed (say) £300. Such a boat could be made available in the inspection of all the waters near or distant along the coast.

If the Commissioners decide on asking for a sum of money necessary for the construction of such a launch, I shall be prepared to supply general details as to fittings, &c. Unless some such facility is afforded the inspection of the oyster-beds will be a long and tedious, and I fear an insufficiently performed, duty.

I now proceed to furnish in detail particulars respecting the several creeks, islands, &c., which I have enumerated; afterwards, for convenience of reference, I shall proceed to a brief recapitulation of the suggestions which occur throughout this paper respecting the future disposition of the oyster-beds.

MOONEY CREEK.

The land abutting on this creek is for the most part Crown land, but a large proportion of it is now being taken up under conditional purchase, for the special object of securing to the purchaser a right to the foreshore for oyster culture.

This land is absolutely worthless for pastoral or agricultural purposes, as it consists principally of high precipitous rock. A better evidence of the value of the shores for oyster culture can scarcely be given than the fact that to secure it persons are willing to incur the cost and conditions of free selection of land which they cannot apply to any profitable use.

It may be interesting to the Commissioners to know that the following areas have been selected:—

James Thompson	...	...	...	...	40 acres
Robert Emmett	...	...	...	...	640 "
Joseph Wilson	...	...	...	...	60 "
Ann Calvert	...	...	...	...	80 "
Sydney Cole	...	...	...	...	40 "
James Cole	...	...	...	...	40 "

On the upper part of this creek, not far from the limit line of oyster-fattening ground, resides Mr. Vincent W. Seymour, who, during a period of nearly ten years, was one of the principal employes of Mr. Gibbins, the late lessee of the oyster-beds in the Hawkesbury River. Information from such an experienced and practical authority, and given, moreover, as it evidently was, with a desire to be of service to the Commissioners, may be taken as well worthy of consideration.

Mr. Seymour fully indorses the report already made by Mr. Peter Smith, the Assistant Inspector of Fisheries, that the river, notably Mooney Creek, is bare of marketable oysters, and I am free to say that my own personal inspection of the shores fully confirms the report. But they say that the ostreal fertility of the creek is so great that if afforded a close season of twelve months it will quite recuperate itself; indeed, Mr. Seymour goes so far as to affirm that if oysters laid down to fatten are not raised at the end of such a period they will burst from over-fatness, and he states as a fact that eighty bags which he laid down for Mr. Gibbins did so burst, and were consequently destroyed.

I was afforded a partial evidence of the possibility of such a result from the inspection of the remanet of a quantity of year's growth ware which Mr. Seymour had laid on his shore some ten months since; this ware had become full-sized marketable oysters.

If similar results be obtainable elsewhere on our seaboard, while the experience of other countries tells us that it takes at the very least three years to mature the oyster, it points by comparison to the almost incalculable superiority of our own oyster-producing shores. *With such a great natural advantage, there seems to be no limit to the results which may be achieved.*

Mr. Seymour called my attention to the remarkable fact that spat in this river will not attach itself to timber. Timber, especially the oak, is generally found to be a most excellent cultch, and is laid down for the special purpose of securing spat, which, as a rule, attaches itself to the first substance it touches.

Mr.

Mr. Assistant-Inspector Smith indorses Mr. Seymour's assertion, and my own observation has led me to conclude that in this particular the Hawkesbury oyster must be an exception to the general rule.

Mooney Creek is subject to a considerable deposit of tidal sediment; this accumulates on the rocks and amongst layings, rendering it necessary to lift the latter every two months, to prevent smothering.

Oysters do not spat freely in the upper part of the creek; in the lower part they spat in October and November.

It will be seen from the tracing accompanying this report that almost all the foreshores of this creek have been applied for for oyster culture, some by the owners of the conditional purchases before referred to, the rest by persons who claim the right to lease in virtue of the shores fronting Crown Land.

In another part of my report I have recommended the *immediate* issue of leases or promises of leases of the shores applied for; I hope, if on economical grounds only, the Commissioners will see fit to adopt my suggestion.

I should state that oysters in this creek may be regarded as being in condition all the year through; the same may be said of the Hawkesbury generally, excepting the beds in Berowra Creek.

BEROWRA CREEK

Contains on either side and nearly throughout its length, a strip of shelly bottom, of a width of only a few feet, but very suitable for layings; the depth of water in this strip varies from 5 to 12 feet.

Two or three runs of the dredge on a part of this strip revealed a few moderately fair-sized oysters and a quantity of dead shell, largely mixed with mud and a spongy weed. Although this creek is less subject to tidal deposit than Mooney Creek, it is quite necessary that care be taken to preserve this shelly bottom in an efficient state for oyster-bearing; this can be done by repeated cleansing with a naked dredge, as it is contemplated to do on the Hunter beds, and it will be the first duty to which the lessees of the shore must address themselves. The shores are well suited for culture, but the distinguishing characteristic of this creek is the strips of shelly bottom, and they form the only known deep beds in the Hawkesbury.

The frontage land here, as elsewhere, is precipitous and rocky, of not the slightest value either for pastoral or agricultural purposes; some of it has, however, been taken up under conditional purchase, but not to so great an extent as in Mooney Creek.

Berowra is not affected by floods, or rather freshets, from its source, though a flood in the main river, by backing up its waters, does a considerable amount of damage to the oysters. In 1869 continued flood and freshes kept the creek fresh for three months, destroying almost to extermination the oysters, which were in good condition and plentiful.

Oysters in this creek are marketable in the winter and early summer months; they will become a marketable commodity within eighteen months from time of laying.

This creek may be classed as a superior oyster-ground, and, with due care and management, be made a valuable source of supply.

MURRAMURRA CREEK

Is similar to Mooney in its mud-flats, save that the mud is altogether too soft to carry oysters, though they are found to thrive quite well when attached to rocks and stones jutting out above mud-level.

From the fact that oysters are found thus to thrive, it may be confidently assumed that, by constructing a bottom of the proper consistency to carry oysters, the ostracacultural capabilities of this creek may be made equal to those of any other in the river.

In a straight line from its mouth to the marked limit of oyster culture this creek measures a distance of 3 miles, but owing to its many indentations a great length of shore exists for culture.

PORTO BAY.

The rocks are smothered with young oysters, and the shores, though notably too soft to carry them, are, it may be assumed, as suitable for culture as those of Murrumurra Creek; like it the bay is very much indented, and offers an extended length of shore for leasing.

MILSON ISLAND.

Mr. Milson resides here, and has applied for the whole of the shore for oyster culture. It is not considered a first-rate locality for the purpose, that is to say, as compared with Mooney Creek and other places—the formation, which consists largely of iron-stone, has possibly a prejudicial effect on the growth. Very much better results may be anticipated from layings on the west than on the east side of the island. Mr. Milson was from home when I called at the island. I should like to have seen him, as also Mr. Lloyd, Mr. Gibbins' late manager, but they were in Sydney at the time of my visit.

MULLET CREEK.

In its upper part it is very moderately supplied with oysters, and these for the most part are valueless for market, because of the difficulty which exists in separating them intact from the rocks. These rocks are sandstone, infiltrated with iron, which renders them very hard and uncertain of fracture; the oysters therefore are not available for commercial purposes, and would be useful only for local consumption. No leases have been applied for along this creek. I suggest that its shores be set apart as a public oyster reserve for recreation; such a disposition of it would be appreciated by the large number of navvies who are engaged on the railway works now in progress, as well as by visitors and excursionists.

These workings are close to, indeed on the edge of the creek bank, and in places cross the mouths of some of the small bays which it contains. It is not improbable that the ballast used in forming the embankment will make an excellent cultch for future growth, and if it be possible to more easily detach the oyster from this cultch than at present can be done from the native rocks, Mullet Creek ought to have a future value as an oyster-bearing water.

DANGAR, SPECTACLE, AND LONG ISLANDS.

The shores of these islands are not fattening localities, but they catch immense quantities of spat and should, with the shores of the main river below Pcate's Ferry, be made a permanent public oyster reserve for breeding purposes.

COWAN

APPENDIX J.

COWAN CREEK.

Oysters in this creek come to no size; indeed, they exist only above low-water-mark—dead shells alone are found below that line. Cowan Creek has a depth of from 20 to 40 feet. The creek may be regarded as without the limit of culture.

MANGROVE CREEK.

The entrance hereto is practically the upper limit of oyster growth. This, of course, is owing to the influence of freshes.

In extremely dry seasons a rapid oyster growth will occur, but a sudden fresh would at once destroy the oyster. This remark applies equally to all inlets in the vicinity of this upper limit, and, indeed, to the vicinities of the upper limits of all the oyster-bearing creeks.

RECAPITULATION OF SUGGESTIONS.

- To place applicants in *immediate* possession of the areas they have applied to lease.
- To fix the royalty (if any) to be charged on oysters from leased areas.
- To close until the 31st December, 1884, the unleased portions of the river and its tributaries above the railway bridge site.
- To reserve the shores of the river and its islands below Peate's Ferry as a public oyster reserve for breeding purposes.
- To reserve the shores of Mullet Creek as a public oyster reserve for recreation.
- To specify the conditions under which supplies of spat may be obtained from the oyster-breeding reserve.
- To propose the establishment of an inspection station at Flat Rock Point.
- To recommend the granting to a lessee of shore fronting Crown Land a permissive occupancy, at a nominal rent, of (say) 1 rood of such lands, as a care-taker's residence.
- To ask for £300 for construction of a steam launch.
- To institute experiments to determine the composition of the ground and water on which oysters will most readily fatten.

I hope I have to some extent succeeded in conveying to the Commissioners a fair idea of the Hawkesbury River beds and their prospects. In my efforts to do so I have been most efficiently aided by Mr. Assistant Inspector Smith—he has afforded me every information and every assistance, and I should be wanting in justice to him if I failed to recognize the fact.

I have, &c.,
LINDSAY THOMPSON.

APPENDIX J.

SPECIAL REPORT ON THE CLYDE RIVER OYSTER BEDS.

The Secretary to The President of the Fisheries Commission.

Sir,

Fisheries Office, Sydney, 1 December, 1883.

I have the honor to state, for the information of yourself and colleagues, that, in obedience to instructions, I have made an inspection of the oyster beds in the Clyde River, which are under the supervision of Mr. George Benson, the Inspector of Fisheries for the Southern Fisheries Division of the Colony. It will be satisfactory to the Commissioners to hear that Mr. Benson has a very intelligent appreciation of his duties, and is quite an enthusiast on the subject of ostreiculture.

The Clyde, it will be remembered, is one of the three rivers recently held by Mr. F. J. Gibbins. Through the courtesy of the Manager of the Illawarra Steam Navigation Company, I am enabled to state that 13,436 bags of oysters were shipped from it during the last ten years. In general terms, therefore, I may fitly describe it as an extremely prolific oyster-bearing water.

The shores and mangroves within its oyster-bearing limits, which, as will be seen from the tracing appended hereto, extend from M'Leod's Creek upwards to Sheep Station Point, literally teem with brood and oysters, though, as was to be expected, there are comparatively few of marketable size.

Within the limits referred to there are, at a rough computation, about 20,000 lineal yards of shore suitable for culture. These shores consist either of a hard bottom composed of mud, sand, and shells, or of slate-stone reefs, running almost due north and south, but presenting a very irregular and broken surface.

The deep beds also are of similar formation, and it is owing to the impossibility of raking them clean with the dredge, or picking them bare with the tongs, that this river has maintained its oyster-producing powers unimpaired.

The shores are of varied width; in some places they extend outwards from high-water-mark for perhaps a mile, and in several instances the creeks are practically all shore, being quite uncovered at very low water.

I invite attention to this statement in connection with that provision in the Fisheries Act which authorizes areas to be leased on the basis of a line of shore not exceeding 2,000 yards. It will be evident that on a shore of a width up to (say) 1 mile, a very large area might be included in a single lease, larger by far than would be necessary for one person or family to cultivate to the extent of its capability, in order to satisfy their most extravagant wants.

I am aware that this is a bold assertion, and one not at all warranted by any evidence which the Royal Commissions on Oyster Culture and Fisheries, or later on, the Select Committee of the Legislative Assembly on the working of the Fisheries Act 1881, had before them when dealing with the question of our Fisheries. From remarks which will occur in the course of this Report, I hope to make it appear that the leasing (in this river at least) of areas anything like the maximum prescribed by the Fisheries Act will be simply a wasteful disposition of this part of the public estate.

In

In the Clyde River mangroves form an important feature in oyster growth; they are of very general occurrence, and are enormous spat collectors. On them, and on the pegs surrounding them, are immense masses of oysters in all stages of development, from spat and brood to marketable size. Mangrove oysters have a bitter taste, and are said to be unwholesome until after having passed a period of three or four months in one of the natural beds or foreshores, when they become very fine and rich.

In view of the value which thus attaches to mangroves, the destruction of them should be made penal, and the areas on which they grow proclaimed public oyster reserves for breeding purposes. I have it from dredgers on the river that one man could easily collect and lay on the natural beds or shores ten bags of these oysters per diem, and that this collection, no matter how far it were carried on within reasonable bounds, would not lessen the supply of spat and brood, which is continually setting thereon not only from the natural beds but from the mangrove oysters themselves. In fact, there seems to be no limit to the quantity of spat and brood to be obtained, and as it is necessary only to collect this brood and lay it on the beds or the foreshores, which generally are naturally fitted to receive and nourish the oyster, marketable results may be obtained with comparatively trifling labour, and within a period, at the outside, of eighteen months.

Such data being established, some idea may be conveyed to the Commissioners of the enormous amount of wealth awaiting development in this water, and the very extensive industry which, under judicious administration, could be established on its banks.

I have made special inquiries as to the times when the oyster spawns. The general opinion is that spawning occurs at all times of the year, though, perhaps, notably so during November and December. In support of this opinion, I am informed that whenever oysters are laid down on the stones they will in three months be covered with spat. I incline to the opinion that if spatting is thus constant and plentiful in its occurrence the question ceases to be one of such moment as it is deemed to be in England and France, where the process often fails or the result is lost for years together.

The principal natural oyster beds in the Clyde River bear distinctive appellations. After leaving the bay the first bed reached is known as the Old bed. It has a length of 300 yards by a width of 150 yards; the water covering it averages a depth of twelve feet; the bottom consists of hard mud, overlaid with dead shells. The bed is very clean and in good order. Spawn does not fix on to it, or indeed to any of the others of its class—possibly this is due to the run of the tide being too strong,—but brood, of which there are quantities on the adjacent foreshore, and quite easy of collection, becomes, when laid on this bed, a marketable commodity in twelve or fifteen months. Oysters here are always in season. Messrs. Latta and Cavenagh have applied to lease the shore fronting it.

Pelican Island Bed is situated in the main channel, just above the Old bed. It is probably the best of all the good beds in the river; it is 500 yards in length by 150 yards in width, has a very clean shelly bottom, and is easily worked. It is at the present time bare of oysters, but brood laid upon it thrive very quickly, becoming marketable in twelve months; while mangrove clumps deposited on it become transformed into rich oysters in the short space of three or four months.

I think that this bed, as indeed all the principal mud-shell beds in the river, should be at once stocked with mangrove oysters to the extent of their several capacities. The effect of so doing will be not only the eventual return to the Crown, in the shape of royalty, of a large increase upon the cost of the work, but the production of a vast quantity of marketable oysters; at the same time will be put to the proof the asserted oyster-producing capabilities of the river. Oysters in this bed are always in season.

Schnapper Point Bed is the next one met in the course up the river. Unlike the two previously described, the bottom of it is very broken and jagged, being formed of a slate-rock reef, running in a north and south direction. The ordinary dredge cannot be used upon it; it can be worked only by the nippers or tongs, and a modification of the ordinary dredge, aptly termed a double-shoe dredge. This is a very effective implement, admirably suited for irregular bottoms and for the use by novices, as it will catch on both sides; but even with this implement the bed cannot be exhausted, for it cannot reach the narrow crevices in the rocks, so that oysters in them can perpetually grow and spat without risk of disturbance.

Spat, apart from what is caught in the crevices referred to, seems to distribute freely from this bed, as is evidenced by the display of small oysters on the shore. Even up to half tide, oysters here, as well as in most other parts of the river, thrive well; but to achieve the best results they should be laid on a bottom covered by a depth of 2 feet of water at low tide. The oysters are in season from October to March. A lease has been applied for by Mr. John Milton.

Rocky Point Bed, on the opposite side of the river, is similar in most respects to Schnapper Point. The slate runs north and south, and is apparently a continuation of the same reef which composes it. This bed has an average depth of 15 feet, and is 500 yards long by 50 yards wide. Parts of it can be very easily levelled—the stone being rotten—very profitable results could be obtained by forming a floor of stone broken to a 4 or 6 inches gauge, and covering it with brood.

Like Schnapper Point, it abounds with crevices in which oysters can spat undisturbed. The shore also is rocky, and oysters grow well at and below halftide. A handsome income could be realised without any labour beyond that of gathering for sale. Oysters here are in season from September to May. A lease has been applied for by Mr. Haiser.

Bold Shore Bed is very long and narrow, 1,000 yards by 12 yards, covered by 10 feet of water at low tide. The bottom is of shell and shingle, spat washes on to the shingle and grows there. The oysters, though not large, are of a fair shape, and generally in good condition. This bed is one of the best in the river. The shores also are most favourable for oyster growth, and being by natural formation fitted for the purpose, the mollusc can be cultivated with but comparatively small labour. Oysters are in season from September to May. A lease of this shore has been applied for by Messrs. Gibbins and Bettini respectively.

Chinaman's Point Bed.—The upper and lower ends are of different formation—the former consisting of rocks set on edge; the latter of ordinary rock, the foreshore being shingle. The upper end produces a green-coloured cuppy shell, while the lower end shows a shell larger, flatter, and longer. This bed embraces an area of 300 yards long by 50 yards broad, covered by a depth of water averaging 15 feet. Oysters here are in season from November to March. A lease has been applied for by Mr. Bannister, who has conditionally purchased the land abutting on the shore.

Dirty

Dirty Lane Bed occupies an area 100 yards long by 15 yards wide, covered by a depth of 12 feet of water. The bottom is of mud and shingle, and is somewhat soft; hence its name. It is considered a fairly good bed, and is easily worked. Dredgers differ in opinion respecting it. Some say that the spat from it sets on the shore, as is the case with most of the beds in the Clyde; so that, to maintain its efficiency, it must be artificially stocked from time to time. Others again contend that the spat sets better on it than on any other in the river; that it sets in bunches, but produces a flat, not a cuppy oyster as in other beds; that the oysters occur in strips, separated by strips of mud, and that the softer the bed, the softer and flatter the oyster. Oysters are in season from September to May.

Mogo Bend Bed is 900 yards long, and extends from high-water-mark outward for 40 yards; the depth of water covering it is 25 feet; the bottom consists of mussels and dead shells. This bed and its shore are most excellent positions for the culture of oysters; they thrive very luxuriously, and of course yield quick returns. The mussels exist in large quantities, but true to antipodean divergencies, do not seem to be detrimental to the growth of the oyster. I think they could be availed of as a means for extending the width of the bed. It would be quite easy to rake them outwards on to the mud in sufficient quantity to form a bottom of the necessary consistency,—all the shore is most suitable for layings,—and altogether *Mogo Bend Bed* is one of the most valuable on the river; oysters on it are in season from September to May. A lease has been applied for here by Mr. William Latta.

Lacey's Bed has a depth of 7 feet of water, and covers an area of 150 yards by 80 yards. It has been worked out, and no young stuff has attached to it since. The bottom is composed of gritty shell and quartz stones. It possesses ample growing and fattening powers; brood laid on it becomes marketable in twelve months. Oysters are in season from September to May. A lease has been applied for here by Mr. C. F. Schmidt.

Big Island Bed is of large extent, 1 mile long by 100 yards wide, covered by a depth of 20 feet to 30 feet of water. The bottom is broken and rocky, so much so that oysters can with difficulty be obtained even by the double-shoe dredge. They may be said to be safe from disturbance except by diving, for the depth of the water precludes the profitable use of the tongs or nippers. Spat from this bed sets on the shore on either side. The oysters open well from Christmas to April.

On *Half-way Point Bed* the oysters are large and in good condition. The bed averages a size of 100 yards by 15 yards, and lays in a depth of 10 feet of water. Oysters here are in season from October to April.

Sheep Station Creek Bed may be said to be the limit of oyster growth, and consequently not very prolific. The bottom is rock, and comprises an area of 150 yards by 40 yards. It produces a fair-sized green-shell oyster, which is in season from November to March. Good oysters can be found on most points between *Sheep Station* and *Big Island*, but not in payable quantities.

Templeman's Private Fishery.—As the Commissioners will be aware, Mr. William Templeman has applied for a license to establish a private fishery on a part of his conditional purchase at the junction of *Buckenbours Creek* with the *Clyde River*. The application having been sanctioned, it remains only for the license to issue, subject to conditions yet to be determined. Mr. Templeman has commenced work by cutting a trench 700 yards in length, 7 feet in width, and 3 feet in height; he is also timbering the sides of the trench to prevent the encroachment of crabs and the action of the water on the banks. He is taking great pains to make the work a success, and is very sanguine of results. Of course, owing to there being at present no oyster-breeding reserves, he is unable to stock his trench, but his anxiety to have these reserves proclaimed is extreme.

Having thus described the principal beds in the *Clyde River*, I call attention to the circumstance that most of them, or at any rate their adjacent shores, have been applied for as leases under the *Fisheries Act Amendment Act*. I take leave to submit, with the utmost deference, that it becomes a matter for the earnest consideration of the Commissioners how far it may be beneficial in the public interest to recommend the alienation (for it amounts to that) of these immensely prolific shores in the wholesale manner which the applicants have proposed.

I will venture to refer to an opinion already shadowed forth herein, and which for some time past has been forcing itself upon me, that the system of leasing on the basis of lineal measurement, without regard to area and for an unlimited period, may, unless great care and judgment be exercised, prove the ruin instead of the development of the vast and splendid field for ostreiculture which the Colony possesses.

I think I should be failing in duty both to the Commissioners and the Government if I refrained from recording the opinion I have formed, gained as it has been from official experience and personal inspection of some of the most important oyster-bearing rivers.

In the *Clyde River*, so far as can be judged by observation, apart from actual experiment, it seems possible that oysters may be profitably cultivated on almost any part of its shores.

Assuming so much, I calculate that on a square yard of shore there could be laid 144 oysters, allowing a space of 3 inches square for each oyster. Now, an acre contains 4,840 square yards, so that on an acre of shore there could be laid no less than 696,960 oysters. Allowing eighty dozens of oysters to the 3-bushel bag, an acre of shore would give space for 726 bags of oysters, and these, calculated at the rate of 15s per bag, would return, in twelve months, the sum of £544 10s.

I determined to test the possibility of my data by reference to three oyster-dredgers, Messrs. *Barclay, Latta, and Bettini*, highly experienced and intelligent men. They assured me that from a quarter to a third of a bag containing from sixty to eighty dozen of *large drift oysters* could be laid in a square yard of ground. *Bettini* further volunteered the assertion, which, in my calculation, I have not taken to account at all, that the effect of laying single oysters in the manner proposed would be that spat would gather, and that in two years the stock would at least quadruple; also, that if mangrove clump oysters were laid down on a like area they would be marketable in twelve months, or less, according to size.

If this calculation and these statements can be substantiated by actual proof, we shall begin to realize what poor conception has been formed of the value of our shores as oyster-producing areas.

In another part of this paper it will be found that I have suggested the establishment, under the superintendence of the Inspectors, of experimental farms, whereon experiments in the culture and growth of oysters can be systematically made, and results noted.

In the meantime I will ask the Commissioners to take into consideration the question whether it would be desirable, on the Clyde River at least, to recommend the disposal (in perpetuity, for it will amount to that) of these valuable shores in the extensive areas which the applicants seek to obtain. I very respectfully submit that until the value of the calculations and the assertions just recorded shall have been ascertained, by practical proof, the Crown should retain the ultimate disposition of a fair proportion of these shores in its own power.

At the same time it must be remembered these persons who, although they represent unitedly only some ten families, have applied in good faith, and as, moreover, they are just the right class of men to become pioneers in the business of oyster culture, it will be to the interest of the Commissioners to deal liberally with them.

It would prove a practical and economical course to mark out the shores of this river into areas of 3 to 5 or 6 acres, and to give these persons the choice of a lease of one of them anywhere within the line described in their applications. They should be required to stock this area to the extent of its capacity; and conditionally thereupon there might be conceded to them the right to lease a second or even a third area, and so on. I have suggested the possibility of a fair income being derivable from the judicious use of even 1 acre of good ground. In proposing the apportionment of 3 to 6 acres to a lease I throw in a very large margin to the lessee, and at the same time reserve to the Government the control of a large remainder of shore to satisfy future wants.

I wish it to be distinctly understood that in no way do I seek to restrict persons in their efforts in oyster culture; I wish to encourage them to the full extent of their desires, but I would insist upon their being required to fully stock one area before allowing them to occupy a second. If a restriction in this direction be not provided, we shall be at only a short remove from the condition matters were in under the Oyster Beds Act of 1868, inasmuch as while one person then held the right to a whole river, cultivating it only so far as his inclination prompted him, that right would now be shared by perhaps a dozen or two of local residents, who would prefer to rely more upon the natural producing powers of the extensive holdings they would occupy than to attempt a proper system of artificial culture. I believe that quite a hundred or more families could find in oyster culture on the Clyde River profitable employment for their time and money.

I hope the Commissioners may entertain a favourable view of the suggestions which, with the greatest possible deference, I have ventured to put forth. It must be that in time the splendid facilities we possess for the pursuit of oyster culture will attract general attention. Surely then it will be a matter for regret if, through a present wholesale disposition of valuable shores to individuals who presumably would not cultivate them to anything like the extent of their capabilities, the Commissioners should find it out of their power to treat with competent persons who hereafter might desire to embark in the industry.

In my report on the Hawkesbury River I suggested the establishment of an Inspection Station, where royalties could be collected, permits issued, and oysters inspected. These stations should be established on every oyster-bearing river. On the Clyde one could be very advantageously formed somewhere in the vicinity of M'Leod's Creek. It should be made compulsory to bring oysters to these stations to be bagged up under the supervision of the inspector, who should direct the separation and return to one of the beds of all undersized oysters.

I question very much the supposed beneficial result of returning young growth to the bed from which it was dredged. For instance, A dredges to-day on a natural bed, culls the marketable from the unmarketable, and returns the latter to the bed. B comes next day, dredges up the same growth and deposits it again on the bed. Then come C and D, and so on. The result being that this brood is disturbed and broken day after day, and its chances of ultimate maturing very much impaired, if not altogether destroyed.

I think that in every water there should be one or more beds alternately reserved from dredging, and that unmarketable oysters taken from other beds should be deposited on them; they would thus be safe from repeated disturbance, and their development would not be checked. In the Clyde River I propose the reservation of Pelican Island bed.

So far experience has led me to conclude that oyster growth is subject to different conditions in different waters. A knowledge of these conditions is certainly essential to the ostreiculturist. Assuming it to be a function of the Fisheries Department to collect for the public benefit every kind of information bearing on this subject, I suggest for consideration the desirableness of establishing experimental farms, one on each water, where all the known methods of culture could be attempted and results regularly noted. A systematic pursuance of such a course would, I doubt not, yield valuable information and be of immense service to persons intending to follow the industry. These farms should be managed by the inspectors, and the actual work involved provided for by placing under their control two or three boys selected from some one or other of our benevolent institutions. The farms might thus be conducted at a minimum of cost to the revenue, and the boys themselves perfectly instructed in a profitable and novel industry.

As some of the suggestions which in the course of this report I have had the honor to offer apply generally to other waters, as well as particularly to the Clyde River, I will avail myself of the opportunity to refer to one or two other general points which seem to me to require direction or consideration. Having done so I shall conclude, first of all epitomizing my suggestions for convenience of reference.

Much difficulty is experienced at Head Quarters by reason of the insufficient tracings which accompany applications for leases. To remedy this, every inspector should possess a chart, drawn to a 4-inch scale, of all the waters under his supervision. On this chart should be noted the position of every area applied for, the application being made in the first instance to the inspector, who should supply a sketch from his chart to accompany it to Head Quarters, and at the same time furnish a full report conveying such information as will be of assistance in enabling a decision to be arrived at. A similar chart should be kept at Head Quarters and applications noted on it as received.

As might be supposed, I have endeavoured to follow this course as far as practicable, but have so far been hindered owing to the want of a proper office map and the incompleteness of the tracings furnished. On the charts should also be shown the positions of public oyster reserves and of recognized natural oyster beds.

And in connection with natural oyster beds I will venture, with great respect, to suggest that should any further amendment of the Fisheries Acts be contemplated, consideration should be given to the present definition of a natural oyster bed.

If

If lessees are to be allowed areas extending to any distance below low-water-mark, it must be that some of them will surround natural beds, which as the law stands may be briefly described as *deposits of oysters in tidal waters not laid down by artificial means*. Now there are many such deposits, some perhaps too insufficient in extent and quantity to warrant their being considered practically as natural beds, and yet, under the Fisheries Acts, they are such notwithstanding, and if below low-water-mark may not be included in a lease. It will be a matter of some difficulty to deal equitably with such cases in some of the many phases in which they will present themselves. I offer for consideration the suggestion that natural oyster beds should be defined and proclaimed as such by the Governor. The Fisheries Act very properly provides that their positions shall be marked by piles or stakes or buoys, but under the present definition such marking would be impracticable. On the other hand, if the beds were defined and proclaimed it would remove much difficulty, and as well very much simplify the determination and marking of areas to be leased.

Though beyond the purpose of this report, I wish to record the result of an experiment I ventured upon in respect to the transmission of fish to Sydney. It is a general opinion that during high summer fish cannot be brought to the metropolis in good condition except from waters quite adjacent. I have held the opinion that the cause of such a large quantity of fish so frequently arriving during hot weather in a state unfit for food is mainly due to careless packing and unsuitable ship stowage. I therefore invited some fishermen to make a haul, on the morning I was to leave Bateman's Bay, per steamship "Kameruka." They did so, and succeeded in securing three baskets of extraordinarily fine gar-fish. I had these placed on deck well forward of the funnel, and improvised a covering arranged in such a way that a current of air could pass round and over the baskets. This covering was kept saturated with water, and the evaporation created such a low temperature that, although the weather was very warm, the fish when landed at the fish market in Woolloomooloo, twenty-two hours after they were caught, were in perfect condition, and realized first prices.

With proper care and management it would seem practicable to land in Sydney, in sound condition, fish captured at any point within twenty hours sail of the port.

Durras Lake and Moruya River.—I took advantage of my proximity to these waters to examine the oyster beds which they contain.

Durras Lake is situated about 9 miles north from Bateman's Bay. It is a very beautiful sheet of water 5 miles in length, shores very much indented, and at present closed from communication with the sea by a belt of sand.

Mud oysters are found in abundance in all parts, but in the centre, which is too soft to carry the dredge, they can be gathered only by tongs. These mud oysters are in season during the winter months. Mr. James Barclay, who held the lease of this lake, states that they spawn at all times. He describes the spawn as being perfectly black, and emitted in a succession of beads.

Oysters taken from Bateman's Bay mouth and laid here develop in eighteen months to a perfect oyster. They spat all the year round, and culch on to the whelk and small stones which form the bottom. Developed oysters in this lake are remarkable for their regular and perfect shape.

There are three natural beds here—Cockney, Point Island, and Oaky Beds, but they are beginning to suffer from the effects of a weed and slime common to the lake when closed from the sea for a length of time.

The bottom of this water, generally at an average depth of 3 to 4 feet, is naturally suitable for oyster layings, and with any fair attention would yield large returns. Remoteness from a seaport is the principal drawback with which ostraculturists would have to contend. Oysters which in the first instance would have to be procured from Bateman's Bay, would cost 2s. per bag for cartage to the Lake, so to fully stock it would therefore in the one item of cartage absorb considerable capital, but the producing powers of its waters are deemed amply sufficient to warrant the outlay. As a field for the ostraculturist this lake can scarcely be too highly recommended.

Moruya River is situated 20 miles south from Bateman's Bay. The oysters are found between the depths of three and fifteen feet on ballast heaps and granite reefs. It will be obvious that a dredge cannot be profitably used. Oysters are most readily taken at low-water by nippers or tongs.

I found a dredger, Antonio Bettini by name, encamped on the bank. He told me he had been very successful with the nippers, having realized £12 from his work of the preceding week.

I learned from him that since the river had been opened to dredging, six weeks previously, about 140 bags of oysters had been taken; that during the first two weeks seven boats were working, while for the remaining four there were only three boats. The owners withdrew them because they had not supplied themselves with tongs, and found they could not secure sufficient returns from the mangroves.

Bettini stated his intention to continue working. He expected to take on an average quite five bags per week.

The oysters in this river occur between the limits and in the positions shown on the tracing. They spat in March, and do not mature under three years.

It was represented that a dredging party connected with the Harbours and Rivers Department had covered a large bed of oysters with sand dredged from shoal parts of the channel, whereas they could quite as easily have conveyed it to sea or such parts of the river as were not of value as oyster-bearing ground.

Possibly the Commissioners may deem it proper to represent this matter to the Government, with a view to prevent a repetition of such a destructive process.

ABSTRACT OF SUGGESTIONS.

- To proclaim mangrove-bearing areas (to be defined) as public Oyster Reserves for breeding purposes.
- To make penal the wanton destruction of mangroves.
- To stock the principal mud-shell banks with mangrove oysters.
- To establish experimental farms for oyster culture.
- To mark out the shores into suitable areas for leasing, and to give present applicants choice of selection,

To establish an Inspection Station at McLeod's Creek.
 To alternately reserve one or more natural oyster beds from the operation of dredging.
 To further amend the definition of a natural oyster bed.
 To represent to the Government the alleged destruction by the Harbour and Rivers Department of a natural oyster bed in the Moruya River.

I have, &c.,
 LINDSAY THOMPSON.

APPENDIX K.

RETURN showing the quantity of Fish exported from Moama to Melbourne during 1883.

	lbs.
January	43,008
February	50,624
March	18,816
April	40,320
May	32,592
June	44,688
July	2,461
August	6,344
September	6,032
October	6,720
November	21,392
December	57,568

Total, 330,568 lbs. = 147 tons 11 cwt. 56 lbs.

APPENDIX L.

FISHERIES.—LAKE GEORGE, COUNTY MURRAY.

The Secretary to The President of the Fisheries Commission.

Sir,

Fisheries Office, Sydney, 18 December, 1883.

I have the honor to report, for the information of yourself and colleagues, the particulars of my inspection of Lake George, in the county of Murray.

It will be in recollection that attention was recently called to the fisheries in this lake, in a series of questions asked by Mr. Alexander Ryrie, the Honorable Member for Braidwood, in his place in the Legislative Assembly.

Lake George, possessing an altitude of 2,129 feet above the sea-level, is a magnificent sheet of water, 22 miles in length by an average width of 9 miles, and has a mean depth of 8 feet.

In the year 1854 the lake was practically dry, consisting of only a chain of ponds. It received its water in the great flood of 1862, and has maintained itself in more or less volume ever since. At the present time it abounds with cod. The presence of this fish is due to the circumstance of Mr. (afterwards Sir) Terence Aubrey Murray having succeeded in transporting some very small fry from the Murrumbidgee River to the Wandradene Ponds and Lagoons comprised on his estate at Collector, on the northern boundary of the lake.

During the flood alluded to the water from these ponds overflowed into the lake basin, carrying with it large numbers of the fish, which by that time had become very prolific in the ponds. These fish have continued to breed comparatively undisturbed ever since, and they now exist in large numbers, and of all weights and sizes.

One person only is plying his vocation as a fisherman on this lake. I endeavoured to elicit some information from him, but with only partial success. He was evidently under the impression that the result might be to place him under some disability, and he became reticent accordingly.

His fishing implements, so far as I saw, consisted chiefly of a kind of bultow line a few fathoms in length, with snoods about 7 feet apart, very roughly fitted. There was also, hanging on a fence, a net much broken, about 35 fathoms long, having a mesh of 5½ inches. Three bultow lines were set, but on overhauling them I found no fish. This might be accounted for by the presence of very boisterous weather: indeed there was quite a heavy sea running, against which it was very difficult to make headway.

I obtained from the fisherman the admission that he sometimes secured several hundredweight of fish in a week, though more often only a few pounds, but that he found a ready sale in the adjacent towns and villages for all he could capture. There are not, I think, sufficient grounds for present apprehensions that the lake will be despoiled by any use of the means which this fisherman employs. I submit, however, that if this man, with the poor contrivances he possesses, can secure profitable results, it is an evidence of the value of the lake in a piscicultural point of view, and points to the necessity of protecting it, in the public interests, by proper legislation.

Any effort in this direction will be eminently satisfactory to residents in its vicinity, for, as may be supposed, the lake is regarded by them with the greatest interest, and they look to it also as a field for commercial enterprise when, by the extension of the Railway to Bungendore, access to the metropolitan market will be available.

It is expected that this extension will be completed within the next twelve months.

The most direct route to the lake is, to Goulburn by rail, thence by coach *via* Tarrago and Bungendore; but as railway communication to the former town will have been established on the 1st proximo, the coach journey will thereafter embrace only a distance of 20 miles, *viz.*, from Tarrago Railway Station to Bungendore, and thence 4 miles to the lake. The lake may also be reached from Tarrago *via* Collector.

It may reasonably be expected that, when the resources of this water become known, there will be no lack of fishermen to turn them to account; indeed it is quite probable that many of the local residents may direct attention to the fishing industry.

In any case it may be deemed desirable to consider as to the means necessary to protect and develop the fisheries not only in this but in other inland waters.

The present Fisheries Act, I believe, provides but few enactments for inland fisheries; I will therefore take leave to suggest that, in any further legislation which may be contemplated respecting fisheries generally, power be taken to close inland waters against the use of fishing implements at such times and for such periods as may seem desirable; to limit the number and define the lengths of nets to be used, and to require fishermen to take out licenses.

I cannot ascertain at what time the fish in Lake George spawn. Nothing is absolutely known on this point, though the impression is that they do so during late winter or early spring. It is however essential that they should be protected from capture during such season, but there is no provision in the present law to allow of this being done. If the enactments in this respect affecting tidal waters applied equally to inland waters, I should recommend the immediate closing of the lake for twelve months, in order to secure the spawning season, and so fortify it against the possibly excessive draw which is likely to be made from it so soon as railway communication with Bungendore shall have been established.

I desire to suggest that a supervision of the fisheries in this lake be at once established. The Commissioners ought to have a knowledge of the number of fish taken from it; also, it will be necessary to ascertain by actual observation the period and duration of the spawning season. To enable this information to be supplied, and as well to provide that the existing provisions of the Fisheries Act are observed, I recommend that steps be taken to secure the appointment of Mr. Frederick Nelson, Senior-constable and Acting Clerk of Petty Sessions at Bungendore, as an Acting Assistant Inspector of Fisheries. Mr. Nelson takes a great interest in the lake fisheries, and his appointment in that capacity would be to the public interest.

I append a letter which has been addressed to me by Mr. McJannett, of Bungendore, on the subject of the fisheries in this lake, which doubtless will be perused with interest:—

Dear Sir,

I have made inquiries relative to the breeding season of cod-fish in Lake George, and I find that, according to my servant's statement, about October is the principal month when the eggs are found in the fish—nearly every female fish captured during the latter end of September and during the month of October are full of ova—but the last fish he noticed containing any eggs was about three weeks ago; and as we have fresh fish from the lake two or three times every week, I shall get him to take particular notice to see if any more should be visible later on, and send you word. Do you think you could manage to send me some different varieties of fish to put in the lake? I think bream and perch would do well, if a good supply were sent. I think it would be an excellent plan to prohibit netting and cross-lines in the lake for twelve months at least, and, as an industry, it would make it far more profitable by having different varieties of fish.

Any other information I can afford you I shall be most happy to do.

L. Thompson, Esq.

Bungendore, 18 December, 1883.

I am, &c.,

JOHN McJANNETT,

I have, &c.,

LINDSAY THOMPSON.

APPENDIX M.

OYSTERS.

RETURN of the number of bags of Oysters received at Sydney from various places on the Coast during each month of the year 1883, and the amount of Royalty collected thereon at the Custom House.

Date.	Port of Shipment.	Name of Place.	No of Bags.	Rate.	Royalty.	Amount.
January	Eden	Merimbula	2	s. d. 2 6	£ s. d. 0 5 0	£ s. d. 29 8 6
	Do	Broadwater	14	2 6	1 15 0	
	Do	Do	15	2 6	1 17 6	
	Do	Do	17	3 0	2 11 0	
	Shoalhaven	Shoalhaven River	168	2 6	21 0 0	
	Ulladulla		16	2 6	2 0 0	
			232			
Feb. ...	Ballina	Richmond River	35	3 0	5 5 0	7 7 6
	Merimbula		9	2 6	1 2 6	
	Ulladulla		8	2 6	1 0 0	
			52			
March ...	Wagonga		18	2 6	2 5 0	14 13 0
	Eden	Wonbyn River	14	2 6	1 15 0	
	Do	Nullica River	18	3 0	2 14 0	
	Ballina	Richmond River	53	3 0	7 19 0	
			103			
April ...	Bermagui	Bermagui	42	2 6	5 5 0	9 16 0
	Ballina	Richmond River	9	3 0	1 7 0	
	Eden	Wonbyn River	16	2 6	2 0 0	
	Do	Nullica River	8	3 0	1 4 0	
			75			
May ...	Shoalhaven	Shoalhaven	18	2 6	2 5 0	24 15 0
	Do	Jervis Bay	5	2 6	0 12 6	
	Eden	Broadwater	33	2 6	4 2 6	
	Do	Wonbyn River	12	2 6	1 10 0	
	Newcastle and Port Stephens	Port Stephens	130	2 6	16 5 0	
			198			

APPENDIX M—continued.

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Date.	Port of Shipment.	Name of Place.	No. of Bags.	Rate.		Royalty.		Amount.		
				s.	d.	£	s.	d.	£	s.
June	Bombala		7	2	6		0	17	6	23 8 6
	Shoalhaven	Shoalhaven	7	2	6		0	17	6	
	Do	Jervis Bay	35	2	6		4	7	6	
	Ballina	Richmond River	7	3	0		1	1	0	
	George's River	George's River	15	2	6		1	17	6	
	Eden	Wonbyn Creek	21	2	6		2	12	6	
	Do	Broadwater	76	2	6		9	10	0	
	Merimbula		18	2	6		2	5	0	
				186						
July	George's River	George's River	223	2	6		27	17	6	50 12 6
	Croki	Manning River	5	2	6		0	12	6	
	Kiama		16	2	6		2	0	0	
	Eden	Broadwater	5	2	6		0	12	6	
	Do		14	2	6		1	15	0	
	Shoalhaven	Broughton Creek	77	2	6		9	12	6	
	Do	Jervis Bay	65	2	6		8	2	6	
			405							
August	Bhereworre	Bhereworre	30	2	6		3	15	0	149 10 0
	George's River	George's River	328	2	6		41	0	0	
	Croki	Manning River	661	2	6		82	12	6	
	Shoalhaven	Bhereworre	5	2	6		0	12	6	
	Do	Shoalhaven	63	2	6		7	17	6	
	Do	Broughton Creek	74	2	6		9	5	0	
	Eden	Broadwater	15	2	6		1	17	6	
	Do	Wonbyn	10	2	6		1	5	0	
	Do	Bittangabee	10	2	6		1	5	0	
			1,196							
Sept.	Forster	Wallis Lake (Cape Hawke)	20	2	6		2	10	0	130 0 6
	Eden	Wonbyn Creek	40	2	6		5	0	0	
	Do	Broadwater	29	2	6		3	12	6	
	Camden Haven	Camden Haven	132	2	6		16	10	0	
	Shoalhaven	Bhereworre	9	2	6		1	2	6	
	Do	Shoalhaven	97	2	6		12	2	6	
	Newcastle	Hunter River	57	4	0		11	8	0	
	George's River	George's River	146	2	6		18	5	0	
	Croki	Manning River	476	2	6		59	10	0	
			1,006							
Oct.	Forster	Wallis Lake (Cape Hawke)	130	2	6		16	5	0	144 18 6
	Camden Haven	Camden Haven	133	2	6		16	12	6	
	Bateman's Bay	Clyde River	39	2	6		4	17	6	
	Peat's Ferry	Hawkesbury River	25	2	6		3	2	6	
	Moruya	Congo	11	2	6		1	7	6	
	Newcastle	Hunter River	54	4	0		10	16	0	
	George's River	George's River	51	2	6		6	7	6	
	Shoalhaven	Broughton Creek	2	2	6		0	5	0	
	Do	Shoalhaven	254	2	6		31	15	0	
	Croki	Manning River	233	2	6		35	7	6	
	Eden	Broadwater	116	2	6		14	10	0	
	Do	Wonbyn	29	2	6		3	12	6	
			1,127							
Nov.	Camden Haven	Camden Haven	193	2	6		24	2	6	120 7 6
	Port Stephens	Kanvah River	4	2	6		0	10	0	
	Do (Newcastle)	Port Stephens	223	2	6		27	17	6	
	Peat's Ferry	Hawkesbury River	14	2	6		1	15	0	
	Tathra		9	2	6		1	2	6	
	George's River	George's River	89	2	6		11	2	6	
	Shoalhaven	Shoalhaven	212	2	6		26	10	0	
	Moruya	Moruya River	81	2	6		10	2	6	
	Bateman's Bay	Clyde River	71	2	6		8	17	6	
	Jervis Bay	Bhereworre	10	2	6		1	5	0	
	Forster	Wallis Lake	15	2	6		1	17	6	
Croki	Manning River	42	2	6		5	5	0		
			963							
Dec.	Port Stephens	Port Stephens	284	2	6		35	10	0	199 11 6
	Palmer's Island	Clarence River	715	2	6		89	7	6	
	Shoalhaven	Shoalhaven	138	2	6		17	5	0	
	Ballina	Richmond River	6	3	0		0	18	0	
	Shoalhaven	Jervis Bay	49	2	6		6	2	6	
	Forster	Wallis Lake	76	2	6		9	10	0	
	Croki	Manning River	52	2	6		6	10	0	
	George's River	George's River	42	2	6		5	5	0	
	Camden Haven	Camden Haven	48	2	6		6	0	0	
	Moruya	Moruya River	33	2	6		4	2	6	
	Tathra		21	2	6		2	12	6	
	Eden		17	2	6		2	2	6	
	Do	Wonbyn River, closed beds, seizure	30	2	6		3	15	0	
	Do	Nullica River	56	3	0		8	8	0	
	Do	Kiah River	6	3	0		0	18	0	
	Do	Broadwater	10	2	6		1	5	0	
			1,583							
	Total		7,453						904 9 0	

APPENDIX N.

RETURN showing the total number of bags of Oysters taken from the Beds of the Colony during the year 1883, the amount of Royalty thereon, and present condition of Oyster-beds, &c.

Place.	Number of Bags of Oysters shipped during the year 1883.	Number on which Royalty was paid at time of shipment.	Amount.	Number on which Royalty was to be collected in Sydney.	Amount.	Present state and prospects of Beds.
			£ s. d.		£ s. d.	
Tweed River .....	.....	.....	.....	.....	.....	.....
Richmond River	113	1	0 3 0	112	16 16 0	Moderate condition.
Clarence River	1,129	.....	.....	.....	.....	Do. Not subject to royalty. Beds being leased under Oyster Beds Act 1868. Lease expired 30 April, 1883.
Clarence River	866	20	2 10 0	846	105 15 0	Fair condition.
Bellinger River .....	.....	.....	.....	.....	.....	In low condition. Require re-stocking.
Macleay River .....	.....	.....	.....	.....	.....	Fair condition in creek tributaries.
Port Macquarie .....	.....	.....	.....	.....	.....	Stock low through over-dredging.
Manning River	1,551	26	3 5 0	1,525	190 12 6	In low condition.
Cape Hawke	1,187	.....	.....	.....	.....	Not subject to royalty. Taken during currency of a lease under Oyster Beds Act, 1868.
Do	250	.....	31 5 0	.....	.....	Nearly worked out.
Port Stephens	810	278	34 15 0	532	66 10 0	Deep beds not opening well. Foreshores in good condition.
Hunter River	675	560	112 0 0	115	23 0 0	In very poor condition.
Hawkesbury River	2,272	.....	.....	.....	.....	Not subject to royalty. Taken during currency of a lease under Oyster Beds Act, 1868.
Do	39	.....	.....	39	4 17 6	Beds in low condition. See special report.
Port Jackson .....	.....	.....	.....	.....	.....	Poor in condition. Public Oyster Reserve.
George's River	926	.....	.....	926	115 15 0	Reduced. Oysters very scarce.
Shoalhaven	2,607	99	12 7 6	1,353	169 2 6	Deep beds, require re-stocking. Foreshore oysters scarce.
Do .....	.....	.....	.....	1,155	.....	Not subject to royalty.
Clyde River	1,080	.....	.....	.....	.....	Not subject to royalty. Taken during currency of a lease under Oyster Beds Act, 1868.
Do	113	.....	.....	113	14 2 6	In low condition, but easily recovered.
Moruya River	200	53	6 12 6	147	18 7 6	Good condition. Supply moderate.
Tross River	784	.....	.....	.....	.....	Not subject to royalty. Beds under lease Oyster Beds Act, 1868.
Eden	857	128	19 4 0	729	109 7 0	.....

APPENDIX N.

RETURN showing the revenue derived under the Fisheries Act during the year 1883.

	£ s. d.	£ s. d.
Fishermen's licenses	441 @ 0 10 0	220 10 0
Do.	110 @ 0 5 0	27 10 0
Fishing-boat licenses	210 @ 1 0 0	210 0 0
Do.	37 @ 0 10 0	18 10 0
Oyster dealers' licenses	89 @ 5 0 0	445 0 0
Do.	49 @ 2 10 0	122 10 0
Oyster dredging licenses	247 @ 3 0 0	741 0 0
Royalties on oysters raised from natural beds .....	.....	1,146 4 0
Oyster-bags'-brands fees .....	.....	15 2 6
Proportions of rents accruing from leases of oyster-beds under Oyster-beds Act, 1868 .....	.....	406 6 8
Moiety of penalties, fines, and forfeitures recovered under Fisheries Act .....	.....	79 10 3
		<hr/>
		£3,432 4 2

APPENDIX O.

RETURN showing the number of bags of oysters taken from beds under lease under Oyster-beds Act, 1868, and the amounts of rent accrued under such leases during 1883.

Place.	Bags.	Rent.
Clarence River	1,129	£ s. d. 1 16 8
Cape Hawke	1,187	30 0 0
Hawkesbury River	2,272	97 0 0
Clyde River	1,080	90 0 0
Tuross River	784	135 0 0
Port Stephens .....	.....	50 0 0
Durras Lake .....	.....	2 10 0
Total	6,452	406 6 8

SCHEDULE of Oyster-bed Leases under Act of 1868.

Lessee.	Situation of Lease.	Annual rent.	Rent paid up to	Lease terminates on	Remarks.
Emerson, A. R.*	From embouchure of George's River to Botany Bay Heads	£ s. d. 10 0 0	Dec. 31, 1881	Dec. 31, 1883	Oyster beds closed. G. G. 25 November, 1880.
Do. *	At George's River	131 0 0	Dec. 31, 1881	Mar. 31, 1883	
Gascoigne, James	1 acre at Kissing Point Bay	1 0 0	Mar. 31, 1883	Mar. 31, 1883	
Gibbins F. J.*	Hunter River; lot and area not stated.	775 0 0	Dec. 31, 1880	.....
Do.	Broken Bay	127 0 0	Sept. 30, 1883	Sept. 30, 1883	
Do.	Clyde River at its tributaries	135 0 0	Aug. 31, 1883	Aug. 31, 1883	
James Peter*	Port Macquarie	310 0 0	Dec. 31, 1880	April 30, 1883	
Do. *	Clarence River; lot and area not stated.	5 10 0	April 30, 1883	April 30, 1883	
Do. *	Port Stephens; lot and area not stated.	150 0 0	April 30, 1883	April 30, 1883	
Do. *	106 acres; lot F. Oyster Creek, Clarence River.	26 10 0	Dec. 31, 1881	Dec. 31, 1881	
Do. *	98 acres, lot D, Oyster Creek, Clarence River.	100 0 0	Dec. 31, 1881	Dec. 31, 1881	
Bawder, Thomas*	121 acres, lot E, Oyster Creek, Clarence River.	53 0 0	Dec. 31, 1881	Dec. 31, 1881	
Woodward, Henry*	Manning River	1,150 0 0	Dec. 31, 1878	April 30, 1883	
Do. *	Camden Haven	170 0 0	Dec. 31, 1882	April 30, 1883	
Barclay James	Durras Lake	5 0 0	June 30, 1883	June 30, 1883	
Brown, J. B.*	Brow Lake	35 0 0	Dec. 31, 1879	Feb. 28, 1884	
Martin, Robert.	Tuross River	135 0 0	Dec. 31, 1883	Feb. 28, 1884	
Johnson, P. T.*	Shoalhaven and Crookhaven Rivers.	50 0 0	Dec. 31, 1881	Aug. 31, 1883	
Clarke, George	Wallis Lake	45 0 0	Aug. 31, 1883	Aug. 31, 1883	
Johnson Peter T.*	50 acres, Crookhaven River	2 0 0	June 30, 1878	June 30, 1881	

* Expired.

APPENDIX P.

SCHEDULE of Applications for Leases of Shore for Oyster Culture.

James Pettit	4 acres	Lower Southern Arm Reserve, Bellinger River.
Henry Woodward		Greenwich Bay, Parramatta River.
do	4 acres	Between Pelican Bay and the Heads, Manning River.
George Wilcox	300 yards	Manning River, opposite Cabbage-tree Island.
Patrick Caffery	8 acres	Crookhaven River, east of Curley's Bay.
German Verge	400 yards	Crescent Creek, Co. Macquarie.
Eyles & Bradley	10 acres	North Creek, Richmond River.
W. B. Solling		Gore's Bay, Greenwich.
Henry Woodward	100 yards	Parramatta River.
V. W. Seymour	Frontage	Mooney Creek.
A. Comino	do	Onion's Point, Port Jackson.
John Stott and J. P. O'Neil	500 yards	Wapengo Lake
German Verge	Frontage	Kaluka Crescent, Heads.
Joseph Haiser		Crown land at Shoalhaven.
John Wilson	25 acres	Mooney Creek.
Robt. Milson	Shore	Milson's Island, Hawkesbury.
do	do	do do
Annie Calvert	do	Mooney Creek.
Walter Black	do	Clarence River.

* 358—K

Jas. Stanbury.....	20 acres	Crookhaven River.
John Severs.....	12 „	Pambula River.
William Ongley.....	2,000 yards.....	Manning River.
Thomas White	2,000 „	do
George Vere	1,700 „	do
William Windsor	2,000 „	Port Stephens.
Walter Black	10 acres	Yamba, Clarence River.
John Holdom	1,000 yards.....	Swan Bay, Port Stephens.
Fred. Swain	2,000 „	Manning River.
John Holdom	2,000 „	Port Stephens.
A. Comino	2,000 „	Manning River.
Spiro Macri.....	440 „	do
John Fisher	2,000 „	do
William Warren	25 acres	Myrrial River, Twofold Bay.
V. W. Seymour.....	Additional foreshore ..	Mooney Creek.
H. V. Harrison	25 acres	Myrrial River.
Jerimia Victor.....	2,000 yards.....	Bermagni River.
Thomas Templeman	2,000 „	Clyde River.
Wm. Templeman	2,000 „	Cullendulla Creek, Batoman's Bay.
Annie Calvert	2,000 „	Mooney Creek, Hawkesbury.
do	2,000 „	do do
H. T. Woodward	2,000 „	Wallis Lake.
do	1,000 „	do
do	2,000 „	do
do	40 „	do
do	1,000 „	do
do	2,000 „	do
William Engel	2,000 „	Port Stephens.
James Evans	1,000 „	do
Jas. Joass	1,000 „	do
John Smith	5,000 „	Karuah River.
Jas. Joass	1,000 „	do
William Engel	500 „	do
Albert Emerson	2,000 „	George's River.
do	900 „	do
do	700 „	do
Demetrius Donnelly	1,760 „	Wagonga River.
Hans Anderson	1,500 „	Fullerton Cove, Hunter River.
F. J. Gibbins	1,650 „	do do
William Harrison	749 „	Smith's Island, Hunter River.
do	535 „	Spectacle Island, do
Saml. Garrard	300 „	Narrawilla Creek.
John Crompton .....	.....	An island in the Hawkesbury.
Jas. Stanbury.....	2,000 yards.....	Crookhaven River.
Percy Wakefield	500 „	Baronda Lake, Co. Dampier.
Alex. Ross	600 „	Palmer's Island, Clarence River.
do	600 „	Lake Channel, do
H. S. Mudge	100 „	Fronting applicant's property, Gosford.
Richard Lloyd	2,000 „	Mooney Creek.
Francis Syren	200 „	South Passage, Manning River.
John Hanley	100 „	Branch of Camden Haven River.
Peter Melvey	400 „	Fisherman's Point, Hawkesbury River.
do	200 „	Pelican Island, do
Jas. Thompson	1,000 „	Mooney Creek, do
I. J. Assenheim	2,000 „ (about) ..	Comerang Bay, Co. St. Vincent.
Richd. Baxter	1,000 „	Rocky Point, Crookhaven River.
Joseph Askwith	1,000 „	Comerang Island, Co. St. Vincent.
Wm. Baxter	1,000 „	Crookhaven River, do
John Baxter	1,000 „	Curley's Bay, Crookhaven River.
Thos. Baxter	1,000 „	Co. St. Vincent, do
John Constable	100 „	Moruya River.
John Severs	300 „	Broad Water, Pambula.
F. J. Gibbins	2,000 „	Mooney Creek.
Alf. Rogers	500 „	Bar Island, Hawkesbury River.
Wm. Harrison	743 „	Smith's Island, Hunter River.
F. J. Gibbins	1,605 „	Sandy Island, do
Hans Anderson	1,498 „	Smith's Island, do
Wm. Campbell	400 „	Currembene Creek, Jervis Bay.
John A. Bettini	1,000 „	Mogo Creek, Clyde River.
R. H. D. White	400 „	Karuah River, Port Stephens.
do	150 „	Tarlec, do
C. F. Schmidt	200 „	Clyde River, Co. St. Vincent.
Francis Budds	300 „	Budd's Island, Clyde River.
Geo. Haiser	1,000 „	Rocky Point, do
Jas. Cavanagh	600 „	M'Leod's Creek, do
John Milton	300 „	Schnapper Point, do
Edwd. Herbhorn	2,000 „	Karuah River, Port Stephens.
R. R. Armstrong	2,000 „	do do
Henry Levien	2,000 „	Humbug Reach, Karuah River, Port Stephens.

Harriott Muston	2,000 yards	Limeburner's Creek, Port Stephens.
Edmund Thompson	2,000 "	Karuah River, do
L. F. M. Armstrong	2,000 "	Middle Harbour.
Charles Bates	2,000 "	Bundabah Creek, Port Stephens.
Rossiter Maldon	1,000 "	Broadwater, Pambula.
Wm. Muston	2,000 "	South side Middle Harbour.
Robt. Latta	600 "	Bush Paddock, Clyde River.
Hy. Bannister	1,400 "	Frontage, do
F. J. Gibbins	2,000 "	West side, do
Wm. Latta	1,200 "	Mogo Bend, do
Hy. Engel	2,000 "	Serpent River, Port Stephens
Wm. Engel	2,000 "	do do
Alex. Engel	2,000 "	Mud Point, Port Stephens.
Francis Budds	100 "	Survey portion No. 8, Clyde River.
C. F. Schmidt	200 "	Clyde River, Co. St. Vincent.
R. R. Armstrong	1,500 "	Mooney Creek, Hawkesbury River.
J. C. Walker	1,500 "	do do
R. Thatcher	2,000 "	Browera Creek, do
J. C. Walker	2,000 "	do do
R. C. Rose	2,000 "	do do
Jas. Hunt	2,000 "	do do
C. Fenwick	2,000 "	do do
W. G. Armstrong	2,000 "	do do
Alex. Bowman	1,500 "	Mooney Creek, do
Hy. Levien	2,000 "	Browera Creek, do
Alex. Bowman	1,000 "	do do
Joanna Bowman	2,000 "	do do
B. O. Holtermann	1,500 "	Mooney Creek, do
L. A. Bowman	1,000 "	Browera Creek, do
J. C. Walker	2,000 "	do do
Henry Levien	1,500 "	Mooney Creek, do
R. C. F. Armstrong	2,000 "	Main River, Middle Harbour.
James Dent	500 "	Currumbene Creek, Jervis Bay.
John Greer	1,000 "	Murra Murra Creek, Hawkesbury.
Archibald Nicoll	300 "	Snake Island, Mooney Creek.
Wm. Muston	2,000 "	South side Main River, Middle Harbour.
R. C. Rose	2,000 "	Island at mouth of Karuah River, Port Stephens.
L. J. Muston	2,000 "	Karuah River, Port Stephens.
Joseph Wilson	700 "	Mooney Creek, Hawkesbury.
Francis Budds	400 "	M'Leod's Creek, Clyde River.
do	500 "	Co. St. Vincent, do
Joseph Wilson	2,000 "	Mooney Creek, Hawkesbury River.
N. Cain	300 "	Erina Creek, Gosford.
Wm. Riley	100 "	Brisbane Water.
Fred. Schmitzer	220 "	Mitchell's Island, Manning River.
Rob. Emmett	2,000 "	Mooney Creek, Hawkesbury.
V. W. Seymour	800 "	do do
Wm. Glover	500 "	Womboyn River, Twofold Bay.
J. C. Walker	1,500 "	Mooney Creek.
R. R. Armstrong	400 "	Spectacle Island, Hunter River.
L. A. Bowman	400 "	Hunter River.
Johanna Bowman	400 "	Spectacle Island, Hunter River.
Alex. Bowman	400 "	Upper Spectacle Island, Hunter River.
John Bird	400 "	Mosquito Island, do
R. C. F. Armstrong	500 "	Spit Island, do
L. F. M. Armstrong	400 "	Smith Island, do
J. C. Walker	1,000 "	Sandy Spit, do
W. G. Armstrong	1,200 "	Fullerton Cove do
J. Hunt	400 "	Hughes' Passage do
John Holdom	800 "	Sawyer's Point, Port Stephens.
Saml. Holdom	800 "	Mangrove Island, do
John Milson	200 "	Milson's Island, Hawkesbury.
do	1,000 "	Opposite Milson's Island, Hawkesbury.
do	1,500 "	Milson's Island, Hawkesbury.
John Wilson	1,900 "	Mooney Creek, do
J. C. Walker	1,500 "	do do
do	2,000 "	Berowra Creek, do
Nicholas Cusack	100 "	Oyster Creek, Clarence River.
B. O. Holtermann	2,000 "	Hawkesbury.
do	2,000 "	Mullet Creek, Hawkesbury.
Rob. Emmett	500 "	Mangrove Creek, do
do	500 "	Punkin Creek, do
H. A. Holtermann	1,000 "	Kogran's Bay, do
do	2,000 "	Peat's Creek, do
B. O. Holtermann	2,000 "	Mullet Creek, do
do	2,000 "	Berowra Creek, do
do	2,000 "	do do
do	2,000 "	do do
do	2,000 "	Porto Bay, do
Nicholas Buztic	1,000 "	Mundarlow Creek, Clyde River.

A. Patreck	1,000 yards	Mogo Creek, Clyde River.
G. M. Dalyell	2,000 "	Berowra Creek, Hawkesbury.
R. W. Levien.....	500 "	Hughes's Passage, Hunter River.
Hy. Woodward	1,000 "	Wallis Lake.
do	2,000 "	Hastings River.
W. H. Griffin.....	800 "	Lineburner's Creek.
Thos. Templeman, jun.....	400 "	Buckenbowa Creek, Clyde River.
Dav. Quigly	400 "	Clyde River.
Dav. Latta ..	600 "	do
Jas. Barclay	400 "	do
Jos. Kennedy.....	900 "	Mooney Creek, Hawkesbury.
Alex. Philp, senr.	100 "	Lake Channel, Clarence River.
Alex. Philp, junr.	100 "	do do
Edwin Cain.....	500 "	Durras Water.
Jas. Barclay	200 "	Narrawillie Creek.
Walter Foreman	800 "	The Pages, Tuross Lake.
Geo. Collingridge	800 "	Berowra Creek, Hawkesbury.
Burton Crossland	1,000 "	do do
Jas. Thompson	300 "	Mooney Creek, do
do	300 "	do do
Thos. Templeman .....	.....	Private Fishery at Buckenbowa Creek.

APPENDIX Q.

P. F. Adams, Esq., to The Secretary, Fisheries Commission.

Dear Sir,

Lord Howe Island, 18 December, 1882.

In compliance with the wishes expressed by you to Mr. H. Wilkinson, J.P., for information as to the capabilities of this island as a fishing station, I have taken the opportunity of my visit to inquire and as far as possible test the question, and have now to report that I believe a fair supply of the coarser sorts of fish could be sent—cured in brine—in casks to the Sydney Market, but whether it would stand competition in the same line from other localities along the coast of New South Wales within regular communication with Sydney I am not prepared to say.

The fish referred to are salmon, rock cod, travally, king-fish, and yellowtail, the two latter being apparently of the same family, and the last-mentioned like the diminutive species of Port Jackson, although here they attain a length of 3 feet.

I was unable to obtain a specimen of either king-fish or yellowtail, and understand that they are erratic in their movements, and therefore a regular supply could not be depended on. I tried to save by salt-curing the only specimen of salmon I could obtain, but did not succeed. At this time of year, I am inclined to believe, no application of salt short of absolute brine immediately after catching would save fish for export.

The most valuable fish taken around the island is the "Blue Fish" a species that I have not seen elsewhere, but I believe it to be allied to the black-fish of Port Jackson, as it is a weed-eating fish, but notwithstanding that habit bites freely at fish-bait. The flesh is white and firm, and keeps better than any other fish I have had an opportunity of observing; it is good eating, either fresh or smoked, and some samples which were slightly corned and smoked like Findon haddock, were greatly relished. Although the specimens of smoked blue-fish I have sent to Sydney will be found too salt to be appreciated, I consider that if this product without so much salt could be economically tinned on the island, the result would be successful in almost any market. The supply of this fish is the most regular and with a good boat two men could obtain a steady supply as the fishing grounds are always to be reached in fine weather, and they exist all round the group.

I was agreeably surprised in finding little or no trouble from sharks at any of the places at which I fished, and consider the island no worse than the coast of New South Wales, if so bad.

With reference to the fish of the salmon and king-fish class, I made a specimen of the tackle used in parts of the North Atlantic in the capture of the larger fish of the mackerel tribe; I had not time to try it myself, but one of the residents, Mr. Nathan Thompson, has promised to do so and inform me of the result.

The above applies to those fish which are found outside the reef; inside it I found a large variety, but not in any great quantity, the lagoon being only $2\frac{1}{2}$ miles long by about half a mile wide, and this appears to be the only breeding ground, therefore I do not think that any supply beyond the wants of the island can be expected. In consequence of the lagoon being a breeding ground, I would advise the prohibition of draught nets of any kind, and as I do not think that seines of large mesh are wanted on the island at any time of the year, the prohibition would be no detriment to the industry.

My opinion on this subject is derived from actual experience in hauling the net sent with the expedition by the Trustees of the Australian Museum. The first haul consisted principally of the young of travally and salmon, with a few mullet and gar-fish; in the second haul a few days after, the sole of the net was purposely kept slack, and consequently most of the young ground fish escaped—those taken were principally garfish, which are here rather larger than those of Port Jackson, equally well-flavoured, and in consequence of there being no nets they are sufficiently abundant to supply the wants of the island. Whenever I tried with a rod in calm weather I found no difficulty in obtaining a dish—they took bait very freely; the inhabitants also take them at night with a torch and landing-net.

The mullet are limited in quantity, and not so well flavoured as those of the Hawkesbury or Lane Cove River.

I have secured a large number of specimens of the fish of the island for the Australian Museum, and regret that I did not ask you for the necessary appliances and spirits for the preservation of a collection, but have no doubt that the Curator of the Museum will be able to spare you a specimen of each kind if applied to.

Mr. Wilkinson will probably inform you, as far as the fishing industry is concerned, of the result of a meeting of the inhabitants convened by him to consider the exportable productions of the island.

I have, &c.,

P. F. ADAMS.

APPENDIX R.

APPENDIX R-T.

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APPENDIX R.

RETURN showing the quantity in baskets of Fish brought to the Fish Market, Woolloomooloo, from February to December, 1883.

Place	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.	Total
Clarence River			10	20	168	145	97					440
Macleay River			8									8
Manning River					3	17	21					41
Port Stephens						67	44			2		113
Newcastle and Lake Macquarie	869	1,470	870*	696*	2,385†	822	1,167	678	638	544	267	10,406
Tuggerah Beach Lakes						689	1,264	873	1,054	1,136	288	5,304
Broken Bay	291	255	428	344	650	268	408	236	277	404	252	3,813
Narrabeen Lagoon					63	100	48	44	33	4	4	296
Port Jackson and tributaries	618	214	159	153	42	49		287	230	269	207	2,228
Botany Bay	519	678	197	258	297	83	141	310	285	237	277	3,282
George's River									2			2
Wollongong	78	478	300	223	506	154	345	317	202‡	118§	67§	2,786
Shellharbour							12					12
Ulladulla			5	58	165	72	56	25	12	13		406
Various places	21											21
Total	2,394	3,095	1,977	1,752	4,279	2,466	3,603	2,770	2,733	2,727	1,362	29,158

	March	April	May	June	August	September	October	November	December	Total
Condemned as unfit for food			84 baskets	40 baskets	23 baskets	93 baskets	148 baskets	55 baskets	26 baskets	469 baskets
Seized under Fisheries Acts			1 basket	7 "	"	2 "	13 "	7 "	2 "	32 "
Prawns	43 baskets						2 "	40 "	16 "	101 "
Crayfish				35 dozen	20 dozen		42 dozen	77 dozen	46 dozen	220 dozen
Jew and King fish	24 dozen									24 "
Mullet	500 dozen	822 dozen								1,322 "
Schnapper	154 dozen	99 "	109 "	271 dozen	137 dozen		62 dozen	226 dozen		1,058 "
Garfish			27 baskets							27 baskets
Teraglin	28 dozen									28 dozen
Various large fish									209 dozen	209 "

* Including Port Stephens.

† Including Port Stephens and Tuggerah.

‡ Including Shellharbour.

§ Including Shellharbour.

APPENDIX S.

RETURN showing range of prices obtained at Fish Market for fish sold, from April to December, 1883.

	April	May	June	July	August	September	October	November	December
Schnapper, per heap ..	10/ to 15/	10/ to 37/	4/ to 35/	10/ to 14/	4/ to 20/	6/ to 20/	6/6 to 75/	4/ to 37/6	5/ to 10/
Mullet, per dozen	1/ to 4/	1/6 to 12/	1/ to 14/	3/ to 11/	3/ to 11/	6/ to 12/6	4/ to 10/	4/ to 26/	6/ to 25/
Bream, per heap	10/ to 17/6	8/ to 14/	3/ to 17/	4/ to 15/	4/ to 15/	15/	6/ to 17/	7/ to 19/	4/6 to 45/
Mixed	10/ to 17/	7/6 to 12/	3/ to 16/	10/	10/	12/ to 13/	5/ to 17/	10/ to 19/	14/ to 20/
Gar-fish	10/ to 25/	7/6 to 15/	8/ to 15/	6/6 to 17/	6/6 to 17/	7/6 to 23/	5/ to 29/	7/ to 14/	7/ to 40/
Whiting	9/ to 14/	5/ to 14/	3/ to 12/	3/ to 10/	4/ to 10/	2/ to 13/	6/ to 15/	4/6 to 23/	5/ to 18/
Black-fish	8/ to 9/	13/ to 17/	3/ to 4/	2/ to 7/6	2/ to 7/6	4/ to 13/6	3/6 to 7/	1/ to 17/	4/ to 10/
Groper		1/ to 17/							
Trevally, per heap			7/6		5/	3/ to 7/			
Cray-fish, per dozen			12/ to 18/	16/	16/			7/ to 16/	14/ to 16/6
Mackerel, per heap						2/6 to 4/	2/6	1/6 to 6/6	
Taylor							4/6 to 9/		
King-fish, per ½ dozen								2/6 to 3/	1/ to 4/ each
Teraglin								6/ to 9/6	4/6 to 12/
Jew-fish									2/9 to 8/ each

During Jewish festival 5 baskets mixed fish realized £8 16s. 3d.

APPENDIX T.

HOME FISHERIES DIVISION.

Report on Home Fisheries, for January, 1883.

Port Jackson.—Assistant Inspector Mulhall has attended the Fish Market every morning at 4 a. m., and has assisted me in selecting fish for preservation for the London International Fisheries Exhibition—he has also accompanied me in frequent visits to various places in the harbour, inspecting nets and instructing the fishermen to obtain their licenses. Both the Assistant Inspector and Hellings the boatman were engaged during the month in removing stalling stakes from the bays and creeks. Fish very plentiful in the river, but small; in the bay good hauls have been made, and were it not for the harbour and Botany supply, fish would be very scarce in the market. Oysters are only obtained from the rocks, and not in great quantities. No royalty is demanded, or license for obtaining them.

The

The market during the past month has been well supplied with fish; a large quantity was condemned by Mr. Seymour as unfit for food, having reached the market from the lake in bad condition.

Broken Bay.—Assistant Inspector Smith's report respecting the fisheries for the past month has not reached me; his explanation is that he did not receive Secretary's circular letter until February. His oyster report is as follows:—Rock oysters of marketable size, but scarce; artificial layings very fair; natural bed-oysters scarce and out of condition; deposits of young oysters, healthy and very plentiful; no spatting this month. Total shipments, 293 bags. F. J. Gibbins, lessee. Boat clean and in good condition.

Shoalhaven.—Assistant Inspector Gordon. Oysters in Crookhaven and Jervis Bay scarce. Foreshore oysters plentiful, 738 bushels of the latter shipped; no royalty demanded. No disease observed.

Fishing: he states he sees a few now and then, and all seem in good condition—no shipments. He visits daily all parts of the waters under his charge, and instructs the fishermen to obtain their licenses, issues permits for oysters. Boat clean and in good condition.

Newcastle.—Assistant Inspector Curan. Oysters: natural beds in very bad condition, in consequence of the mud and worm entering them. No spatting this month. Young oysters in good condition and plentiful, but when they attain the size of a shilling the disease sets in.

Fishing operations on the Hunter very good; market well supplied with splendid mullet, bream, and whiting, also shipments to Sydney. He saw several shoals. Visited almost daily the closed oyster-bed, and frequently examines them; instructed fishermen to obtain their licenses.

Lake Macquarie.—Acting-Assistant Inspector Boyd reports fishing operations on the lake greatly obstructed by large quantities of blubber fish, almost filling the nets; also the difficulty of getting their fish to Sydney in marketable condition. Saw numerous shoals. Instructed fishermen to procure their licenses, and successfully prosecuted a fisherman at Newcastle Police Court for obstructing him in the discharge of his duty.

George's River and Port Hacking.—Acting-Assistant Inspector Grant reports that he has been very vigilant both night and day in watching the waters under his charge. He seized an unlawful net which he found stalling in the George's River, belonging to Richard Johnson. Reports good hauls of fish of every kind. Instructed fishermen to obtain their licenses. Reports that stakes have been driven on a hauling ground at the Meat-preserving Company's Works at Botany. Saw the native blacks obtain oysters and convey them to their camp. Examined some oysters below low-water-mark, which were in splendid condition.

JAMES QUINAN,

10th February, 1883.

Inspector, Home Division.

Report on Home Fisheries, for February, 1883.

Port Jackson.—Assistant-Inspector Mulhall. The duties of this officer have been confined to a regular morning inspection at the Fish Market, instructing fishermen to obtain their licenses, and during several days of the week he accompanied me on visits of inspection to several parts of the harbour, also the wharves and suburbs. He reports that both large and small fish are plentiful all over the harbour.

Broken Bay.—Assistant-Inspector Smith. This officer reports that the fishing operations have not been so brisk, on account of the unsettled state of the weather. Mullet is very plentiful; bream very scarce. He states that tons of fish are to be obtained at Wiseman's Ferry, 40 miles up the river. No fishing at Brisbane Water, although he saw several shoals of mixed fish there.

During the past month he has been actively engaged in visiting the waters, in all directions, under his charge, examining oysters for shipment, and issuing permits to ship the same. His return of the quantity of oysters shipped is 226 bags, by the lessee, Mr. Gibbins, and reports that the condition of the natural oyster-beds is scarce. Artificial layings very fair at present. The deposits of young oyster are both healthy and plentiful, and in marketable condition. His boat is clean and in good order.

Botany and George's River.—Acting Assistant-Inspector Grant. From an extract of this officer's reports I find that he has been active in visiting the waters under his charge, remaining several nights watching oystermen gathering oysters from the foreshores and the mangroves. I informed him that the Act gave no protection to these oysters, and it was useless to watch the gatherers. He removed several stakes used for stalling in bays, and dredged for oysters, but does not state the result. He also states that it was reported to him that Mr. Emerson got a few oysters by a diver off Tom Ugly's Point, and that he had the permission of the Commissioners to do so. School fish (mullet) in all parts of the river; river gar-fish plentiful but small; other fish scarce.

Newcastle.—Assistant-Inspector Curan reports that all kinds of fish are plentiful and that the market is plentifully supplied, in fact the supply exceeds the demand, the recent rains having driven the fish down the river. Mr. Curan's oyster return states that the condition of the natural oyster-beds is very bad, that the deposits are very thin, and that no spatting has taken place yet; that the worm has killed nearly all the oysters, and but few remain. He visits daily the waters under his charge, and issued permits to ship oysters from Port Stephens.

Shoalhaven.—Assistant-Inspector Gordon reports that the fishermen have nominated William Baxter as a delegate to represent them before the Commissioners. Saw several shoals of fish, chiefly tailor and bream. He visited all the waters under his charge, but on account of rough weather fishing operations are not brisk. The quantity of oysters taken from the foreshores, and for which no royalty is exacted, is as follows—202 bags, all of which are very fat and good sized.

Lake Macquarie.—Acting Assistant Inspector Boyd reports that fishing operations on the lake have been slack, in consequence of rough weather. The blubber is giving great trouble to the netters. Immense quantities of fish are to be seen, and are caught by line and hook off the jetty. He has visited all the fishermen and instructed them to procure their licenses. Waited at Heads several mornings on the lookout for the Commissioners as advised. His boat is much in need of paint, and asks that his requisition for paint may receive early attention.

Inspector's report:—I have confined myself principally this month in urging the oyster dealers and fishermen to procure their licenses; I have visited all the suburbs, attended the fish market several mornings in each week to select and purchase fish for the Exhibition and Botany Preserving Works. Sent circulars to all police stations *re* 42nd section, and other correspondence.

JAMES QUINAN,

Inspector.

Report

Report on Home Fisheries, for March, 1883.

Port Jackson.—Assistant Inspector Mulhall. The Inspector, Assistant Inspector Mulhall, and boatmen Glading and Heilings, visited various portions of the harbour during the month, examined consignments of oysters shipped to Sydney, and instructed dealers and others how to procure their licenses, also each morning attended the Fish Market.

Small fish are very plentiful in all the rivers, mullet is now to be seen in large shoals, full roed and of large size (up to 12 lb.) Garfish were very plentiful during the early part of the month, but are now scarce, having gone away to sea.

One unlawful net was seized at George's River on 21st March.

I attended the Legislative Assembly Committee Room on the 14th and 16th of March, to give evidence on the working of the Fisheries Act.

George's River and Botany.—Acting Assistant Inspector Grant. In the early part of the month garfish were very plentiful; blubber is preventing the fishermen from hauling in the river; fishermen complain of private persons being allowed to capture small fish, and that they are liable to punishment if they do so, and that no improvement in the supply can be seen until this practice is prevented.

Stalling stakes in the river have been removed up as far as Liverpool, and careful watch is kept both night and day to prevent this most destructive practice.

On the Thursday before Good Friday the fishermen were all out with their garfish nets, but could not catch any on account of the weather; they were then too late to catch other kinds, and in consequence the Friday morning's supply from this locality was short.

The nets are not quite legal as to size of mesh, and if the Act in this respect was to be strictly carried out, every net in Botany would have to be seized.

Broken Bay.—Assistant Inspector Smith. Fishing operations during the month have not been so good as previous month, on account of not having a steamer to convey the fish to Sydney; large fish of every kind are to be seen. Inspection has been made daily to all parts of the bay, boats and nets examined, and fishermen instructed to obtain their licenses.

The quantity of oysters shipped to Sydney from Mr. Gibbins' leased beds is as follows:—422 bags = 1,266 bushels; natural rock oysters scarce; artificial layings very fair condition; natural dredge oyster scarce; deposits of young oysters healthy and plentiful; spatting has not yet been observed. All the beds are in marketable condition, with the exception of Browera Creek, and a portion of the upper main river. The principal shipments have been from artificial layings and a few rock oysters.

Newcastle.—Assistant Inspector Curan. The supply of fish at this place always exceeds the local demand; large quantities are sent on to the Sydney market; fish are very plentiful, especially mullet.

The oyster beds have been reported upon as follows:—The natural beds are very thin and not in good condition; spatting has not yet been observed; the mud and worm have nearly destroyed all the oysters; the boat is in bad order and much in need of paint; daily inspections are made to all parts.

Lake Macquarie.—Acting Assistant Inspector Boyd. Fishing operations, owing to quantities of jelly-fish, have been very difficult, nevertheless splendid hauls have been made, and large consignments sent to Sydney markets.

A peculiar greasy scum, of the appearance of spawn, covers the waters of the lake; the fishermen cannot account for it—they never observed the like before.

The channel requires to be immediately closed, as the young fish are getting very plentiful and the fishermen are commencing to haul there.

Mr. Boyd's boat is in a very bad condition—it requires to be immediately painted and otherwise overhauled; a shed has been erected by Mr. Boyd of bark, with easy access to the water.

Shoalhaven.—Assistant Inspector Gordon. Owing to the distance from Sydney market fish could not be sent in good condition, and no shipments have been made. A few fishermen are at work, merely for local consumption. Fish are very plentiful, and as soon as cold weather sets in large shipments will be sent to Sydney. All nets are of legal dimensions, and the fishermen's boats are all properly marked. Visits are daily made to the various rivers and oyster beds. The oyster report is as follows:

Natural beds in the Crookhaven River and Currambean Creek are worked out; Broughton Creek and Berrewarre are fit to be worked. Foreshore deposits are very plentiful and in excellent condition; 996 bushels have been shipped for Sydney. Royalty, being from the foreshore, is not payable. Boat very much in need of paint, and requires a shed of some kind to keep her in.

Reports having been made to me of persons obtaining oysters from the natural beds with royalty or license fee, I visited Shoalhaven on the 3rd April, and furnished my report to you on the 10th.

JAMES QUINAN,

Inspector, Home Division.

Sydney, 13 April, 1883.

Report on Home Fisheries, for April, 1883.

Port Jackson.—Assistant Inspector Mulhall. The Fish Market has been visited every morning during the month, and four baskets of underweight fish were seized, and distributed amongst the Charitable Institutions. Larger quantities of fish were condemned as unfit for food, including eight baskets from the Macleay and ten baskets from the Clarence River. Garfish were very plentiful in the early part of the month—as much as twenty baskets were brought from Botany one morning. Large sea mullet were caught in cartloads, and were sold at per dozen. These fish weighed from 4 to 7 lbs. each.

Pending the passing of the "Amending Fisheries Bill" no seizures of nets under the 25th section of the Act took place. All the fishermen were warned not to use illegal nets, otherwise they would have them seized.

The dealers and others complain of persons not licensed catching fish and selling them. A vigilant watch will be kept to prevent an infringement of the law in this respect.

Botany and George's River.—Acting Assistant Inspector Grant. Large quantities of river mullet and garfish, also prawns, bream, and black-fish were seen, and but a moderate supply of sea garfish, but on account of the blubber-fish, great difficulty is experienced in hauling. Small lobsters were also seen.

It has been noticed that there are more small mullet amongst the shoals at this time of the year than has been previously seen; also unusual large shoals of mackerel and tailors.

The

The bay and river have been frequently visited, and all the fishermen warned not to use illegal nets or else they will be seized.

Boat in very bad order, and quite unsuitable for the work.

Lake Macquarie.—Acting Assistant Inspector Boyd. Owing to the unsettled state of the weather fishing operations on the lake have been irregular. Large shoals of sea mullet in the lake, also black-fish, garfish, and whiting remain in the channel. The closing of this channel for a lengthened period is necessary for the protection of small fish, and also to permit sea fish to come into the lake.

Boat is in a very bad state of repair, and if paint and oars are not sent immediately it will be useless and seriously injured. All nets are of the legal dimensions, and the fish caught are of good size.

Shoalhaven.—Assistant Inspector Gordon. Fishing operations are confined to local wants. All kinds of fish are very plentiful, and the fishermen purpose next month sending fish to Sydney.

The natural oyster beds are not open for dredging; those in the Crookhaven River and Currambone Creek have been worked out. Broughton and Bherwerre are fit for dredging. Foreshore oysters are very plentiful and in good marketable condition. Spatting has taken place in some localities. 972 bushels of foreshore oysters have been sent to Sydney. Applications to lease were received from Joseph Hassie, P. Caffray, and Jas. Stansbury.

Boat in bad condition for want of paint and a shed to place her in.

Broken Bay.—Assistant Inspector Smith. Mr. Smith's diary shows plenty of work in visiting the waters of his district. Fish of all kinds are plentiful, and considerable shipments are sent to the Sydney market. Mr. Smith has had several unsuccessful chases after fishermen suspected to have in their boats illegal nets. His boat is quite unsuited for his work. I would suggest that he be supplied with one of the boats on stock, fitted with a centreboard. As Tuggerah Beach is at present closed, I think Mr. Smith should occasionally visit these waters.

Oysters:—Natural beds in good condition, but getting scarce. Artificial layings almost worked out. Deposits of young oysters are plentiful. 393 bags of oysters were sent to Sydney during the month.

Newcastle.—Assistant Inspector Curran. Fishing operations have not been good, on account of the state of the weather—only local wants supplied. Sea mullet and many other descriptions of fish have been seen in large shoals.

Oysters:—The natural beds are not improving, and are in very bad condition. Spatting has not yet taken place. The worm and mud is still causing great injury to the oysters.

Mr. Curran complains of the delay in sending him paint and other articles for his boat, and also the want of a shed to place her in.

JAMES QUINAN,
Inspector Home Fisheries.

Report on Home Fisheries, for May, 1883.

SEVERAL visits were made to various parts of the harbour, and persons warned against taking oysters from the foreshores. Oyster saloons have also been visited.

Young fish seem very plentiful in the Parramatta and Lane Cove Rivers.

Botany and George's River.—Assistant Inspector Grant. In the early part of the month, mullet, sea and river garfish, also black-fish and bream, were seen in large quantities, but on account of the fresh in the river all fish do not seem so numerous. Assistant Inspector Grant states that he made inquiries from all the fishermen as to the truth of the statement made by Mr. Seymour, that several fishermen had ceased fishing and had taken employment under the Corporation, and all deny it. He says they would sign a paper to that effect, but that they are frightened to do so.

The river has been frequently watched against netting within the closed waters, and many places visited, and persons warned not to take oysters from the foreshores, and distributed forms of application for leases. A suggestion is made to permit the gathering of spawn in Port Hacking, where it is very plentiful.

Broken Bay.—Assistant Inspector Smith. Fishing operations during the past month have been pretty good, but on account of the steamer not calling one morning twelve baskets of fish had to be thrown away. Saw several large shoals of mullet and other fish. Warned all the fishermen that the waters were closed against net-fishing above Peat's Ferry. Visited all parts of the waters of Broken Bay, and examined several nets, and watched oyster-gathering.

Oyster report:—Natural rock and dredge oysters scarce; artificial layings worked out; deposits of young oysters are healthy and plentiful. The greater part of all the oysters are marketable. The quantity of oysters shipped is 212 bags. This river is under lease to Mr. Gibbins. No source of pollution destructive to oysters exist.

Newcastle.—Assistant Inspector Curran. Fish of all kinds seem very scarce, on account of the unsettled state of the weather, and only enough to supply local wants. Mr. Curran reports he accompanied Mr. Commissioner Geddes to the oyster-beds, in order to test them, also that he visited Port Stephens, and tested the oysters-beds at that place.

Oyster report:—Natural beds in very bad condition, and not improving; spatting has not been noticed. What few there are of oysters, are (as regards size), in marketable condition. The worm still appears to cause mortality amongst the oysters. These beds are closed.

Shoalhaven.—Assistant Inspector Gordon. Fish of all kinds are seen in large quantities, but on account of the distance from market but few are sent to Sydney. The rivers have been well looked after, and warning given to all persons not to gather oysters. Permits have been issued for oysters taken from Jervis Bay.

Oyster report is as follows:—A great many oysters are in Bherwerre and Broughton Creeks, and all the foreshores are thickly covered with them. 455 bushels have been sent from Shoalhaven and Jervis Bay, and all in marketable condition. No mortality exists—spatting has commenced.

Lake Macquarie.—Acting Assistant Inspector Boyd. The weather during the first part of the month has prevented much fishing and observation. Proclamation closing channel has done much good. All fishermen have been warned. Visits of inspection have been made to all parts of the lake; nets examined, and assistance rendered to police in finding bodies of drowned fishermen.

JAMES QUINAN,
Inspector, Home Division.

Report

Report on Home Fisheries, for June, 1883.

Fisheries Office, Sydney, 11 July, 1883.

Port Jackson.—Assistant Inspector Mulhall. The Fish Market is visited every morning at 5 a.m. Young fish seem plentiful in the rivers; few large fish are to be seen, as they resort to deep water during the cold weather.

Botany and George's River.—Acting Assistant Inspector Grant. Visits of inspection have been made to all parts of the Bay and the George's River, and very fine fish are now to be seen in the latter, now that the blubber is clearing away; the principal kinds seen are school and trumpeter whiting, also large mullet. The latter part of the month oyster dredging commenced. Mr. Emerson is not getting many, on account of the coldness of the water for the diver, but what he has collected are very fine, large, and in good condition. Good oysters are being obtained about 3 feet below low-water-mark. The number of bags obtained for the month was fifty-three, returning a royalty of £6 12s. 6d. Mr. Grant has painted his boat, which is now in good condition.

Shoalhaven.—Assistant Inspector Gordon. Visits of inspection have been paid to all parts of the district, including Jervis Bay. Fish are very plentiful, large shoals of whiting are frequently seen, also bream and mullet. The nets used at Shoalhaven are nearly all 3-inch mesh, and do not exceed 150 fathoms in length.

Oyster report:—The foreshores are well covered with oysters, and the dredge oysters at Bherrewre and Broughton Creek are plentiful. Spatting has ceased. Oysters are in good marketable condition. Only Jervis Bay beds were dredged. No mortality exists amongst the oysters. The number of bushels obtained from Jervis Bay was 151, producing a royalty of £5 17s. 6d. Boat has recently been painted, and is in good condition.

Newcastle.—Assistant-Inspector Curran. The fish supply at Newcastle is not sufficient for local consumption and consignments from Port Stephens are sold there. This scarcity cannot be attributed to the absence of fish, but the want of enterprise of local fishermen, who scarcely go a mile away from their homes to make a haul. Large shoals are frequently seen in the upper portion of the bay.

Oyster report:—The beds are not improving. There is no sign of spatting. The mud and small worm still exist as a cause of destruction to the oysters. Boat in good order. Nets have been made for oyster dredges, and visits made to all parts of the harbour and river.

Broken Bay.—Assistant Inspector Smith. Quantities of mullet and garfish are frequently seen. Some of the fishermen have gone to the Tuggerah Lakes. Visits have been made to all parts of the river and its tributaries; nets and boats examined.

Oyster report:—Natural marketable oysters scarce; dredge oysters scarce; artificial layings worked out. Deposits of young oysters healthy and plentiful. Spatting has now ceased. Oysters are generally in marketable condition, with the exception of the lower main river and part of Mullet Creek. The shipment for the month amounted to 173 bags; no royalty required. No source of pollution destructive to oysters exists. Boat in fair condition, but is not suitable for visiting Brisbane or Pitt Waters. A good centre-board boat is much needed, and Mr. Smith states that if a boatman was allowed to him much more frequent visits could be made, as his district is so extensive that it is only once a week he can visit each place.

Lake Macquarie.—Assistant Inspector Boyd. Since the channel entrance to the lakes has been closed the fish are very plentiful, and it has been remarked by old residents that they never saw so many fish in the channel for many years before. A good many of the lake fishermen are working at Tuggerah Lakes and send their fish *via* Newcastle; their nets are all of legal dimension, and they appear to be doing well. Lake Macquarie is never a good fishing-ground during the winter season, as the fish resort to the deep water. Tuggerah Lakes being very shallow fish can be obtained at all seasons, but very long hauling lines are required. Boat has been painted, and is now in good repair and condition.

I have, &c.,

JAMES QUINAN,

Inspector.

Report on Home Fisheries, for July, 1883.

Fisheries Office, Sydney, 10 August, 1883.

Port Jackson.—Assistant Inspector Mulhall. The closed waters were visited several times both night and day during the month, and no fishing has been observed there. Fish seem very plentiful in the rivers. Visits of inspection have also been made to all licensed oyster-dealers in Sydney and suburbs, and the wharves watched to prevent royalty from being evaded.

Botany and George's River.—Assistant Inspector Grant. River garfish, trumpeter, whiting, and mullet are very plentiful in the river; sea garfish are plentiful all over the bay.

Oyster report:—Forty-nine bags of channel oysters dredged, and 358 bags foreshore oysters dredged; 407 total bags. Royalty required as per permits, £50 17s. 6d. The channel oysters are extremely fine, but the foreshore oysters are not so good. Visits have been made up the river as far as Liverpool, and no fishing has been observed in the closed waters.

Broken Bay.—Assistant Inspector Smith. All kinds of fish are very scarce in the lower Hawkesbury. Quantities of garfish have been seen in the upper river within the closed waters.

Oyster report:—Deposits are both healthy and plentiful. Spatting has taken place during the month. No mortality exists. 279 bags have been obtained. The closed waters have been visited frequently, and permits issued.

Shoalhaven.—Assistant Inspector Gordon. All kinds of fish are very plentiful. The shipments for Sydney go direct from the steamer to the Railway Station for country consumption, and no account is given of the supply.

Oyster report:—The condition of the beds at Broughton Creek not having been good, it has been closed for a few months. Foreshore oysters are in excellent condition. Spatting has finished. 357 bushels of oysters have been obtained, producing a royalty of £22 17s. 6d. Visits have been made to Jervis Bay and other portions of the district, nets examined, and permits issued.

Newcastle.—Assistant Inspector Curran. Fish has been so scarce in Newcastle that a supply has to be obtained from Port Stephens.

Oyster report:—The deposits on the beds are very thin, and are not improving. Spawning has not yet taken place. The only oysters obtained are from the foreshores, viz., 60 bushels, producing a royalty of £4. The mud and worm still continue to be a source of mortality. This river should be closed, and a rake or naked dredge used for some time, to clear the mud from the oysters. Mr. Curran has not yet obtained a shed for his boat.

Lake Macquarie.—Assistant Inspector Boyd. In the closed waters of the channel fish of every description are very plentiful, and are now beginning to enter the lake, as the recent hauls show better results than previous months. Visits have been made to various portions of the district, including Tuggerah. Mr. Boyd's boat is not suitable for rough weather; it is in good order and condition.

Port Stephens.—Assistant Inspector Laman. Garfish are reported as plentiful, and ground fish are not procurable in consequence of stormy weather. Mr. Laman asks for a boat to assist in the performance of his duties.

Barrenjoey.—Assistant Inspector Black. I have not yet received a report from this office, although I have called his attention to clause 5 of Regulations.

I have, &c.,
JAMES QUINAN,
Inspector.

Report on Home Fisheries, for August, 1883.

Fisheries Office, Sydney, 10 September, 1883.

Port Jackson.—Assistant Inspector Mulhall. The closed waters were visited frequently, both night and day, and inquiries made from the police at Parramatta, and it is satisfactory to be able to state that no fishing whatever has taken place during the close months. Fish seem to be very plentiful in the rivers, but hardly any hauls were made in the harbour, on account of the scarcity of fish.

The fish market was regularly attended at 5 a.m. each morning, and an account kept of the supply, and prices obtained.

Botany and George's River.—Acting Assistant Inspector Grant. Large shoals of trumpeter, whiting, and river garfish are seen in the channels and sandbars, and in the closed waters immense quantities of all kinds of fish are to be seen, exceeding previous years; about six boats are at work line-fishing within the closed waters, capturing about fifty dozen whiting per day.

The blubber are now returning up the river in great numbers.

Oyster report:—There are not any oysters in the channel, and only those on the rocks, above and below the tides. No spatting has taken place yet; quantity of oysters taken, 238 bags; royalty payable, £29 15s. One case of a breach of the Fisheries Act, J. Martin, section 39, has been reported.

The oysters in Weency, Quibray, and Kogarah, also Woolooware, are now in good condition, but fall off in quality during the summer months. It is recommended to close those beds for a period of six months, otherwise all the small oysters which are now attached to the few remaining marketable ones will be destroyed, and none left to breed from.

Newcastle.—Assistant Inspector Curran. Although fish seem to be very plentiful about the harbour, the supply brought to market is barely enough for local consumption, and frequently fish from Port Stephens are disposed of to advantage.

The closed waters have been frequently visited during the day and night, and no breaches of the Act have been committed.

Oyster report:—The natural oyster beds are not improving in condition; spatting has not yet taken place; no channel oysters can be obtained, and it is only foreshore rock oysters that are gathered; the quantity obtained for the month of August was 672 bushels; royalty collected, £45 18s.

The conditions of the Newcastle beds are such that, if some immediate steps are not taken to improve them, in a very few months there will not be any oysters in the channel. I would recommend that two men be employed for at least two months in cleaning the beds with a naked dredge; this will loosen the mud, and the worm which is now so destructive will be removed by the tide. The Mary river oysters would thrive well if laid down on some of the beds.

Broken Bay.—Assistant Inspector Smith. Fish of all kinds seem to be very scarce, the closed waters have been visited both night and day.

Oyster report:—Marketable oysters are scarce, deposits of young oysters healthy and plentiful. 96 bags were shipped.

Broken Bay.—Acting Assistant Inspector Black. No report from this officer, although I called his attention to the matter.

Port Stephens.—Acting Assistant Inspector Laman. Not much fishing, owing to the unsettled weather. Several visits were made to the oyster beds; the oysters are not in good condition and none have been gathered.

Shoalhaven.—Assistant Inspector Gordon. Fish of all kinds are very plentiful, bream especially fine, and are nearly full-roed; several consignments were sent to Sydney market.

Oyster report:—The oysters do not open well at present, as they are just done spatting. 504 bushels were dredged. £21 royalty has been paid. No mortality has taken place.

Lake Macquarie.—Acting Assistant Inspector Boyd. The fishermen are nearly all at Tuggerah Lakes, as the fish are yet scarce in Lake Macquarie. The channel is swarming with fish, which are seen making upwards towards the lakes. Frequent visits have been made both by night and day, but no breaches of the law have been reported.

I have heard that an oyster-dredger from Newcastle has gone to the lakes to test some likely oyster-beds. Some years ago very fine mud oysters were obtained. Some of the rocks opposite the channel entrance are partly covered with fair-sized oysters.

I have, &c.,
JAMES QUINAN,
Inspector.

Report

Report on Home Fisheries, for September, 1883.

Fisheries Office, Sydney, 15 October, 1883.

Sydney.—Assistant Inspector Mulhall. The Woolloomooloo Fish Market has been visited each morning from 5 a.m. until the sale of fish was over.

Several visits of inspection up the Parramatta and Lane Cove Rivers have been made, and a seizure of under-weight fish made from a boat on the river.

A careful look-out has been kept to detect persons removing oysters from the harbour and rivers, but none but licensed dredgers are at work.

It is only at very low tides that marketable oysters are obtainable.

It is almost a pity that the recommendation of the Commission to reserve the foreshores has not yet been gazetted. A great amount of destruction to young oysters is caused by picnic parties and others, to whom the law does not reach.

With regard to mullet, I think the weight might be reduced to 8 ounces. I saw hauls made with legal nets, and a fish of this weight is meshed. The fishermen must either throw them away dead, or run the risk of having them found in his possession and punished. This description of fish is very plentiful, and is considered a sweet marketable fish at 8 ounces.

I would take the liberty of expressing my opinion that a second Fish Market, established at Belmore Markets, would prove of much benefit to the fishermen, and a convenience to the public. The greater bulk of the fish sent to market comes by steamers. The Woolloomooloo Market would still be a convenience to the harbour fishermen.

On the morning of the Jewish festival five baskets of mixed fish brought £3 16s. 3d.

George's River and Botany.—Acting Assistant Inspector Grant. Daily and nightly visits were made to all the fishing-grounds, and one person was found obtaining oysters without a license. He was prosecuted and fined £5.

Acting Assistant Inspector Grant visited Sydney several times during the month in connection with his new boat, which he is now in possession of.

Fish of all descriptions are very plentiful, but the fishermen find great annoyance on account of the quantities of blubber now making for the river.

Oyster report:—The only oysters in the George's River are from the rocks to a great depth. No spatting to be seen. No disease. Number of bags taken, 90; royalty payable, £11 5s.

Lake Macquarie.—Acting Assistant Inspector Boyd. Fishing operations in the lake are fair, although the weather was unfavourable. Young fish seem very plentiful in the closed waters of the channel, and shoals of all kinds are seen making upwards to the lakes. Visits of inspection have been made both night and day to all the fishing-grounds. No breaches of the Act have taken place. Acting Assistant Inspector Boyd attended the Police Court, Newcastle, to give evidence in the case against Smith & Parker.

Broken Bay.—Assistant Inspector Smith. Fish seem to be very scarce, not only in the closed but in the open waters.

No breaches of the Act are reported. Visits of inspection were made to all parts, including Gosford and Pittwater.

Oyster report:—Natural marketable oysters scarce; artificial layings none. Spatting has not been noticed. The oysters in the various creeks are in condition. The quantity of oysters obtained was 101 bags. No royalty required.

Assistant Inspector Smith visited Sydney, and was offered one of the new boats, which he refused as unsuitable for his work.

Broken Bay, Barrenjoey.—Acting Assistant Inspector Black. Mr. Black reports twice during the month. On the 20th he states that garfish are extremely numerous, and that stalling, he thinks, has ceased. Visits were made to various places, but there were not any fishermen seen at work.

On the 30th he reports that a visit had been paid to Sackville, on the Hawkesbury, and some distance up Cowan Creek and Pittwater, and that he noticed signs of stalling, which will be carefully watched.

Newcastle.—Assistant Inspector Curan. With the exception of some very large mullet, fish of every description are very scarce, and barely sufficient for local consumption.

Oyster report:—The natural beds are not improving. The rock oysters are scarce and small. No spatting has taken place. The quantity of oysters obtained from the foreshores only was 355 bags, and the royalty collected was £71. Daily and nightly visits were made to all the fishing-grounds as far up the Hunter as Raymond Terrace.

Port Hacking.—Acting Assistant Inspector Dunn. I have written to this officer, calling his attention to clauses 5 and 6 of the Regulations, but he has not furnished reports as required.

Shoalhaven.—Assistant Inspector Gordon. Fishing operations are limited, as it is only on eool days that consignments can be sent in condition to market. The lagoon is full of fish of all kinds, and is one of the principal breeding-grounds.

Oyster report:—All the natural beds are in good condition, and are improving every day. The fore shores are covered with good marketable oysters. Spatting has finished. All the oysters are in marketable condition; no pollution exists. No breaches of the Act are reported. Number of bags obtained was 134, producing a royalty of £16 5s.

The oyster beds in Broughton Creek having improved in condition, were opened for dredging.

Frequent visits were made to all parts of the district, including Jervis Bay.

JAMES QUINAN,
Inspector.

Report on Home Fisheries, for October, 1883.

Fisheries Office, Sydney, 10 November, 1883.

Port Jackson.—Assistant Inspector Mulhall. Visits of inspection were made to Parramatta, Lane Cove, and all the bays in the harbour. Only one fisherman was found with underweight fish. No oyster-gatherers were seen. Young mullet seem plentiful in the river.

The Market has been visited each morning from 5 a.m., and a record kept of the supply.

The

The dredge was tried in numerous places on the Parramatta River, but without a single oyster-shell being lifted. The bottom was very muddy, and rocks greatly obstructed the work.

Assistant Inspector Mulhall and boatmen Hellings, Glading, and Grant were engaged in trawling from the 20th to the 27th of the month.

George's River.—Acting Assistant Inspector Grant. Reports from this district state that on account of the wet weather fish are not plentiful in the river, and the jelly-fish or blubber is a great plague to netters. The usual monthly report has not reached me.

Mr. Grant was engaged from the 1st to the 9th, assisting at the National Park Ministerial Picnic, and from the 17th to the 27th he accompanied the trawling expedition to Jervis Bay, &c.

Port Hacking.—Acting Assistant Inspector Dunn. I have never received a report from this officer since the date of his appointment, although he has been written to again this month.

Barrenjoey.—Acting Assistant Inspector Black. Only one report reached me during the month, and is dated the 22nd October. It states, "I have nothing noteworthy to report of during the last week."

Port Stephens.—Acting Assistant Inspector Lamond. Only one report, dated the 6th October, has reached me. Mr. Lamond states he visited the oyster beds on the 1st and returned on the 3rd. He found no one at work.

Lake Macquarie.—Acting Assistant Inspector Boyd. Fishing operations at the lake were not very brisk. During the month fish seem scarce, but are very plentiful in the channel, the closed waters. Mr. Boyd suggests that it would be as well to close the lake during the summer months. 148 baskets of fish had to be destroyed in the Market as unfit for food, and nearly all came from the lakes *via* Newcastle.

Mr. Boyd has built a new shed for his boat.

Shoalhaven.—Assistant Inspector Gordon. Fish of all kinds are plentiful, but on account of the warm weather few consignments are sent to the Sydney market. The fish caught are full-roed and large.

Oyster report:—Broughton Creek having been sufficiently worked was again closed. In Jervis Bay and Bherrewere oysters are not plentiful. A good many young oysters are on the foreshore. Spatting has not yet been observed. All oysters are in marketable condition. The quantity of oysters taken was 271 bags, and the royalty payable £33 17s. 6d. No breaches of the Act are reported. Boat in good order and condition.

Broken Bay.—Assistant Inspector Smith. Mr. Smith's report speaks very little about fish. Visits of inspection have been paid to all parts of his district.

Oyster report:—Natural marketable rock oysters scarce. Artificial layings, none at present. Natural dredge oysters very scarce. Deposits of young oysters healthy and plentiful. Spatting has not yet been observed. All oysters are in reasonable condition, the beds have been closed some time. The oysters stored by the late lessee are being removed by thirty-nine bags, and the royalty paid was £4 17s. 6d. Boat in good order and condition.

Newcastle.—Assistant Inspector Curran. The supply of fish to the local market was very good. This is the only information I gather relative to the fisheries.

Oyster report:—The natural beds are not improving. Spatting has not been noticed yet. Oysters generally are in good condition. The deep water beds have not been dredged. The quantity obtained from the fore shores was seventy-five bags, producing a royalty of £15. The only mortality existing is the worm. Boat in good order and condition.

Remarks:—I would suggest that Lakes Illawarra, Macquarie, and Tuggerah be closed during the summer months.

JAMES QUINAN,
Inspector.

Inspector Quinan's report as to the conditions and circumstances of the Fisheries, Home Division, for November, 1883.

Fisheries Office, Sydney, 11 December, 1883.

Port Jackson.—Assistant Inspector Mulhall. Visits of inspection were made to all parts of the harbour both night and day; two persons were found committing a breach of the Act, were prosecuted and fined, and several persons warned and compelled to take out licenses.

The river fishermen complain that they are unable to catch fish in the river, on account of the weeds which in summer-time accumulate on all the hauling grounds. In order to practically ascertain the value of this information the Office hauling net was used in a few places on the Parramatta River, and the result fully confirmed the complaint made by the fishermen; only a few fish were captured; the net was so rolled by the weeds that it took nearly two hours to clean it. The George River fishermen make a similar statement, and say it is only in the winter-time that these rivers are fit to haul a net in, and that as regards conservation of fish, that small fish of every description are to be seen at all times of the year, and that no stated rule can be laid down as to proper breeding-time; indeed, only quite recently large numbers of small fish were captured and returned to the waters, being unmarketable.

The fish market is inspected every morning, and unlicensed persons compelled to take out their licenses.

Condemned, as unfit for food, 55 baskets; seized under Fisheries Act, 7 baskets.

A considerable quantity of fish never reaches the market; they are sent from Newcastle, Wollongong, &c., direct to the dealers, and are sent per rail to the country.

George River.—Acting Assistant Inspector Grant. Fishing operations on the George River are very slack, owing to the trouble in hauling on account of the weeds. The Botany fishermen refuse to go there in the summer months; the blubber also is so very troublesome and injurious to their nets.

Oyster report:—No oysters exist in the channel; all the oysters are in a condition of spatting; no mortality exists; quantity of oysters obtained from the deep-water rocks, sixty-seven bags. Royalty payable, £8 7s. 6d. No breaches of the Act are reported. Great destruction to the foreshore deposits is observed by picnic parties visiting the river on holidays.

Barrangoy.—Acting Assistant Inspector Black. Little or no fishing in Pitt Water. Nearly all the fishermen are working up the river. Nets have been examined, and visits made to various places.

Broken Bay.—Assistant Inspector Smith. No information regarding fishing operations, with the exception that fish are scarce in the Lower Hawkesbury.

Oyster

Oyster report:—Rock oysters scarce; artificial layings, none; dredge oysters scarce; deposits of young oysters healthy and plentiful; cannot speak with certainty regarding spatting. Oysters are generally in seasonable condition, with the exception of Browra Creek. The oyster-beds are closed; no mortality exists; no breaches of the Act reported.

Port Stephens.—Assistant Inspector Curan. All the information I gather is that the supply of fish is equal to the demand.

Oyster report:—The beds are very bare of oysters; spatting has not been noticed. There are young oysters on two beds. The oysters were in good condition at the beginning of the month, but are falling off. Quantity of oysters taken from the beds during Inspector Curan's time, 380 bags. Royalty payable, £47 10s. No mortality exists.

Nelson's Bay.—Acting Assistant Inspector Lamou. Visits were made to the oyster-bed, and permits issued for ten bags of oysters. No report as to fishing operations. Mr. Lamou asks that he may be supplied with a good field glass.

Newcastle.—Assistant Inspector Curan. The supply of fish during the month has been very good; the local market was plentiful, and many baskets are sent by rail up the country.

Mr. Curan was ill the first part of the month, and absent at Port Stephens during the remainder, so very little information could be given in regard to oysters.

Lake Macquarie.—Acting Assistant Inspector Boyd. Fishing operations during the first part of the month were slack, owing to stormy unsettled weather, but rather better the last week; the closed waters of the channel are swarming with fish, and are seen making upwards into the lakes; the sharks at the head are very numerous, and are following the fish into the channel. Boyd killed ten, averaging 9 feet in length each. Visits were made both night and day to all parts of the lakes, and nets, boats, and fish examined.

Shoalhaven.—Assistant Inspector Gordon. Fish are very plentiful, but only captured for local wants, as consignments could not be sent to Sydney in good condition. The mullet are in some cases found full-roed, and others spent; they are very large fish, and in splendid condition. Kughorn Lagoon is a valuable breeding-ground.

Oyster report:—All deep-water beds are closed. Foreshore oysters are in very good condition. Foreshore oysters are very plentiful, but a good many are small; no spatting has been observed; all the oysters are in marketable condition; quantity of oysters obtained, 221 bags; royalty payable, £28 12s. 6d.; no mortality exists. No breaches of the Act committed; boat clean and in good order.

Boatmen Hillings and Glading have been fully employed during the past month. The two boats under their charge are in good condition.

Acting under the permission given to purchase wood for repairing the boat-shed, the work will at once be proceeded with.

JAMES QUINAN,

Inspector.

Report as to the condition and circumstances of the Fisheries, Home Division, for the period 1st to 31st December, 1883.

Sydney.—Assistant Inspector Mulhall. Fishing operations in the harbour have been good this month, but few fish come to market from the river, on account of the quantities of blubber-fish and weeds preventing netting without much difficulty and labour. Visits of inspection have been made both night and day to all parts of the bay and rivers. The market has been visited each morning at 4 a.m., and during my absence at Eden the various wharfs and oyster saloons have been visited.

Botany and George's River.—Acting Assistant Inspector Grant. Some very nice fish have been seen both in the bay and river, but owing to the large amount of blubber at this season of the year fishermen do not care to cast their nets in the river. Small mullet is always plentiful at all times of the year. Visits have been made both night and day to all parts. No illegal netting has been noticed; some of the nets which were when constructed of legal dimensions have shrunk much through being tanned several times, and cannot now be said to be of legal dimensions, but no action has been taken in regard to them so long as the fish caught are of legal size.

I have not had the oyster report for the past month sent to me.

Shoalhaven.—Assistant Inspector Gordon. Fish are plentiful, but only that required for local consumption is caught, and that with hook and line, the season being too hot to make any hauls for the Sydney market.

Oyster report:—Deep water beds sufficiently worked. Foreshore oysters plentiful but small. Spatting will shortly commence. All the oysters are very fat and in marketable condition. Quantity of oysters obtained, 200 bags. Royalty payable, £25. No mortality exists. Boat clean and in good order.

As a good deal of oysters are now obtained from Jervis Bay and tributaries, Assistant Inspector Gordon has to visit that place frequently, to issue permits, &c.

Newcastle.—Assistant Inspector Curan. The local market is very badly supplied with fish, although they are plentiful enough in the Hunter. Prawns are obtained in large quantities in the Upper Hunter and sent to Sydney; they are fine large fish, and bring 8d per quart wholesale price. All the fish that come *via* Newcastle to Sydney are from Lake Macquarie and the upper Tuggerah Lake. At a suggestion of mine to the fishermen, the fish are packed in leaves or ferns, and come in very good condition to market, but some of the baskets are only half full, showing that the fish have been taken out in transit. I called Inspector Seymour's attention to the matter, and he informed me that he has done all in his power to protect the fishermen, but without effect.

Oyster report:—Condition of deep beds very bad, and no signs of improving. Rock oysters, scarce and very small. Spatting, none. State of beds—What few remain are in good condition. Mortality—Mud and the worm still continue to be injurious. Boat, clean but requires painting.

In view of the very small amount of work required from Mr. Assistant Inspector Curan at Newcastle, I would ask that he be sent to Port Stephens to relieve Assistant Inspector Smithers, whose presence is urgently needed in his own district just now, to look after some men who are most likely to disregard the law, and who can work these southern rivers and ship their oysters to Melbourne and Tasmania by passing steamers, thus avoiding payment of royalty.

Broken

Broken Bay.—Assistant Inspector Smith. Some good fish are frequently seen, but it is only in the upper part of the Hawkesbury that they are at all abundant. Visits of inspection have been made to various parts, chiefly with a view of looking after the oyster beds. Assistant Inspector Smith has been very ill for some days, and has not been able to go about as much as usual.

Oyster report:—Rock oysters scarce. Artificial layings, none. Deposits of young oysters healthy and plentiful. Oysters have been observed spatting in Mooney Creek only. With the exception of Browera Creek, the oysters generally are in good condition. This river is closed. No mortality exists. Boat clean and in good order. Assistant Inspector Smith has been gathering young oysters for the purpose of laying them down on some of the beds. I purpose, with the permission of the Commissioners, at an early date to visit Richmond and Windsor, and see what fishing operations are taking place there.

Barrenjoey.—Acting Assistant Inspector Black. Nothing of importance to report. A good look-out has been kept to see that the provisions of the Fisheries Act are adhered to.

Lake Macquarie.—Acting Assistant Inspector Boyd. In the early part of the month good hauls of splendid whiting were obtained, but since then the supply has not been so great. The holidays also reduced the supply. The channel is not so full of fish as it was. They have gone upwards into the lake. The fishermen are taking much pains to send their fish to market in good condition, and are very successful. Frequent visits have been made to various parts of the lake both by night and day. Boats in good order and condition.

Port Stephens.—Assistant Inspector Smithers. No information as to fishing in these waters.

Oyster report:—The deep beds are becoming exhausted, and the oysters are greatly out of condition. Most of the dredgers have left. The foreshore oysters are very plentiful and in excellent marketable condition. 100 bags per week could be gathered, and it would greatly improve the oysters by separating the large bunches on the rocks: at present they cannot grow to any size.

I would strongly recommend that the deep beds be at once closed, and the foreshore proclaimed open.

The Sydney market at present, owing to so many beds being closed, is not half supplied with oysters, and dredgers to obtain the large price offered will gather all sorts of small oysters and shells to fill their bags. By opening the foreshore beds at Port Stephens oysters would be more plentiful, and this objectionable and unlawful practice of the dredgers would not take place. Assistant Inspector Smithers had to compel several dredgers recently to return to the beds several bags of small oysters; and since I brought under his notice the necessity of being very strict in his examination, much better oysters are coming into Sydney, and several dredgers have in consequence left off and gone to other places.

Nelson Bay, Port Stephens.—Acting Assistant Inspector Laman. Nothing of importance to report. Visits have been made to several places, and in assisting Mr. Smithers in his duties.

I have, &c.,

JAMES QUINAN,
Inspector.

APPENDIX U.

Assistant Inspector Grant to The Secretary, Fisheries Commission.

George's River, 13 October, 1883.

I have the honor to report that, in accordance with instructions received, I have examined the oyster beds in George's River, with the following results:—

The first place that claimed my attention was Woniora Point, situated at the mouth of George's River, with a depth of 8 feet. At this point the strong ebb tide strikes, and the oysters are in a healthy condition. About a mile from here further up the river I came to O'Connell's Bay; here there are some natural oyster beds at a depth of from 10 to 12 feet below low-water-mark. The spawn at this place is to the best of my knowledge about 30 per cent. The cause of this low percentage is in consequence of the beds being smothered by the freshes. In the dry seasons there is a better percentage. At Point Caravan there is a depth of 20 feet below low-water-mark. The oysters are of the mud and deep-water-rock species. Medium quantities are collected.

I continued my course up the river till I came to "Point Neverfail"; depth of water 15 to 25 feet. The oysters here are of excellent quality, but have been nearly all collected by the divers.

Point "Jew-fish," 40 feet below low-water-mark: the mud oysters here grow in great quantities and are very healthy. The rock oysters have all been collected from this point.

At "Oven Reach" there is a depth of 16 feet below low-water-mark. The oysters grow in small quantities, and are nearly all rock oysters, intermixed with a few mud oysters. They have been nearly all collected from here.

The next place worthy of note is the "Moon," which has a depth of 15 feet below low-water-mark. The best oysters in George's River can be procured from this bed, but can only be collected by a diver. There are no mud oysters here, nor are the oysters affected by the ebb tide. Nearly all collected from this place.

Half a mile further on and I came to "Soily Bottom," 76 feet deep below low-water-mark. The oysters do not grow plentifully; the strong ebb tide has quite a different effect upon the beds situated here from those at Woniora Point: at the former it has a deteriorating effect, whilst at the latter oysters flourish and come to a healthy state.

The last place where oysters may be collected in George's River is at the mouth of Salt Pan Creek; depth 10 to 12 feet. The oysters are of good quality, but very scarce.

"Wollonara" is a branch off George's River; depth 15 feet, the deep-water rock oysters are found here and do well. This is the only spot up the Wollonara branch where mud oysters can be procured.

Half a mile beyond this bed some deep-water rock oysters are found. The depth is about 4 feet.

At Clarke's Point, further on, the depth is 8 feet; they grow in abundance, and the divers are now working there.

There are two points more beyond Clarke's which have not yet been worked, and there are several points in the main river which have not yet been worked. I will save a sample from each of these places when the diver commences operations.

It is very difficult to tell when the oysters are spawing, as they can be found in *all seasons*, in many parts of the river, in good condition. I respectfully suggest that the way to solve this difficult question would be to engage a diver to procure a sample from the different beds in the river, at frequent intervals. This could be done in a day at any time.

There are three sorts of oysters in George's River, namely, mud, deep-water-rock, and foreshore oysters. The difference is that mud oysters are found lying on flat rocks and in the crevices; some of them may be found attached to the rocks. It is a remarkable fact that these oysters will not keep longer than fifteen hours out of water, and then must be kept in a cool place. No spawn from these oysters has ever been artificially laid in George's River—they are all of natural growth, and the diver informs me that they are thicker now than he has ever known them to be before, more particularly during the last four years. The deep rock oysters are twice the size of the foreshore oysters. Some idea of their dimensions may be formed when I state that some of them would not pass through a ring 3 inches in diameter, they are fit for food after being kept for about fifteen days. Four years ago the diver collected, so he informs me, at the rate of six bags per day, and now he has much difficulty to collect two bags per day. The foreshore oysters are something similar to the deep water rock kind, but are much smaller and flatter.

There have been no oysters in the natural dredging beds for the last five or six years, except those which were artificially laid, and they came originally from Port Hacking, Wieme, and Cuggara mangroves. Of these artificially laid oysters, 300 bags were laid in O'Connell's bed, and yielded 400 bags of remarkably fine oysters twelve months afterwards.

The best oysters for laying are to be had from the "cobbler's pegs" and the mangrove stumps.

I would venture to remark that at the present time there would not be any difficulty in taking 500 bags of spat from Port Hacking. 300 could easily be collected from Cuggara and Quibra off the pegs and mangrove stumps; they could be delivered from any of these places to any of the beds in the river, at a cost of 3s. per bag, and would be very fine oysters and fit for market in eighteen months' time, from the laying. The royalty would then cover the whole expense. I am led to believe that deep water-rock oysters spawn about Christmas.

I have, &c.,

J. D. GRANT.

APPENDIX V.

NORTHERN FISHERIES DIVISION.

Report on Northern Fisheries, for January, 1883.

Sir,

Palmer's Island, 8 February, 1883.

I do myself the honor, in accordance with your letter of the 23rd December, concerning a circular forwarded to the Assistant Inspector and Acting Assistant Inspectors of my district, to report as follows:—

I have duly received copies of diary as required from the Assistant Inspector at the Manning River and from the Acting Assistant, at Port Macquarie. From the Acting Assistant at the Tweed River I have received weekly copies of returns for the fisheries, and from the Acting Assistant at the Bellinger River a letter, stating that he has nothing to report than what he had previously stated, that "unless something is to restrict the beds, it will be a long time before there is anything to report concerning them," &c.

From the returns to hand, there have been shipped from the Northern District during the month of January 1,500 bushels of oysters, 1,083 bushels being taken from the Clarence River, and 417 bushels from Cape Hawke. Both of these places being under lease the royalty for the whole district is nil.

None of the following places, although open to licensed dredges, have been worked:—Tweed River, Richmond River, Port Macquarie, and Bellinger River.

Camden Haven although under lease has not been worked, the lessee it is understood having allowed the lease to lapse.

In connection with the question of fish spawn there are some circumstances reported this month that are worthy of special note.

During a visit to the Manning River by the undersigned, on leave of absence, the Assistant-Inspector at the Manning River produced, Jan. 11, a mass of fish spawn that have being forwarded by a fisherman from the Heads and was said to be schnapper spawn. Now the Acting Assistant at the Tweed River reports as follows:—"On Thursday, Jan. 11, there was a quantity of purple and greenish coloured matter along the shore of the harbour; believed it to be spawn of some kind." While the Acting Assistant at Port Macquarie reports as follows:—"Wednesday, Jan. 17. The water in the harbour is thick with a peculiar kind of matter which renders it impossible to see any fish, except when close to the surface.

I may mention that the spawn at the Manning River was about the size of a small pin's head, and was matted together by a fine fibrous substance. In colour it answered the description given by the Acting Assistant at the Tweed River.

I have, &c.,

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

Report on Northern Fisheries, for February, 1883.

WEEKLY copies of diary have been received by the undersigned from the Assistant Inspector at the Manning River and the Acting Assistants at Port Macquarie and the Tweed River, in accordance with instructions.

There is a falling off this month in the quantity of oysters dredged in the Northern district. This is mainly due to heavy rain retarding dredging operations, and likewise rendering oysters unfit for market with the fresh.

Considering the tasteless condition of the oysters that are sent to Sydney after a fresh, it is not easy to understand why they maintain the usual ready sale in the market.

From

From rivers under lease there have been taken 354 bushels from the Clarence River, and 123 bushels from Cape Hawke. No oysters have been taken from the remaining inlet under lease, viz., Camden Haven, and it is understood that the lessee has abandoned the lease.

Of the various oyster beds open to licensed dredgers under royalty, those of the Richmond River only have been worked by one boat, the quantity for the month being 84 bushels, and the royalty payable in Sydney £4 4s; the total quantity of oysters from the North Division being 561 bushels.

With the exception of Cape Hawke, at which place the lessee has removed a considerable quantity of immature oysters from shallow exposed flats and deposited them for development in deeper water, nothing has been done in the way of oyster culture or towards the improvement of the natural beds. It is probable that if some of the leases applied for were issued that something more in this direction would be effected.

The only oyster beds which are in a condition to contribute to the market supply during the remainder of this year are the beds at present closed on the Clarence River, the leased beds at Cape Hawke, and the beds on the Tweed River; the latter being in fair condition, but somewhat retarded by the want of ready means of conveyance.

Concerning the fisheries of the north coast but little is done, as previously reported, beyond supplying the limited local requirements. On the Clarence River one party of fishermen are making preparations to supply smoked fish in quantity.

Although careful watch and inquiry have been instituted, no reliable information is as yet to hand to identify the spawn reported along the north coast last month, but the Acting Assistant at the Tweed River reports that shoals of young *breem* were seen in the bay during this month.

Further inquiry has been made, and assistants requested to preserve samples of any young fish that appear in shoals.

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

Palmer's Island, March 8th, 1883.

Report on Northern Fisheries, for March, 1883.

THE undersigned is in receipt of weekly copies of diary from the assistant inspector at the Manning River and the acting assistants at Port Macquarie and the Tweed River.

The assistant inspector at the Manning River has recently been actively engaged in testing the condition of the oyster beds in his district. The result of his inspection shows an exhausted and unimproved condition of the natural beds. This is the case, both in the beds recently under lease at Camden Haven and those worked under license at the Manning River. Considering the unimproved condition of the natural beds at the Manning River, Port Macquarie, Nambuccra, and Bellinger Rivers, all of which have not been worked for various periods, the conclusion is inevitable that something more requires to be done towards improving exhausted oyster-beds than merely closing them against further dredging.

With fine weather this March the yield from the oyster-beds of the Northern division has increased, the quantity being as follows:—

Clarence River	...	...	...	...	1,647 bushels.
Richmond River	...	...	...	...	186 "
Cape Hawke	...	...	...	...	918 "
Total	...	...	...	...	2,751 bushels.

Concerning the question of the identification of fish-spawn seen along the coast in January nothing reliable has been elicited.

The undersigned considers that it would be advisable to provide assistant inspectors with a small quantity of methylated spirits and some small phials, and instruct them to capture any small young fish that abound at any time in quantity, and after labelling the phials with the locality and date to forward them to the Commissioner for identification. By this means, and at small expense, some valuable and reliable information could be collected concerning the breeding season of our fish.

It is noticeable that the first information as to the ingress of sea mullet this year comes from the North—the Tweed River. The acting assistant there reports "shoal of sea mullet" on the 4th of March, and on other dates during the month. They were noticed on the Clarence River, in the latter part of the month, but are not yet reported south of the Clarence River.

For the first time an attempt was made this month to forward fresh fish from the Clarence River to Sydney to arrive on Good Friday, but the lot (seven baskets) were condemned. Further on in the month twelve baskets were sent with a like result.

The fishermen, McTeugh and party from Sydney, sent fresh fish to Sydney from the Manning River last winter, and they anticipate when the weather is colder to do the same from the Clarence River this year. In addition to these, Ah Tong and party have located themselves in the Lower Clarence to salt fish and supply them to the Chinese.

As previously pointed out by the undersigned, there is no part of the Northern division so well adapted to contribute to the fish supply of Sydney as the Clarence River. In the remaining inlets of the Northern division nothing is done by fishermen beyond supplying the limited local requirements.

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

Palmer's Island, Clarence River, April 10, 1883.

Report, Northern Fisheries, New South Wales, April, 1883.

THE undersigned having communicated with the A. A. Inspectors at the Bellinger and Nambuccra Rivers concerning the non-receipt of copies of their diary, these officers have duly forwarded this month, for the first time, weekly copies of diary. With the exception of the assistant at Port Macquarie, who has resigned his office, all the Assistant Inspectors in the Northern Division have complied this month with your circular of the 28th December.

From

From these returns it appears that the Assistant Inspector at the Manning River has been engaged in completing an examination of the natural oyster beds in his district, the result of which has been duly communicated. The natural oyster beds under the charge of the acting assistants do not, however, receive any special examination. This is perhaps due to the fact that the assistants are not supplied with dredging appliances, which in these remote districts are only available on the arrival of a dredger with his boat and appliances to work the beds.

From the whole of the natural oyster beds in the Northern Division there have been taken during this month the following:—

Clarence River	...	...	...	101	bags	or	303	bushels.
Cape Hawke	...	...	...	319	"	"	957	"
Richmond River	...	...	...	16	"	"	48	"
Total	...	...	...	436	"	"	1,308	"

The total amount of royalty being two pounds eight shillings (£2 8s.) collected in Sydney upon the Richmond River oysters.

It will be noticed that there is a considerable falling off in the quantity from the Clarence River This is due to two causes:—

First.—The leased beds had been closely worked by a large number of boats towards the expiration of the lease and the oysters had become scarce,—the dredgers refusing to work for less than fifteen shillings per bag.

Secondly.—The oysters had fallen off in quality, and had begun to open so indifferently that they were not worth the cost of dredging and other necessary expenses. Hence dredging operations had actually ceased before the expiration of the lease on the 30th April.

The undersigned has already pointed out that the quality and marketable condition of the Clarence River oysters are such as to render it advisable that the oyster beds should not be proclaimed open until the beginning of the coming summer.

As the protection of foreshore oysters under the present Fisheries Act has become a necessity, your Inspector desires to point out that there is perhaps no part of the Northern Fisheries which contains better or more abundant foreshore oysters than the Richmond River, and it is a question beyond doubt that, unless protected, these oysters will be seized when it becomes generally known that they are there, and are unprotected by the Act.

The influx of sea mullet along the north coast has caused more than usual activity among the fishermen. The local markets have been glutted with that particular fish, and a quantity great in itself, but small compared with the large shoals that go undisturbed, has been preserved by the usual smoke-drying method.

It is the prevailing opinion that sea mullet appear first in the south and proceed northwards entering the various inlets in their progress. It was pointed out by the undersigned last month that their first appearance was reported from the Tweed River on the 4th March, and that they had appeared on the Clarence River in the latter part of that month.

They are reported further south during April. The A. assistant at the Nambucca River states that they appeared there for the first time on the 15th April, and the A. Assistant at the Bellinger River, that they came in for the first time this season in a large shoal on the 24th April, but they were "small and poor" and "scarcely worth cooking."

With reference to the carriage of fish from the north coast. The winter has sufficiently set in to enable the fishermen on the Clarence and Manning Rivers to send fresh fish to Sydney. Later on it is expected that a considerable quantity will be forwarded to the metropolis from these rivers.

THOS. TEMPERLEY,

Inspector Northern Fisheries.

May 8, 1883.

Report on Northern Fisheries, for May, 1883.

THE undersigned has the honor to report having received copies of diary for this month from the assistant inspector at the Manning River and the acting assistants at the Tweed, Nambucca, and Bellinger Rivers, the recently appointed acting assistant at Port Macquarie having forwarded his first weekly diary for the week ending 2nd June.

There is but little to report for the month expired, the only oysters taken being those from Cape Hawke, the quantity being 208 bags, and this inlet being under lease the royalty nil.

The natural oyster beds on the Clarence River are now closed, and for the first time during a period of twelve years are allowed to rest. The beds recently worked are reduced and will require some time to recover. That portion of the natural beds not worked since the 1st January, 1882, is in good condition, but the oysters in this portion of the Clarence River do not at this season open well, and it has already been recommended by the undersigned that these beds should not be dredged until the oysters are in good condition in the coming summer.

Dredging operations have likewise ceased on the Richmond River, the licensed dredger there being about, it is understood, to dredge at the Bellinger River.

A heavy fresh or partial flood occurred in the southern part of this Division towards the end of May, and to some extent interfered with fishing operations. In the northern part of the Division shoals of sea mullet continue to be reported crossing inwards and passing up the rivers, and occasionally going outwards after having spawned.

There is a continued activity among the fishermen, due chiefly to the facility which the cold weather at this time offers for the conveyance of fresh fish to a distance, the local markets being well supplied and a quantity being forwarded to Sydney from the Clarence River.

Mr. Hughe and party, experienced fishermen from Sydney, working last winter on the Manning River and this winter on the Clarence River, speak in the highest terms of the abundance of fish on the Clarence. They express their intention of endeavouring to forward fish to Sydney during the coming summer, either frozen or packed in ice.

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

Palmer's Island, 8 June, 1883.

* 358—M

Report

Report on Northern Fisheries, for June, 1883.

THE undersigned is in receipt of reports for this month from the various assistant inspectors in the Northern Division, the recently appointed acting assistant at the Macleay River excepted.

No oysters have been taken from any portion of the division but Cape Hawke, at which place the quantity taken amounts to 461 bags, this being more than twice the quantity for May.

The amount of royalty is nil.

At the Bellinger River licensed dredger Burns is *reported* to have worked four days, and "could not procure one live oyster." The acting assistant there urges that the dead shells that have been reported as lying in heaps upon the river bank should be replaced upon the beds.

The oysters generally do not open well; but it is noticeable that while the recent fresh in the Manning River left the oysters in a sickly, impoverished condition, those at the adjacent inlet, Cape Hawke, had considerably improved and were "fat."

The natural oyster-beds on the Manning River show but little signs of improvement. The Richmond River beds are reduced, but this river contains a quantity of immature shallow-water oysters, and moderately deep shell-banks similar to those at Cape Hawke, where the lessee largely and profitably removes and develops what otherwise would be useless oysters.

The Clarence River contains the only natural oyster-beds in this division that are likely to supply oysters in quantity during the coming summer.

This being one of the few months that admit of the carriage of fresh fish for long distance, the fishermen on the Clarence and Manning Rivers have been enabled to contribute to the metropolitan supply.

The sea mullet continue to be reported in various parts, but to a less extent. The acting assistant at Port Macquarie draws attention to the quantities of gulls which devour young fish; he considers them far more injurious to fish than the cormorant. Referring to the latter, several inquiries have been made as to rewards for their destruction, but no claim has yet been made for a reward. The undersigned is reliably informed that it was stated some few months ago, in the answers to queries in the *Town and Country Journal*, that no rewards were given in the Colony for the destruction of cormorants or black shags.

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

9 July, 1883.

Report on Northern Fisheries, for July, 1883.

THE undersigned has duly received this month reports, as usual, from the assistant inspector at the Manning River, and the acting assistants at the Tweed, Bellinger, Nambucca, and Hastings River.

The Manning River, Camden Haven, Bellinger River, Nambucca River, and the Richmond River, having been recently proclaimed open for oyster-dredging, these places, together with Cape Hawke (under lease), constitute the whole of the inlets in the Northern Division which are liable to be worked.

Of the six inlets in the Northern Division liable to be dredged, but two have this month been worked, viz., Cape Hawke and the Manning River. From the "Hawke," the lease of which shortly expires, the yield for July has diminished to 184 bags; while from the Manning, during the short period it has been open, the quantity taken is 101 bags, and the total amount of royalty £12 12s. 6d.

Concerning the other inlets open, it is known to dredgers that the Bellinger and Richmond Rivers have been worked and are reduced, while the Nambucca, so far as the undersigned can learn, remains yet to be tried.

Of the closed rivers the Tweed has a fair quantity of oysters, and, so far as the condition of its natural beds is concerned, it may be considered to rank next to the Clarence and Manning Rivers. When the Tweed River was last worked dredging was discontinued, because the oysters had fallen off in quality and opened badly. The bulk of what had been dredged found their way to the Brisbane market. When the tug-boat for which tenders have been called is established at the Tweed River, or the steam communication which Mr. Rethel is about to open between the Tweed River and Sydney is effected, it will be practicable to convey these oysters to the metropolis. The acting assistant reports these oysters as opening fair.

With reference to the remaining closed inlets, the Clarence River beds are in good condition, and the oysters, though improving, are not up to a good marketable standard. The Brunswick River has a moderate quantity of oysters, most of which are on the foreshores. Port Macquarie is exhausted, and the Macleay, at which place an acting assistant was some time back appointed, is singularly destitute of oysters, although there are enough shell banks there to show that they formerly abounded.

There is but little to report concerning fish. A small quantity of sea mullet are reported in the early part of the month from the Tweed River as making their way to the sea. Generally speaking they may be said to have disappeared with the month of June. A moderate quantity of fresh fish was sent from the Manning River to Sydney, and a larger quantity from the Clarence River. The fishermen, unlike the sugar-cane growers, had been hoping for a severe winter, and have been disappointed. The winter has been mild, with but little frost; and they have not only been late in getting fairly to work, but they expect to discontinue early.

It remains to be seen whether it is practicable to convey fresh fish from the river during summer.

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

August 6, 1883.

Report on Northern Fisheries, for August, 1883.

THE undersigned has received during the past month copies of diary from the assistant inspector at the Manning River, and from the acting assistants at the Tweed River and Port Macquarie. The acting assistant at the Macleay River has forwarded two months' diary for July and August, at the end of the latter month. No communication has been received from the acting assistant at the Nambucca, and instead of the usual copy of diary, the acting assistant at the Bellinger has forwarded a letter (Aug. 28th) containing brief information. The undersigned, in accordance with the instructions of the Commissioners, has now written to these assistants concerning their neglect. Of

Of the five inlets in the Northern Division recently proclaimed open for dredging but two have been worked—the Manning River and Camden Haven. From these have been taken 729 and 46 bags respectively. Cape Hawke, the lease of which has expired, contributed 139 bags, making a total of 914 bags for the Northern Division, the total amount of royalty for the two former inlets being £95 5s.

The Richmond, Bellinger, and Nambucra Rivers, though proclaimed open, have not been worked. This is probably due to the following causes:—The Manning River was known to contain at least one good bed, and the inducement attracted the itinerant and experienced dredgers, while the Richmond River, having been recently worked, was known to be in but a moderate condition, the Bellinger in a worse, while the Nambucra, as being untried, was not considered sufficiently productive to compensate for the difficulty in forwarding oysters from thence to the market.

One attempt was made during August, but without success, to discover a natural oyster-bed in the main stream of the Richmond River. It will be remembered that on both the Richmond and Clarence rivers the natural beds are situated not in the main river, but in inlets near their entrance. During the ten years' lease of the Clarence no oysters were taken out of the main stream, but a small bed is now forming there, though the oysters are not yet up to marketable standard. In the absence of a flood, these will likely be fit to dredge within the coming year.

Your Inspector is not in a position to ascertain the effect which the production of 914 bags of oysters from the Northern Division in conjunction with those from other places has had upon the Sydney market, but it is probable that the amount is above the average supply, and the surplus has been exported. Assuming that this is the case, it is an important question as to the advisability of restricting the number of dredgers that rush each inlet known to be in good condition, on its being proclaimed open. Judging from acting inspector Gyler's reports, the Manning River is not in a condition to maintain, even for a brief period, the forty-two boats that are now working it. Instead of this river being quickly worked out, it would doubtless have been better if the acting inspector had at the outset determined upon and published the maximum number of boats allowed daily to dredge, and confined dredgers to that number, under the operations of the 17th regulation.

No leases having as yet been issued for oyster cultivation areas under the present Fisheries Act, nothing in the way of cultivation has as yet been attempted. Some inquiry has been made by a Mr. Samuel Rutter, of Grafton, to ascertain whether he could dredge or lease "a place where he could get oysters between the Clarence River and Corinda."

The reports from the various stations in this division do not disclose anything of importance to communicate concerning fish. A moderate quantity of fish was shipped from the Manning River and the Clarence River during the early part of the month, but the weather is now sufficiently warm to interfere with any further carriage of fresh fish.

The fishermen on the Clarence have been making inquiries with the view of sending frozen fish, or fish packed in ice, to Sydney during the summer. At Maclean (Rocky Mouth) there is a small freezing apparatus capable, it is stated, of producing about 1 cwt. of ice per day. It is probable that the experiment would be tried if suitable boxes for the carriage of the fish were procurable.

THOS. TEMPERLEY,

Inspector, Northern Fisheries.

September 7th, 1883.

Report on Northern Fisheries, for September, 1883.

THE undersigned has received copies of diary, as usual, for the month of September, from the Assistant Inspector at the Manning River and the Acting Assistants at the Tweed River and Port Macquarie. At the beginning of September your Inspector wrote to the Acting Assistants of the Bellinger, Nambucra, and Macleay Rivers, concerning the non-receipt of their diaries, and has received during the month from these Assistants the following:—Copy of diary from the Assistant at the Nambucra for the week ending September 1st, together with an apology for not forwarding diaries for preceding month. From the Assistant at the Bellinger, a letter dated September 21, stating that there is nothing to report for the months of August and September up to date. Up to date no report for September has been received from the Acting Assistant at the Macleay River.

From the natural oyster beds in the Northern Division the only oysters taken have been from the district in charge of the Assistant Inspector at the Manning River.

The undersigned has tested the beds on the Clarence River which have been longest closed, and they are well stocked and likely to turn out from three to four bags per day, for each dredging boat worked by two men. The oysters on these beds are improving in quality, but they cannot yet be said to open well, a few of them and not the majority coming up to that standard. Your Inspector also noticed that the beds which have been longest closed are in some places partly covered with a spongy weed.

The House bed—the one most lately worked under the recent lease, and which is perhaps the best bed in the Clarence River, shows a good quantity of young oysters of this year's growth.

The natural beds in the Richmond River have not been worked during the month, but the foreshore oysters which are close to the town of Bellina are beginning to open well, and are much used by residents and pleasure seekers.

The forwarding of fresh fish to Sydney from this Division has now entirely ceased. McHeugh and party state that they forwarded to Sydney, between the 18th May and 20th September, 450 baskets of fish. Some inquiries were made this month by fishermen concerning the regulations affecting the prawns on the Clarence River, and it appears with the regular steam communication of the Clarence River it is likely that this branch of the fishing industry will be worked to advantage.

The party of fishermen above alluded to have engaged to catch fish for some Chinamen, who purpose curing them.

The undersigned is in possession of a small fish that was captured with a saw-fish (*Pristis zyson*) and was an attendant upon it. Your Inspector considers the specimen, which is about 8 inches long, to belong to the "*Discoboli*," a family hitherto not containing a representative in the catalogue of Australian fishes.

No claim has yet been made in this Division for a reward for the destruction of cormorants under the Fisheries Act.

THOS. TEMPERLEY,

Inspector, Northern Fisheries, Ballina.

October 8, 1883.

Report

Report on Northern Fisheries, for October, 1883.

THE instructions of circular relating to diaries and the transmission of weekly copies have been carried out in the Northern Division this month by the assistant inspector at the Manning River and the acting assistants at the Tweed River and Port Macquarie. Concerning the remaining acting assistants, that at the Macleay River has reported that he will forward weekly diary as requested; that at the Nambucca has forwarded one week's diary this month, and no communication has been received from the acting assistant at the Bellinger River.

As reported for last month, the only part of the Northern Division from which oysters have been taken is the district of the Manning River. From these have been taken the following:—

Manning River	...	...	...	...	...	...	235	bags
Camden Haven	...	...	...	...	...	...	202	"
Cape Hawke	...	...	...	...	...	...	151	"
Total	...	...	...	...	...	...	588	bags

The total amount of royalty payable on the above being £69.

Concerning Camden Haven, it is worthy of notice that the late lessee abandoned his lease as not being worth continuing during the last four months terminating the 1st May, yet from this inlet there have been taken 428 bags within the past three months.

With regard to the Manning River, the report of the assistant inspector is not an encouraging one. "Two boats," he states, "work very hard to get half a bag a day," and he points out that the oysters are realizing from 30s. to 38s. per bag, a price sufficient to recompense the dredgers when working the natural beds in a very reduced condition. There is doubtless the same reason to account for the licensed dredgers working Camden Haven now when the dredgers in the employment of the late lessee not long since abandoned it, and it is an inevitable conclusion drawn from the working of these inlets that the present dredging system has removed a protection which the natural beds possessed under the late leasing system. Moreover, Cape Hawke furnishes an additional illustration to the disparagement of the licensing system. Under the late lessee it was the only part of the North Division in which anything like oyster culture was carried on; the lessee having extensively removed and developed the foreshore oysters, the inlet being admirably adapted for the purpose. As worked now, the foreshore oysters are likely to be taken without receiving the benefit of a relaying or development.

It is hoped that the leasing provisions of the present Fisheries Act for the striking and cultivating of new areas will ultimately compensate for the injurious effect which the licensed boat system is likely to produce in the oyster supply of the Colony.

Of the natural beds in the Northern Division not at present worked, those of the Clarence River and the Tweed River are in the best condition. Some of the beds on the Clarence are in good condition, the oysters open well and are fit for market. On one of the best conditioned beds (Captain Dick's) the shells are soft and easily broken. It is expected when these beds are proclaimed open, there will be a large number of boats to work them.

Having recently inspected the Tweed River oyster beds, the undersigned, from such an examination as could be made without dredging appliances, considers that the beds are in very fine condition, there being also a good quantity of foreshore oysters of marketable size and quality. The oysters in the natural beds open well, but although this inlet has recently been proclaimed open, it is not probable with the present means of communication, that the oystery will keep sufficiently long to admit of the beds being profitable worked.

Concerning fish, there is but little to report. With the exception of the fishermen previously alluded to as curing fish for Chinamen in the Clarence River, nothing is done beyond supplying the local markets with fresh fish. Nothing has been done with either prawns or crayfish, and no claims have yet been made for remuneration for the destruction of birds.

THOS. TEMPERLEY,
Inspector, Northern Fisheries.

Palmer's Island, 10 November, 1883.

Report on Northern Fisheries, for November, 1883.

COPIES of diary from assistant and acting assistant inspectors have been received by the undersigned during the month of November, from the following assistant inspector at the Manning River, and acting assistants at the Tweed River and Port Macquarie.

With the exception of the lately appointed acting assistants at Camden Haven and Cape Hawke, the remaining acting assistants in the Northern Division have been written to (to no purpose) concerning their neglect, and the undersigned would now bring the matter under special notice.

The only oysters taken from the division for this month are as follows:—

Manning River, 47 bags; Cape Hawke, 47 bags; Camden Haven, 125 bags. The total being 219 bags, and the amount of royalty payable £27 7s. 6d.

From the report of the assistant inspector in charge of these inlets, it appears that the bulk of the oysters taken are foreshore oysters, a large portion having been sent from Camden Haven. It is noted that this inlet has been proclaimed closed, and consequently the foreshores are now protected.

Neither the Richmond River nor the Tweed River have tempted any dredgers to work there this month. But a steamer, the "Brunswick," having just started to run between the Tweed and Sydney, it is expected the Tweed inlet will soon be worked.

A large number of boats have collected on the Clarence River, in readiness for the expected opening of the oyster-beds there. The oysters generally open fairly well, but they cannot be said to be up to the standard of good.

Fishing operations this warm weather seem to be entirely suspended everywhere in the division. Nothing has been done either in prawns or lobsters, and no claims made for the destruction of birds.

THOS. TEMPERLEY,
Inspector, Northern Fisheries.

Palmer's Island, 11th December, 1883.

- Report on Northern Fisheries, for December, 1883.

THE natural beds worked are those of the Clarence River, Richmond River, Manning River, and Cape Hawke, from which have been taken the following quantities:—

Clarence River	...	...	...	...	...	...	866	bags
Richmond River	...	...	...	...	...	...	7	"
Manning River	...	...	...	...	...	...	47	"
Cape Hawke	...	...	...	...	...	...	41	"
Camden Haven	...	...	...	...	...	...	48	"
Total							...	1,009	bags.

Those from Camden Haven were dredged but not shipped before the inlet was proclaimed closed.

The principal event of the month has been the opening of the Clarence River beds, December 7. At this date there were thirty-nine boats present, a week later the number increased to fifty, and by the end of the month to sixty-four.

A portion of the beds opened, viz., those formerly known as D, E, and F, have been closed two years (one month excepted) and were in really good condition although not great in extent.

The remaining portion, containing by far the greatest part of the natural beds of the Clarence River, had been closed only seven months. They were not equal in condition to beds D, E, and F.

Those beds above D, E, and F, that is farthest from the outlet, have not improved, and appear to be in a worse condition than when the lease expired.

There has been no spawn on this portion for the last two or more years, and some parts of the old beds have silted up. The bed recently closed below D, E, and F, known as the House bed, shows on the contrary an abundance of young oysters of various sizes and age.

The variety is so great as to indicate intervals of months instead of years between the times of spawning.

Considering the quantity of marketable oysters it contains, the House bed is in fair condition; but they could not be taken without destroying a large quantity of young oysters, and the undersigned has determined to reserve the bed for future dredging.

The removal of about 1,000 bags of oysters from beds D, E, and F, within a month has reduced their condition considerably. They are only now in fair condition, and with another month's working the large quantity of boats will leave them in moderate condition.

One small bed above D, E, and F, known as the "Mud Patch," showed indications of spawning, and the dredges were forbidden to work it.

On the opening of the Clarence River beds it was absolutely necessary to restrict the dredgers, or the oysters would have been taken from the beds in glut quantities and wasted. The dredgers themselves were so well aware of this that they petitioned the undersigned to work them on shifts, and also to limit them as to the number of bags. It was considered advisable to make the restriction greater than what had been proposed, and the men were allowed to dredge within their respective shifts until each had taken six bags and no longer—thus limiting every dredger to six bags of oysters per week. The following week the limit was reduced to five bags.

By thus limiting the boats to quantity instead of time allowance alone this important object was attained,—the inducement to take undersized oysters was obviated and the men worked leisurely to obtain a good sample, having plenty of time to obtain their quota within their shift.

This arrangement increased the number of dredgers, and boats of all kinds, from centre-boards to square punts, were licensed, the nominal licensed dredgers in two instances being boys of twelve and fifteen years of age.

The undersigned also enforced an important provision for having the dead shells and cultch uniformly scattered, under regulation 26, by requiring the dredgers to throw their cullings over when the board had been run out and before the dredge had been windlass hauled.

There was considerable difficulty at the outset in getting the dredgers to depart from the old injurious plan of throwing the shells at the stake, and some firmness and pressure were needed before they could all be worked into the arrangement. So far as the beds have been worked the cullings have been uniformly distributed and the same shells lifted over and over again.

The Manning River oyster-beds are much reduced. The high price the oysters realize—amounting it is said to more than 40s.—remunerates the dredgers and induce them to work in the most exhausted places.

With the exception of seven bags of dried fish sent from Cape Hawke, no fish have been taken away.

THOS. TEMPERLEY,

Inspector of Northern Fisheries.

January 8th, 1884.

APPENDIX W.

Report on Oyster-beds, Camden Haven.

Sir,

Croki, 16 February, 1883.

I have the honor to acknowledge the receipt of letter dated February 6th, 1883, and in accordance with instructions contained therein, I proceeded to Camden Haven, and carefully examined the various beds, with the assistance of Mr. Bird the oysterman there, whom I engaged with his boat and gear in order to test the beds. I with pleasure submit the following report:—

There are five natural oyster-beds in Camden Haven, four of which are situated in the channel leading to Watson Taylor's Lake, the other in the channel leading to Queen's Lake.

The beds are locally known as No. 1, the upper bed; No. 2, the middle bed; No. 3, the lower bed; No. 4, the mill bed; No. 5, the creek bed.

No. 1 bed is about 18 chains in length and 3 chains in breadth, with an average depth of water from 6 to 9 feet.

This bed we dredged from one end to the other, and we discovered that it is silting up very rapidly, and reduced to about 1 chain wide. We found a reasonable quantity of oysters on it, though rather small. The bed has not been worked for the last six months, as the oysters were too small for market. I would advise the closing of this bed for a period of twelve months at least. No.

No. 2: this bed is lower down the channel, and originally about 10 chains in length by 2 chains in breadth; it is reduced to about one half the size it was two years ago, very few oysters on it, depth of from 6 to 10 feet.

No. 3 bed is still lower down the channel, and was originally about 18 chains in length and $1\frac{1}{2}$ chain in breadth, but like No. 2, in consequence of silting up it is only about one half of the size specified; depth of water from 10 to 13 feet. The beds, viz., Nos. 1, 2, and 3, have shelly and sandy mud bottoms.

No. 4, the mill bed, is a small and unimportant bed, containing very few oysters, with a rocky and shingly bottom, situated in front of Messrs. Lauries and Rodger's saw-mill; depth of water from 3 to 8 feet.

No. 5, the creek bed, is long and narrow, situated in the channel leading to Queen's Lake, and about 12 chains in length and half a chain in breadth. This bed is silting up slowly; it has a pipeclay bottom, with shells and soft sandy mud; depth of water, 6 to 10 feet.

In furnishing the foregoing report, I would also respectfully recommend the Commissioners to let Nos. 2, 3, 4, and 5 beds on improvement leases for a term of years, as I am of opinion if something of that kind is not done they will in time entirely silt up, and thereby be rendered useless; while if let on improvement leases, of course the bed would unquestionably revive again. To encourage the plan proposed, there are about 800 to 1,000 bags of bank and mangrove oysters, which might be placed on this bed with a view of propagation.

Should the Commissioners fall in with my views, I would have the lessees to obtain suitable bondsmen, and further to allow the Inspectors power to see that the contracts were fully carried out, and in case of any infringement I would suggest the cancelling of the lease.

I will proceed to Cape Hawke and examine the beds and send report in due time. Trusting the above will be satisfactory,—

I have, &c.,

ANDREW GYLER,
Assistant Inspector.

Report on Cape Hawke Oyster-beds.

Sir,

Croki, 24 February, 1883.

I have the honor to acquaint you that I proceeded on Monday last and examined the various oyster beds, very kindly and gratuitously assisted by the son of the lessee, Mr. Woodward, and I have much pleasure in submitting the following report for the information of the Commissioners:—

There are three principal natural oyster beds at Cape Hawke.

No. 1, called Leslie's Flat, which is situated in the centre of the channel, on the western side of Wallis' Island. The oysters are very large and scarce, and no prospect of any to be obtained for some time.

No. 2, Broadwater, which lies inside of the mouth of the Wollamba River, about a mile above the cutting. The oysters are large and very scarce; the bottom being soft sandy mud chiefly.

No. 3, Swan Bay, which is at the mouth of the Wollamba River, just inside of the cutting, and close to the northern shore. The oysters being more plentiful, though rather small and cuppy.

At the mouth of the Wollamba River is a long bank of oysters, about 800 yards in length by 20 yards in breadth, situated across the mouth of the river.

A navigable channel has been cut through the oyster bank, known as the Cutting.

The oysters on this bank were left bare at half tide, and seldom open well, being mostly undersized. The lessee employed a number of men in November last to remove these oysters to a series of oyster beds adjoining Cockatoo Island and the smaller islands in proximity thereto.

According to my estimation, the lessee has laid down at present, on the different places, between two and three thousand bags.

There is a large quantity of foreshore at Cape Hawke, which would suit admirably for laying down oysters, inasmuch as it has a fine cockle-shell and gritty bottom. The same bottom is found around all the smaller islands.

The whole of the Cape Hawke beds lies in shallow water, ranging from 1 to 2 feet at low-water. All the oysters taken from Cape Hawke are hand-picked, the dredge not being used.

I might acquaint you that the inclement weather was rather against me making such a careful examination as I should have desired, the water being rather high and raining heavily most of the time.

Trusting the above report will be satisfactory,—

I have, &c.,

ANDREW GYLER,
Assistant Inspector.

Report on Manning River Oyster-beds.

Sir,

Croki, 2 April, 1883.

I have the honor to submit the following report of the present state of the three natural oyster-beds on the Main River, on the Manning River, also enclose monthly report for March.

I beg respectfully to state that I borrowed a boat and gear last week and carefully examined Nos. 2, 3, and 4 beds in the main river, and I find that there is no improvement on No. 2 Cattia bed, or do the oysters seem to spread any further. This is the only bed on the main river side which has a few oysters on it, as they were mostly too small when the river was open for dredging. It was closed from dredging the last four months the Manning was open.

No. 3 bed, known as M'Dermitt's bed, dredged it from one end to the other; no improvement whatever. There is no sign of any young oysters; if any difference this bed is silting up.

No. 4, Scott's Creek bed.—Dredged it from end to end; sorry to say that there is no sign of any young oysters or any improvement on these beds.

Therefore I would strongly recommend the leasing of these beds on improvement leases for a term of years, as there is a large quantity of foreshore oysters on the Manning which would do to replenish the natural beds on the Manning. I will furnish report of the South Passage beds in my next month's report.

I have, &c.,

ANDREW GYLER,
Assistant Inspector.

Report

Report on Oyster-beds, Manning River.

Croki, 2 July, 1883.

Sir, I have the honor to submit the following report, for the information of the Commissioners of Fisheries.

I beg to acquaint you that the oysters are still very scarce on the main beds, owing to the great skinning they got in 1882.

There are perhaps 300 bags on the Cattia bed; if these were removed there would be no oysters left to replenish other exhausted beds.

I would respectfully suggest that the Commissioners allow the beds to be closed for another twelve months, at any rate against licensed dredges, unless I should be invested with power to allow a limited number of boats to work.

This river should never have had over twelve boats at work when it was last opened, for at no time is it capable of carrying over that number. At one time there were sixty boats, and an average of forty boats during the time the beds were open.

When the Company worked the river under leases, they never allowed more than twelve boats at work, very often only five or six, the average about eight boats.

There is at present a moderate quantity of foreshore oysters on the river, which is unusual. I attribute it to the absence of floods during the past six years. If these foreshore oysters were laid on the exhausted beds they would stock them, and in the course of two or three years replenish them again. Sent to market as they are, they would not realize more than one half the money they would if they were laid on our fattening beds for twelve months.

Again, there would be the benefit derived from them spawning, which would most certainly be of considerable advantage to the river.

After giving the matter in connection with the beds on this river my mature consideration, I have resolved to invite one or two of the Commissioners to visit them, before determining upon re-opening the beds.

If these gentlemen could conveniently spare the time to visit this river and inspect the beds, I feel assured they would entertain the same opinion as myself in the matter.

I have, &c.,
ANDREW GYLER,
Assistant Inspector.

Report on Oyster-beds, Manning River.

Croki, 1 November, 1883.

Sir, I do myself the honor to submit the following report, for the information of the Commissioners of Fisheries, respecting the present condition of the natural oyster beds in the Manning River.

The whole of these beds are skinned out; in fact, so much so that two men work very hard to get half a bag a day. Should these beds not be closed nothing will remain to spat from. The spating season has now arrived, and in my close inspection of the oysters I find no indication of spating, which I attribute to the beds being over-worked. In view of the foregoing facts I would respectfully and urgently recommend the closing of this river for a time, or utter ruin will inevitably follow, so far as oysters are concerned. At present it takes the whole of my time to keep the licensed men from encroaching on the foreshores, which are reserved.

There are about eighteen boats at work on this river, and the oyster-catchers clear from 30s. to 38s. per bag on the wharf. Such a high price has never been known in all my experience.

This high price induces the men to continue in the work, to the ruination of the oyster-beds in the Colony, as everybody who gets a license goes to work and tears up the bottoms of the beds.

This system will, in my opinion, ruin all the rivers, if the number of boats is not limited. Viewing the matter in this broad matter-of-fact light I would again strongly recommend the leasing of the natural beds on improvement leases, as we have a fair quantity of foreshore oysters, which would do to replenish the natural beds.

If something of this kind is not done soon there will be no foreshore or other oysters left in a year or two.

Report *re* Camden Haven.

I have not had an opportunity of visiting Camden Haven lately, but I am credibly informed that the natural beds there are also thoroughly skinned out, and that the dredges are sending away all the bank or foreshore oysters.

At present six licensed boats are at work there. The oysters are shipped direct from Camden Haven to Sydney, consequently I have no way or means of seeing the oysters that are caught or dredged over there. I will make an effort to visit Camden Haven early in this month and forward further report.

I have, &c.,
ANDREW GYLER,
Assistant Inspector of Fisheries.

APPENDIX X.

SOUTHERN FISHERIES DIVISION.

Report on Oyster-beds, Bateman's Bay.

Sir,

Bateman's Bay, 26 February, 1883.

I have the honor to inform you that since my arrival at Bateman's Bay, on the 17th of this month, I inspected several oyster-beds on the Clyde River, the oysters on each being in fair quantity and good condition. I am pleased to be able to state that the lessee has and still continues to lay down young oysters in large quantities on the natural beds best adapted for their growth, and am told they never fail to do well. From Bateman's Bay to within two miles of Neligen, a distance of 8 miles, the river abounds with natural oyster-beds, varying in their extent, as also in their quality and quantity. Among these are some splendid beds which, owing to the depth of water, strong tide, and rocky bottom, have been found impossible to work with dredges. Young oysters in inexhaustible quantities abound on the mangroves and foreshore of this river, and there is no scarcity of ground suitable for their cultivation. At present there are four boats employed in dredging, whose average takings are about 150 bushels a week.

To-morrow morning I leave here on a visit of inspection to Moruya and Lake Tuross, and return on or about Thursday next.

I have, &c.,

GEORGE G. BENSON.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 28 February, 1883.

I have the honor to inform you that I left Bateman's Bay on Monday afternoon last, with the intention of visiting Moruya Lakes, Coila and Tuross. On arriving at Moruya, I interviewed Assistant Inspector Tranent, and, from information derived from him, determined to return to Bateman's Bay and await instructions from you as to what course I should pursue. Mr. Tranent has received information which leads him to suppose that men are engaged in fishing on Lakes Coila and Tuross without licenses, and with unlawful nets; and also that men are procuring oysters at Wagonga in large quantities without license, and shipping them free of royalty. The enclosed letter, received by Mr. Tranent from a reliable person at Wagonga, makes it necessary that some immediate action be taken in the matter. I think it advisable that a couple of days at least should be spent at each of the places named and these matters investigated. I should also like to visit all other rivers and lakes between here and Bermagui, and see what is actually being done at these places, as at present I am in utter ignorance. Would you kindly let me know the boundaries of the districts under Messrs. Smithers and Tranent's supervision. Please send a few salary abstract forms, and a ring for testing size of oysters. I am going to-morrow to Durras Lake to inspect oyster beds.

I have, &c.,

GEORGE G. BENSON.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 30 March, 1883.

I have the honor to report having visited Lakes Tuross and Coila, also the Wagonga River.

Coila.—At Coila no fishermen have been working since February last, when two Chinamen were catching fish for the local market. There are no oysters in this lake.

Tuross.—I was informed by the manager to the lessee that no person had been fishing there for months. Examined the foreshore, and found oysters of all sizes growing on the rocks in great quantities. There are two boats at present engaged in procuring oysters, each of which had oysters on board, which I examined, and found of legal size and in fair condition. A weed, similar to the one which has done so much damage to the oyster beds on the Clarence, has appeared here, and proves equally destructive. It collects the sediment brought down by freshes, which buries and destroys the oysters.

Wagonga.—At the Wagonga River I found one man getting oysters; his name is Donnelly Demetrius, and he holds a dredger's license. Some two weeks prior to my visit there were several men at work, Campbell being among the number. I was unable to procure a boat to inspect the river, but heard from an old resident that there were no drift oysters, and a very limited supply of rock oysters. I am inclined to think, from information received, that there are no oyster beds of any importance between Lake Tuross and Twofold Bay.

I have, &c.,

GEORGE GORDON BENSON.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 25 April, 1883.

I have the honor to report having visited Lakes Conjola and Burrill, also Narawilla Creek. At Conjola I found four men engaged in fishing, and one at Burrill, all of whom had licenses. Mullet, bream, whiting, blackfish, and flathead abound in great quantities in both of these lakes. The chief cause of complaint amongst the fishermen is the uncertainty attached to the time at which the steamers reach Sydney. They often lose all their fish through the steamer being an hour or so too late for the market. If there were a steamer running on this coast regularly, by which fishermen could make sure of getting their fish to market, the people of Sydney would have no cause to complain of the scarcity of fish. Another cause of complaint is the present size of the mesh for garfish, and, from personal experience, I believe they have just cause. In the Clyde River, where there are large quantities of garfish up to the weight, almost all escape through the net. An inch and a quarter in the bunt would meet the case, and give great satisfaction among the fishermen. There are no oysters in Burrell Lake, and only a small quantity on the rocks at Conjola.

Narawilla Creek.—Oysters exist on the banks, being found on the mangroves and cobblers' pegs. They commence on the south side of the creek, about one hundred yards from its mouth, and extend for a distance of about one mile. On the north side oysters commence at about the same distance from the mouth

mouth as on the southern side. The formation is rock, large mangrove swamps extending back from the creek for about 300 yards. There is a splendid opportunity on this creek for cultivating and laying down oysters, as there is a good rocky bottom, and quantities of mangrove oysters on both sides fit for laying down. I take occasion to acknowledge the assistance received from Constable Morriss, of Milton. He is the only member of the police force I have yet met on this coast who seems to take any interest in the Fisheries Act and to see its regulations carried out.

I have, &c.,

GEORGE GORDON BENSON.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 2 July, 1883.

I have the honor to inform you that, in consequence of information received to the effect that undersized oysters were being removed from the Wogonga River, I proceeded there on the 21st ultimo to investigate the matter. Mr. Berry, constable at Eurobodalla, informed me that no oysters had left the river during the last six weeks, but that prior to that Demetrius Donnell, who is a licensed drodger, had been sending away large quantities. I saw Donnell and cautioned him against taking any more oysters out of the Wogonga River, as I considered it had been overworked; he of course stated that all oysters shipped by him were of legal size and in marketable condition. I spent a day on the river and examined foreshore, finding marketable oysters very scarce and a fair quantity of young stuff adhering to the rocks. No dredge oysters have been found in this river. The oysters are all lying between high and low water marks, on a rocky bottom; outside of this the water suddenly deepens, and the bottom is composed of very soft mud, and covered with a dense mass of weeds. I examined the ground which Donnell informed me he had applied for, and am in a position to report on it if necessary. I fully concur with Mr. Smithers as to the advisability of closing the Wogonga River. At Tuross I found everything progressing satisfactorily, the manager for the lessee working the lake in a fair and systematic manner. The oysters do not open well, owing to the cold weather, but are in fair marketable condition.

I have, &c.,

GEORGE G. BENSON.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 8 September, 1883.

I have the honor to forward my report on the Clyde River.

The old beds of the river, from which large quantities of oysters were procured some twelve years ago, have never recovered, and I am convinced they never will unless stocked with brood, as there is nothing left on the bottom for the spawn to attach itself to. I am informed that it was the practice amongst the dredgers working this river to remove all stones, &c. taken in the dredge from the beds, which will account for the beds not recovering in the interim. There are three good beds at Rocky Point, Schnapper Point, and Goat Island, the oysters on which the dredgers are unable to obtain, owing to the depth of water, strong tide, and nature of bottom, which is a shelving rock, the oysters adhering to the perpendicular sides. On the mangrove swamps and banks of the river generally the oysters are in great abundance. I have also been informed by disinterested persons that the number of oysters on the foreshore has greatly increased during Mr. Gibbins' lease, owing no doubt in a great measure to the able management of his overseer, who has been very particular as to the size and condition of oysters sent to market. There are extensive mangrove swamps covered at high tide, and composed principally of oyster mud. They commence on the south side of the river about half-a-mile from the mouth, and extend on each side except where intercepted by rocky shores for a distance of about 8 miles. I would respectfully point out to the Commissioner the necessity of reserving some of these mangrove swamps for the purpose of growing spat, from which the lessees could procure oysters for laying down at a moderate charge, the Inspector to have the power of protecting these reserves by allowing lessees to obtain oysters only at stated times and under his supervision. If no reserves are made, many persons taking up ground suitable for growing or fattening might be unable to procure brood for laying down on their grounds. I might mention, as an instance of the prolific growth of oysters on the foreshore of the Clyde River, that Mr. Latta, manager for Mr. Gibbins, three years ago cleared every oyster off one of the mangrove swamps for the purpose of laying down, and now he assures me there are more oysters on it than he ever remembers seeing during his long residence on the river. There are from twelve to fifteen thousand yards of ground suitable for growing and fattening oysters, and large quantities of young stuff available for laying down. As several practical and industrious men have applied for leases with the intention of working their ground in a systematic manner. I have no doubt that oyster culture in the Clyde River will be a success. The inhabitants of Bateman's Bay seem fully aroused to a sense of the local importance of this industry. In my opinion the river should not be opened to licensed dredgers, as more than a very limited number of boats would have the effect of practically ruining what must eventually be a most important and thriving interest. I would therefore respectfully suggest the framing of a new regulation empowering lessees to procure a given number of bags during the season as an assistance to live during the time that must necessarily elapse before his leasehold can become productive. The oysters in all of the southern waters are now in good condition, and are likely to continue so until the month of May, when they begin to fall away.

I have, &c.,

GEORGE G. BENSON,

Inspector of Southern Fisheries.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 26 September, 1883.

I have the honor to report having visited and inspected Moruya River and Lakes Coila and Tuross. I examined oysters in Moruya River, and found them in fair quantities and in splendid condition. As in most of the southern rivers, the oysters are only found growing on those parts of the foreshore which

which are of a rock formation. The bed of the river is partly soft mud and partly sand, producing no oysters. There are not many between high and low water mark, most of them lying on the shelving rock, at a depth varying from 6 to 12 feet—they can only be procured by the aid of nippers or by diving. I would respectfully draw the Commissioners' attention to the fact that the steam dredger which is employed by the Government in clearing the entrance to harbour is discharging mud immediately above one of the oyster-banks, thereby destroying the oysters. In trying this bank I found many that had been killed by the mud so discharged.

At Coila I found only one man fishing; he supplies the inhabitants of Moruya with a constant supply of good fish; he only uses a meshing net. There are no oysters in this lake.

At Tuross the oysters are not in such good condition as those of the Clyde or Moruya Rivers, but are improving daily. The oysters from this lake are shipped at Moruya, and I have instructed Mr. Tranent, now that the lease is drawing towards a close, to be very careful about the size and condition of oysters shipped. During my time the lessee has never had more than two boats engaged, and has worked his lease in a fair and systematic manner.

I have, &c.,

GEORGE G. BENSON,
Inspector of Southern Fisheries.

Inspector Benson to The Secretary, Fisheries Commission.

Sir,

Bateman's Bay, 29 October, 1883.

In obedience to your instructions, I have the honor to forward a report on the condition of the oyster beds of the Clyde River. On the old beds, which at one time were so prolific, very little dredging has been done during the past ten years. The bottom being so dredged that nothing is left for the spat to adhere to is the only possible reason I conceive to account for the practical extinction of oysters where some fifteen years ago they abounded. It is very evident that the beds got such a thorough skinning that they have not yet recovered, and never will by natural means. I do not think the beds have been injured by the late lessee, but rather improved, from the fact that it has not paid to take oysters from them. The Clyde River is by far the most important of the Southern fisheries, not only on account of its extensive oyster grounds, but also on account of its amazing productiveness. It has been unremittedly worked for twenty years, during which time, I have no doubt, both small and spawning oysters have been sent to market. At Schnapper Point, Goat Island, and Rocky Point there are some very good patches of mature oysters, which the depth of water, strong tide, and nature of bottom would make very difficult to obtain. In ledges and crevices of rocks, on different parts of river a fair quantity of mature oysters exist; these might be got with tongs. On the mangrove swamps and banks of the river generally the oysters are in great abundance, and are now in good condition. Very few of these oysters, however, have arrived at maturity, being mostly from one to two years of age. In my opinion the river should not be opened to licensed dredgers, as more than a very limited number of boats would in a few months have the effect of practically ruining what must, if leased for the purpose of cultivating, eventually become one of the largest oyster-producing rivers in New South Wales.

I have, &c.,

GEORGE G. BENSON.

Assistant Inspector Smithers to The Secretary, Fisheries Commission.

Sir,

Eden, 6 February, 1883.

During my trip to Bega, mentioned in my report of yesterday's date, when in conversation with the oyster dealer Lavington, he mentioned a flaw in the Act which I now have the honor to bring under your consideration in connection with a revision of the Fisheries Act.

The point is this under the present Act. What constitutes a "natural oyster bed"? It is described as any bank bed or place of deposit, in any tidal waters wherein oysters which have not been laid down by artificial means, are or shall be found, but excluding rocks, stones, mangrove or other trees, or dead timber or any other substance above mean low-water-mark whereon oysters are or may be found attached or growing.

All the oysters in this district that I have seen are taken from above low-water-mark and are knocked off rocks or stones, and there is no clause in the present Act whereby I can compel oyster gatherers to take out a dredging license.

I have &c.,

FRED. H. SMITHERS,
Assistant Inspector,

Assistant Inspector Smithers to The Secretary, Fisheries Commission.

Sir,

Eden, April, 1883.

I beg to recommend that the rivers Bermagui and Wogonga should be closed, as by excessive over-dredging the beds will be entirely exhausted, more especially in the Bermagui. At the present time there are no less than about thirty men in four boats collecting oysters, and through the supply being scant, there will if the river is not closed be no oysters left for breeding purposes. With regard to Wogonga there is also a very limited supply of oysters there, but it appears that there is a fair supply of spat. The closing of this river would be beneficial in allowing the growth of the young oysters as well as preserving oysters for breeding purposes. I may state that both these rivers, with care, would be famous for oyster culture.

I have, &c.,

FRED. H. SMITHERS.

Assistant

Assistant Inspector Smithers to The Secretary, Fisheries Commission.

Eden, 16 November, 1883.

Sir,

I have the honor to state that, having received a report that certain persons were dredging on the Wonboyn River without licenses, I deemed it my duty to visit that place, but found no foundation whatever for such report.

I found the river very well stocked with oysters in places, but many parts having only a sandy bottom; but wherever a bit of wood or stone is to be found on any of these sand patches it will be found to be well covered with oysters. The oysters extend for the best part of 3 miles on this river.

I next visited the Merrica River, which, though a small stream, contains some very fair oysters on the north side only; the south side being sand. At Rocky Creek I could not see a sign of an oyster.

Further south comes the Nagha River. I was informed that this place was well stocked with oysters. I made search as far as I could possibly do so by swimming and diving, and could not trace even a shell there. It is stated that years back any quantity of oysters were there. If such be the case they must be covered up by the sand. For oyster culture I could not say these places, viz., Merrica River, Rocky Creek, and Nagha River, would be worth much, the waters being at times so discoloured (almost black), caused, as I observed, from the waters feeding these rivers running over the burnt country on the mountains. The waters of these rivers I found so fresh, through recent rains and the mouths being closed with sand washed up from the sea, that it could be used for making tea.

Still further south, about 4 miles from the Victorian border, is the Tagha Lake. This is a very fine sheet of water, having a frontage to the sea of about $3\frac{1}{2}$ miles, and I should think it must be quite 11 miles round. The bottom of this place for a considerable distance in from the sea is sand, and then mud and sand mixed. I could not observe an oyster there; this place is nearly always closed—the water, of course, being rather fresh now. If it would keep open it would no doubt be very useful for fish-breeding.

There is not a boat on any of the places south of the Wonboyn, and in fact not a person lives within miles, therefore I could not obtain means to make better search than I did, and moreover the recent wet weather I experienced on the journey had the effect of keeping the rivers and lakes almost bank high, rendering it difficult to get from place to place, and impossible to obtain any better information than this somewhat meagre report furnishes.

I have, &c.,

FRED. H. SMITHERS.

Inspector Quinan to The Secretary, Fisheries Commission.

Sir,

Eden, 28 December, 1883.

My present visit to Eden on Court business has been availed of (by direction of the President) in examining some of the oyster-beds in the immediate district. I have the honor to furnish you with a report of my examination.

Twofold Bay.—All round the south head the rocks are covered with small oysters that never reach any size, but which would do well for removing to beds on inland waters. No dredge oysters are to be obtained in the bay. Some years ago mud oysters were very plentiful, but they were gathered for lime, and hardly any can now be seen. Several tons of these shells are to be seen piled up on the south shore of the bay.

Kiah River.—This river enters Twofold Bay. Very few marketable oysters are to be found here, what has been left by the dredges are very small. Some good ground well adapted for oyster culture can be seen at low water-mark; these beds have not been worked for one year.

Myrrial River.—This river enters Twofold Bay. From the entrance upwards to a distance of 4 miles oysters are to be seen, but not very plentiful; they are found in bunches on the loose stony bottom in the channel. In one deep hole many bags were obtained by lifting up large stones and stripping them. About 300 bags were taken out of this river last year. Some excellent reaches are seen on this river suitable for oyster cultivation.

Although Twofold Bay and tributaries were opened by proclamation (See page 43 Appendix), no dredging has been allowed there this year.

Pambula River.—This river was inspected at low tide; oysters are to be found from the entrance inwards for a distance of 4 miles; on the north side of the river, rock oysters are plentiful but small; on the south side, long shelving flat rocks run out to a distance of about 70 yards; oysters in bunches are lying there, but not plentiful; too many boats were allowed to work, and have not left many marketable oysters after them.

All round Broadwater or Pambula Lake some splendid positions are to be had for cultivating oysters.

Since this river was opened, in July last, about 300 bags of oysters have been taken from it; only one man is now at work—he gets good oysters.

Bittangabee Creek.—This creek or inlet is about 8 miles south of Eden, and is the port for the Green Cape light-house stores; it only runs inland about $\frac{2}{3}$ of a mile; the oysters are small and all rock. The light-house keeper, and other officials and their families, are very anxious that this place would be reserved for their use.

Wonboyn River.—This river runs into Disaster Bay, south of Eden about 19 miles; the entrance is so dangerous that only a few sea boats enter. All round the entrance the rocks are covered with oysters, but like all oysters close to the sea, are small; a lake intervenes between the entrance and the river to a distance of 2 miles; no oysters are to be found there. From the lake to the fresh water-fall, a distance of about 3 miles, the banks on both sides are formed of rocks gently shelving inwards, on which the oysters are very numerous, very large, and in good condition. No dredge oysters are to be found; the tide only influences the river a few inches, so that all the oysters are below water-mark. I observed that oysters do not adhere to the logs, as in other waters. I consider these beds the most valuable in this district, and with care that too many boats are not allowed to work, and that only marketable oysters are taken, that it cannot be exhausted.

Eden

Eden is the port of shipment for oysters consigned to Sydney, Melbourne, and Tasmania; it requires the constant attendance of an Inspector to recover royalty, &c. I am told that some of the boats go out to sea and meet the steamers, and thus evade paying royalty; but until masters of vessels are made responsible and not allowed to ship without a permit this practice will continue.

An evasion of the law came under my notice in connection with this river (the Wouboyne). The boats that contain the shipment for the steamers are the licensed dredgers, but the oysters are gathered in small flat-bottomed punts containing two men each. If I had caught any of these punts at work I would have tried a case in the Police Court, to test the meaning of the 37th sec. of the Act.

Before closing my report I visited Carola Lake, which runs into Calle-Calle Bay, north of Eden. This lake is swarming with fish of all kinds, but no fishing operations are taking place; the inlet to the bay has been closed for the last three years, and the water is getting so fresh that the fish are not good to eat; at high tide a sand-bank separates the lake from the sea, in height about 4 feet, and in width about 50 yards. About two years ago quantities of excellent drift oysters were taken from this lake, and piles of shells are now to be seen on the banks. A trial was made recently, but the oysters were found to be dead, and it is presumed the fresh water killed them.

If it were worth while to open this lake it could easily be done at high tide in a day by a couple of men, but the inhabitants of Eden seem careless about the matter.

I have, &c.,
 JAMES QUINAN,
 Inspector.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

FISHERIES ACT, 1881.

(REGULATION UNDER.)

Presented to Parliament, pursuant to Act 44 Vic. No. 26, sec. 9.

Colonial Secretary's Office, Sydney, 4 December, 1883.

His Excellency the Governor, with the advice of the Executive Council, has been pleased, in accordance with section 9 of the "Fisheries Act, 1881," to make the following Regulation, fixing the Royalty on Oysters dredged or taken from the natural Oyster-beds in the Tweed River.

ALEX. STUART.

THE sum payable by way of Royalty on Oysters dredged or taken from the natural Oyster-beds in the Tweed River shall, for every bag containing or reputed to contain three bushels, be four shillings.

1883-4.

NEW SOUTH WALES.

FISHERIES ACT, 1881.
(REGULATIONS UNDER.)

Presented to Parliament, pursuant to Act 44 Vic. No. 26, sec. 9.

Colonial Secretary's Office, Sydney, 21 December, 1883.

His Excellency the Governor, with the advice of the Executive Council, has been pleased, in accordance with section 9 of the "Fisheries Act, 1881," to make a Regulation, reducing the weight of Schnapper and Red Bream sold, from 16 ounces to 12 ounces avoirdupois.

ALEX. STUART.

Colonial Secretary's Office, Sydney, 27 December, 1883.

His Excellency the Governor, with the advice of the Executive Council, has been pleased, in pursuance of the powers conferred by section 9 of the "Fisheries Act, 1881," to make a Regulation reducing the weight of the Mullet (including the variety commonly known as Hard-gut Mullet) to be sold, from 12 ounces to 8 ounces avoirdupois.

ALEX. STUART.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

FISHERIES ACT, 1881, AND FISHERIES ACT AMENDMENT ACT, 1883.
(REGULATIONS UNDER.)

Presented to Parliament, pursuant to Acts 44 Vic. No. 26, sec. 9; 46 Vic. No. 25, sec. 1.

Colonial Secretary's Office, Sydney, 22 June, 1883.
His Excellency the Governor, with the advice of the Executive Council, has been pleased, in pursuance of the power conferred by section 1 of the "Fisheries Act Amendment Act, 1883," to make a Regulation prescribing one and a quarter inches as the dimensions of the mesh of the bunt of a gar-fish net.

ALEX. STUART.

Colonial Secretary's Office, Sydney, 22 June, 1883.
His Excellency the Governor, with the advice of the Executive Council, has been pleased, in accordance with section 9 of the "Fisheries Act, 1881," to make the following Regulation, prescribing the weight of fish to be sold.

ALEX. STUART.

FISHERIES ACT OF 1881.—REGULATION.

NOTWITHSTANDING anything in the second Schedule, if any person shall sell, or consign, or expose for sale, or have in his possession, or on his premises, any fish of any of the species enumerated hereunder, of a less weight than that set opposite to the name of such fish, shall be liable to the penalties provided by section 14.

SCHEDULE.

Description of Fish.	Weight in ounces avoirdupois.
Marine—	
Schnapper or Red Bream	16
Bream (Black)	6
Tarwhine	6
Black-fish	5
Rock Cod (black or red)	5
Gurnet	8
Flat-head	4
Mullet—	8
Sea (including the variety commonly known as hard-gut mullet)	
Flat-tail	12
Sand	4
Whiting	4
Flounder	4
Sole	4
Pike	4
Travally	8
Gar-fish	6
Lobster (salt-water) or crayfish	2
Fresh-water—	
Cod (or Murray cod)	16
Perch	4
The Murray River lobster, or fresh-water crayfish	4

1883-4.

NEW SOUTH WALES.

FISHERIES ACT, 1881, AND OYSTER FISHERIES ACT,
1884.

(REGULATIONS UNDER.)

Presented to Parliament, pursuant to Acts 44 Vic. No. 26, sec. 9, and 48 Vic. No. 6, sec. 16.

Colonial Secretary's Office,
Sydney, 28th October, 1884.

REGULATIONS UNDER THE "FISHERIES ACT, 1881," AND THE "OYSTER FISHERIES ACT, 1884."

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following Regulations under the "Fisheries Act, 1881," and the "Oyster Fisheries Act, 1884," respectively.

WILLM. B. DALLEY.

REPEAL OF REGULATIONS, FISHERIES ACT, 1881.

The Regulations under the Fisheries Act, 1881, enumerated hereunder, are hereby repealed:—

Regulations numbers 11, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 35, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48, 50; also Regulation number 53, being supplementary to Regulation 27, and providing a penalty for taking oysters not marketable, and a Regulation made on the 4th day of December, 1883, fixing a Royalty on oysters taken from the Natural Oyster Beds in the Tweed River.

OYSTER FISHERIES ACT, 1884.

REGULATIONS.

Leases under repealed Enactments.—Determining rights of priority.

1. In cases where more than one application to lease land for oyster culture under any of the enactments repealed by section 2 of the Act shall have been received or lodged at the Office of the Commissioners of Fisheries at the same time for the same land, or part of the same land, the mode of determining priority shall be as follows:—

The names of the several applicants shall be written on tickets of equal size, which tickets shall be placed in a box to be supplied for the purpose; and the President of the Fisheries Commission or any one of the Commissioners shall, without looking, and in the presence of the Secretary or another officer, draw one ticket from the box, and the application to be accepted shall be that of the applicant whose name may be on the ticket so drawn; and any deposit or rent which may have been paid by the remaining applicants shall be refunded at the Colonial Treasury.

Sufferance Occupation of Areas applied for.

2. Applicants for leases for oyster culture under this Act or any of the enactments repealed by section 2 of the Act may, on payment of the rent for the first year enter, on sufferance, into occupation of the areas applied for for the purposes of cultivation only, but pending formal approval of their applications no oysters shall, except by special permission of the Commissioners, be removed from such areas under a penalty of £50.

The Commissioners shall have authority to cancel any such sufferance occupations at any time, and shall not be held responsible for any ostreicultural improvements effected on such areas.

Payment of Rent.

3. Prior to the issue of a lease under any of the enactments repealed by section 2 of the Act, the applicant therefor will be called upon, by notice in the Gazette, to pay the prescribed rent, and should such rent not be paid within 30 days from the date of such notice, his claim shall lapse, and the land shall again be open to lease.

Applications for Leases under the Act.

4. Applications for leases for oyster culture shall be made in duplicate in the form A appended to these regulations, and shall be accompanied by duplicate plans or tracings illustrative of the land applied for, and a receipt showing that the rent to the 31st December next ensuing has been paid into the Colonial Treasury. Should the application be declined, the amount so paid will be refunded.

Descriptions.

5. Applications, besides being accompanied by plans or tracings, must contain a description of the land applied for sufficiently clear to admit of ready identification.

Conflicting applications.

6. Should more than one application for the same land or part of the same land be received at the same time, the Commissioners shall proceed to allot it in the manner provided by No. 1 of these Regulations; but it shall be discretionary to dispose of such land by auction or tender, as may in any case be determined.

Measurement of Areas fronting alienated land.

7. Land to be leased for oyster culture, fronting land alienated by the Crown, shall, as far as may be practicable, be measured by lines being continuations of the boundaries of such alienated lands, or lines parallel thereto, and extending into deep water so far as the Commissioners may deem equitable, having regard to the rights to oyster culture leases of owners and occupants of opposite or adjoining lands.

Measurement of Areas fronting Crown land.

8. Land to be leased for oyster culture, fronting Crown Land, shall, so far as may be practicable, be measured by lines at right angles to the general contour of the shore, and extend as far into deep water as the Commissioners may in each case determine.

Modification of Boundaries.

9. The Commissioners shall have reserved to them the right to modify the boundaries of leases applied for, in such manner as may seem desirable.

Leases of Oyster Deposits in deep water.

10. Crown Lands below low-water-mark shall be leased by auction or tender only, and in such areas (not exceeding 25 acres) and shapes as the Commissioners may in each case determine.

Annual Rent.

11. The rent shall be paid into the Colonial Treasury, in advance. The first payment shall cover the period from the date of issue of the lease, or authority given by the Commissioners to enter upon possession of the land applied for, to the 31st December next ensuing, and thereafter the rent for each current year shall be paid in like manner, on or before the 31st day of January of that year. Any lessee who shall fail so to pay his rent shall render his lease liable to forfeiture.

Lessee's Boats and Vessels to be marked.

12. Every lessee of Crown Lands for oyster culture shall paint, and keep painted, in plain letters, not less than three inches long, on both bows of every boat or vessel employed by him in connection with his lease, or for conveyance of oysters for shipment or land carriage, the number of his lease.

Marking of leased Areas.

13. The boundaries of leased areas shall be marked by the lessee by piles or stakes, at such places and in such manner as to define with reasonable accuracy the length, width, and shape of the lease. Such piles or stakes shall show above the line of high-water-mark at least four feet, and shall be painted white.

Piles must be not less in diameter than four inches. Buoys of wood or iron may be substituted for piles or stakes if the water be deeper than two fathoms at low-water, or if the bottom shall be rock, or otherwise incapable of holding a pile, or in cases of necessity, or temporarily, at the discretion of the Inspector. In all such cases the words "Oyster Lease, No. (inserting the registered number)" shall be painted in black Roman letters, at least three inches in length, on a white cross-bar or batten, fixed near the head of the pile or stake or across the face of the buoy.

Marking of Conterminous Areas.

14. The outer limits only of a block consisting of conterminous areas, if any, held by one lessee need be marked, unless under a report by an Inspector, the Commissioners shall be of opinion that all the corners or limits of each portion ought to be marked.

Fixing Boundaries by Cross-marks.

15. In cases where it is likely that piles or buoys will interfere with navigation, the Commissioners may authorize the boundaries of a leased area to be defined by cross-marks, fixed on stakes, or cut in rocks or trees, on opposite shores, or in such manner as may from time to time in any particular case be directed.

Penalty for neglecting to mark leased Areas.

16. If after the expiration of three months from the date of the issue of a lease, any lessee shall have failed to mark his leased area in the manner prescribed in these regulations, the Governor, on the recommendation of the Commissioners, may cancel such lease, and any rent paid thereon shall be forfeited.

Maintenance of Boundary marks.

17. Every lessee will be required to mark and keep marked, in the manner prescribed by these Regulations, the boundaries of his leased area.

Removal or Destruction of Boundary marks.

18. Any lessee or other person who, without lawful authority, shall remove, or shall intentionally destroy or injure any pile, stake, buoy, or cross-mark defining the positions of any leased area, or who shall deface or obliterate any letters on any such pile, stake, buoy, or cross-mark, shall replace the same or be liable to a penalty not less than £20 for each offence.

Dredging Lines not to be made fast to Boundary marks.

19. No lessee or other person engaged in dredging oysters shall make his dredging line fast to any pile, stake, or buoy defining a leased area, under a penalty of not less than £5.

Inspection of leased Areas.

20. The Commissioners, or any Inspector or other authorized officer, may at any time enter and go upon any leased area for the purpose of inspection and of ascertaining that the provisions of the Act and its Regulations and the conditions stated in the lease are being faithfully observed and carried

out. In the course and for the purposes of such inspection the lessee, his manager, agent, and servants shall, if requested by the Commissioners or any one of their officers, test the state of any area required, either by dredging oysters therefrom or gathering them by tongs, hand, or otherwise, under a penalty upon every such lessee or his representative refusing or neglecting so to do of £5.

Auction Leases.

Minimum Upset Rents.

21. Land to be offered for lease at auction shall be put up at a place to be specified, at the rental set forth in section 4 of the Act, and the lease will be sold to the person who may offer the highest premium for the purchase thereof. Provided that every such sale shall be subject to the approval of the Governor.

Deposit.

22. The purchaser will be required to pay down at the time of sale the premium (if any) offered for the lease, together with the upset rent for the year, to be computed from the date of sale to the 31st December ensuing; in default of which the auctioneer shall again forthwith put up the lease, and need not accept any bid from the person so making default.

Tenders for Leases.

23. Whenever the Governor shall direct the disposal of leases by tender, notification thereof shall be published in the Gazette. Sealed tenders for such leases, whether transmitted by post or lodged personally, shall be deposited in a box to be kept for that purpose at the office of the Commissioners of Fisheries. The tender box shall be opened in the presence of the President or a Commissioner of Fisheries, at a day and hour to be appointed by notice, and no tender shall be deposited in the box after twelve o'clock noon of that day. All tenders found in the box shall be recorded in a book to be kept for the purpose.

Disposal of Tenders.

24. If there be but one tender for any lease, the tenderer shall be entitled to it. If there be two or more tenders for the same lease, it shall be granted to the person whose tender shall contain the offer of the highest premium, but if no one tender be higher than all the others, the land shall be allotted in the manner prescribed by No. 1 of these Regulations.

Forms of Tender.

25. Tenders shall be made in the form marked B appended to these Regulations. Tenders must be sealed, and endorsed "Tender for Lease for Oyster Culture," and a separate tender must be made for each lease.

Deposit on Tenders.

26. Every tender must be accompanied by a receipt showing that the rent for the period to the 31st December next ensuing, together with the premium offered, has been lodged in the Colonial Treasury; and in the event of the tender being accepted, notice of acceptance will be published in the Gazette, and the tenderer shall receive credit for the rent paid; if rejected, the total amount lodged shall be returned to the tenderer.

Transfer of Leases.

27. After the issue of leases, holders thereof may assign and transfer the same to such persons as they may think proper; but no transfer will be recognized by the Governor until the same shall have been notified to the Commissioners of Fisheries and recorded in their office, in form C appended to these regulations. Every such transfer shall carry with it all the rights of the transferer in connection therewith. A receipt showing that the sum of £2 has been paid into the Colonial Treasury shall accompany every application for the transfer of a lease.

Forfeiture for Mismanagement.

28. Upon receipt of a report by an Inspector that a leased area is being so stripped of oysters or otherwise mismanaged by the lessee that the production of oysters thereon has, in such Inspector's opinion, been so reduced as to threaten its destruction as an oyster-bearing area, further dredging may be stopped, and the Commissioners may call upon the lessee to show cause why they should not recommend the Governor to declare the lease of such lessee to be forfeited. And upon the receipt of a recommendation by the Commissioners recommending the forfeiture of any such lease, the Governor may, by notification in the Gazette, declare the same to be, and the same shall thereupon be forfeited accordingly.

Marketable Oysters.

29. No oysters which can be passed through a metal ring having a clear inside diameter of one and one-half inches shall be deemed to be marketable oysters; and it shall be unlawful to dredge for, take, consign, or expose for sale any such under-sized oysters, but they may be taken for the purpose of being laid down on another bed or in different water. This regulation shall apply to all lessees of Crown Lands for oyster culture.

If any person exposes for sale in any shop, boat, vehicle, stand, or place, any oysters not marketable within the meaning of this Regulation, he shall be liable to a penalty not exceeding £10; but this Regulation shall not apply to persons selling oyster-spat or brood to lessees and owners of private fisheries, otherwise than for consumption as food.

Disposal of forfeited Oysters.

30. Oysters forfeited to the use of Her Majesty, pursuant to the provisions of the Act or these Regulations, must be destroyed if unfit for food, but otherwise shall be sold by auction, unless the Commissioners direct that they shall be laid down on an oyster reserve or on unleased Crown land, or elsewhere. If sold, the proceeds of sale shall be paid into the General Revenue.

When oysters which are not marketable as to size shall be sold under this Regulation, the purchaser will be required to make a declaration that he will lay them down in some oyster-bearing water, and not remove them until they shall have become marketable.

Branding of Oyster Bags.

31. Oysters shipped on board any vessel or transmitted by land carriage shall be placed in bags marked at or near the middle thereof with number of the lease and the name of the water from which they come, the letters and numbers shall be not less than 3 inches long.

Penalty for impeding access to Crown or private land.

32. Any lessee or other person who shall cast, lay, or place culch or any dredged refuse in such a position as to impede the access by water to any Crown or private land abutting on a leased area shall be liable to a fine of not less than £50, and any Inspector may remove such refuse at the expense of the offender.

Sea carriage of Oysters.

33. The master of every vessel on board which oysters are shipped shall enter the same in the cargo book, stating the port from which they came, the quantity shipped, and the name of the consignor and consignee; and the master of any vessel failing to comply with this requirement, or who shall carry any oysters not branded in accordance with No. 33 of these Regulations, shall be liable to a penalty of not less than £10.

Licenses to gather Oysters and Spat from Oyster Reserves and Crown land, for laying down.

34. The spat, brood, and ware of oysters from public oyster reserves or Crown land not under lease may be granted to holders of leases for oyster culture, for the purpose of stocking their leased areas, on payment of 2s. for every bag containing not more than three bushels thereof. Before removal of such spat, brood, and ware, when bagged, lessees must obtain a certificate from the Inspector stating the quantity bagged.

Reserves to be under control of Inspectors.

35. All public oyster reserves shall, subject to the directions of the Commissioners, be under the control and supervision of the Inspector of the tidal waters wherein such reserves are situated. And such Inspector, or any officer of police, or constable, may apprehend and lodge in custody any person found removing oysters from any recreation reserve, in a bag or other vessel or receptacle, or in quantities greater than a peck, and for his own consumption, or found wantonly destroying any oysters on such reserve, or conducting himself thereon in a disorderly manner, using profane, obscene, or disgusting language, drowning or destroying dogs, goats, cats, or any animal whatsoever, or depositing any dead carcass, or within one hundred yards of, such reserve; or exposing his person, or annoying the residents or passers by. And any person charged with the omission of any such act as aforesaid shall, on conviction thereof, forfeit and pay a sum not exceeding £10.

Marking of public Oyster Reserves

36. Public oyster reserves will be marked or defined by stakes, buoys, cross marks, or such other mode as the Commissioners shall direct. The stakes or buoys shall be painted red, and the words "Public Oyster Reserve" or "Exempted from Lease," shall be painted in red letters on a white ground, on a white cross-bar or batten fixed near the head of the pile or stake or across the face of the buoy; but such marking or definition shall not be deemed to be compulsory in any case where the boundaries of any such reserve have been defined in the *Gazette* notifying such reserve.

Disposal of Culch.

37. All dead shells and culch, whether with or without young oysters attached thereto, and all undersized oysters, dredged up by any person dredging for oysters on Crown Lands under lease, shall be thrown back by such person in such places as the Inspector shall appoint; and should such dead shells, culch, or undersized oysters be discovered after arrival from the place of shipment, they shall be disposed of in the manner provided by No. 32 of these regulations.

Penalty for depositing deleterious matter in Tidal Waters.

38. Any person who shall discharge any refuse from any saw-mill, paper-mill, gas-works, or any rubbish, or blood or offal, or any filth, or other thing deleterious to the growth and

development of oysters, in any tidal waters, or into any water-course, whether dry or not, leading into the same, or discharge such matter elsewhere in such a manner that it is or is likely to be carried into such tidal waters, shall on conviction thereof forfeit and pay a penalty of not less than £50 pounds.

Payment of Royalty.

39. Royalty at the rate of 3s. for every bag containing not more than three bushels of marketable oysters consigned to Sydney, shall be paid at the Custom-house, Sydney, within thirty-six hours after their arrival; and no oysters shall be removed from any vessel, or, if forwarded overland from place of production, from any conveyance until the royalty thereon shall have been paid. But the royalty on oysters to be shipped or forwarded direct from their place of production to any place beyond the Colony or direct to any town or place within the Colony inland therefrom, shall be paid at the nearest Custom Station or at Sydney.

Any master of a vessel or land carrier who shall deliver consignments of oysters without a certificate from the Collector of Customs or a Customs officer, stating that the royalty thereon has been paid, shall on conviction forfeit and pay a penalty of £50. Provided that such master may transfer his custody of and his liability in respect to such consignments to a responsible officer in the employ of the person or persons to whom his vessel belongs.

Consignments may be sold if Royalty be not paid.

40. If the royalty on consignments of oysters to Sydney be not paid within thirty-six hours after their arrival, the Commissioner may take possession thereof and sell them, and after deducting the costs, charges, and royalty thereon, shall pay the balance of the proceeds to the consignee or to his order.

Consignors to furnish particulars of Consignments.

41. At places where an Inspector of Fisheries is stationed, consignors shall immediately upon the delivery of oysters for transmission to Sydney by sea or land carriage, notify to that officer particulars of the brands and numbers of bags of oysters so delivered.

In the absence of the Inspector, or on waters where there is not an Inspector stationed, the like information shall be forwarded by post or telegraphic message to the Collector of Customs, at Sydney, and no certificate authorising delivery of consignments of oysters shall be issued by the Collector until he shall have been supplied with such information.

Penalties on breach of Regulations.

42. Any person who shall commit any act in breach of or be guilty of any default or non-compliance with the requirements or prohibitions of any of the foregoing Regulations shall, in every case where no penalty or forfeiture has been in such case provided, be liable to a penalty not exceeding £50.

OYSTER FISHERIES ACT, 1884.

FORM A.

Application for a Lease for Oyster Culture.

(Address)
(Date)

Gentlemen,

I hereby apply, under the provisions of the 4th section Oyster Fisheries Act, 1884, for a Lease for years, for the purpose of Oyster Culture, of the portion of Crown Land shown in the appended tracing, and described hereunder.

DESCRIPTION:—Fronting portion No. , parish of , county of [state whether this is Crown or alienated land. If the latter, furnish name of present owner, lessee, or occupant. Note.—If applicant be a lessee or occupant, he must state the time his tenure has to run]; and commencing at a point on the line of high-water mark [state here the distance, and direction, by compass, from the nearest corner of the portion which the area is to front, or some other defined point. After giving length along the foreshore, state lengths and compass directions of the other lines bounding the area], and extending lineal yards along the foreshore; thence

I am, &c.,

The Commissioners of Fisheries.

FORM B.

Tender for a Lease of Crown Land for Oyster Culture.

IN accordance with the provisions of the Oyster Fisheries Act, 1884, and the Regulations made thereunder [I, or we, as the case may be. Insert names at full length] of [state residence and nearest Post Town], do hereby tender a premium of £ , for a lease of the Crown Land at , more particularly described hereunder.

Appended is a receipt showing that the premium offered and the rent to the 31st December next has been paid into the Colonial Treasury.

(Signature of Applicant.)
(Date.)

FORM C.

Notification of transfer of a Lease for Oyster Culture.

I hereby notify that I have assigned and transferred to
of all my right title and interest
to the lease bearing number of of Crown Land
at which I hold under the "Oysters Fisheries
Act, 1884." And I hereby relinquish in favour of the said
all and singular the rights, privileges, and
advantages which now belong or may hereafter accrue to me
as the holder of the lease of the said land for the time being.

In witness whereof I have hereunto set my hand this
day of

Witness—

FORM D.

I [name] of [residence and occupation] being the holder of a
lease for oyster culture, bearing No. of of
Crown Land at , do solemnly and sincerely declare
that during the period commencing and

ending I have taken from the said leased land
bags, each containing not more than three bushels of
marketable oysters; 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."

(Signed)

Made and signed before me at this day
of 188 .

(Signature of Magistrate), J.P.

(L.S.) JAMES C. COX,
President.

1883-4.

LEGISLATIVE ASSEMBLY:
NEW SOUTH WALES.

FISHERIES ACT AMENDMENT BILL.

(MESSAGE No. 46.)

Ordered by the Legislative Assembly to be printed, 6 May, 1884.

AUGUSTUS LOFTUS,

Governor.

Message No. 46.

In accordance with the provisions contained in 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 a Bill for the amendment of the Fisheries Act of 1881, the promotion of Oyster Culture, and the regulation of Oyster Fisheries.

Government House,

Sydney, 30th April, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CULTIVATION OF OYSTERS.

(LEASES APPLIED FOR, &c.)

Ordered by the Legislative Assembly to be printed, 21 February, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 23rd January, 1884, That there be laid upon the Table of this House a Return showing,—

- “(1.) The number of applications that have been made to the Commissioners of Fisheries, for leases to lay or otherwise cultivate oysters, since the passing of the Fisheries Act Amendment Act of 1883.
- “(2.) The names of the applicants (if any), the lineal yards applied for by each applicant, the locality of each application, the date of each application, the decision of the Commissioners on each application, the number of leases which have been issued by the Government as recommended by the Commissioners.
- “(3.) The reasons for refusal of applications, where such have been refused.”

(Mr. O'Connor, for Mr. Griffiths.)

CULTIVATION OF OYSTERS.

No. 1.

174.

No. 2.

Applicant.	Area.	Locality.	Date of Application.	Action of the Commissioners of Fisheries.
William Ongley	2,000 yards	Manning River	10 May, 1883	Recommended for issue.
Do.	1,000 "	Shark Island, Port Jackson	10 "	Refused.
Thomas White	2,000 "	Manning River	10 "	Recommended for issue.
George Vere	1,700 "	do.	10 "	do.
William Ongley	4 acres	Kirribilli Point, Port Jackson	10 "	do.
Walter Black	200 yards	Yamba	7 "	do.
William Windsor	2,000 "	Karuah River, Port Stephens	9 "	do.
John Holdom	1,000 "	Port Stephens	12 "	do.
Frederick Swain	2,000 "	Manning River	16 "	do.
John Holdom	2,000 "	Port Stephens	11 "	do.
A. Comino	2,000 "	Manning River	10 "	Withdrawn.
Spiro Mackri	440 "	do.	10 "	Recommended for issue.
John Fisher	2,000 "	do.	10 "	do.
Jeremia Victor	2,000 "	Bermagui River	28 "	do.
Thomas Templeman	2,000 "	Clyde River	29 "	do.
William Templeman	2,000 "	Bateman's Bay	28 "	do.
Annie Calvert	2,000 "	(about) Hawkesbury River	21 "	do.
Do.	2,000 "	do.	21 "	do.
Henry Woodward	2,000 "	Wallis Lake	29 "	do.
Do.	1,000 "	Wallambi River	29 "	do.
Do.	2,000 "	Wallis Lake	29 "	do.
Do.	40 "	do.	29 "	do.
Do.	1,000 "	Junction, Wallambi River and Wallis Lake.	29 "	do.
Do.	2,000 "	Wallis Lake	29 "	do.
William Engel	2,000 "	Port Stephens	29 "	do.
James Evens	1,000 "	do.	29 "	do.
James Joass	1,000 "	do.	29 "	do.
William Engel	500 "	do.	29 "	Partially recommended.
Albert Emerson	2,000 "	George's River	4 June	Recommended for issue.
Do.	900 "	do.		do.
Do.	700 "	do.	4 June, 1883	do.
Demetrius Donnell	1,760 "	Wagonga River	1 "	do.
Hans Anderson	1,500 "	Hunter River	6 "	Withdrawn.
Fredk. J. Gibbins	1,650 "	do.	6 "	do.
William Harrison	749 "	do.	6 "	do.
Do.	535 "	do.	6 "	Awaiting plan of lease.
Samuel Garrard	300 "	Warrawillie Creek	11 "	Recommended for issue.
John Crumpton		On an island in the Hawkesbury River.	11 "	do.
James Stanbury	2,000 yards	Crookhaven River	12 "	do.
Percy Wakefield	500 "	Baronda Lake	30 April,	do.
Alexander Ross	600 "	Clarence River	15 June,	do.
Do.	600 "	do.	15 "	do.
H. S. Mudge	100 "	Gosford	20 "	do.
Richard Lloyd	2,000 "	Hawkesbury River	4 "	do.
Francis Syrow	200 "	Manning River	19 "	do.
John Hanley	100 "	Branch of Camden Haven River.	19 "	do.
Peter Melvey	400 "	Hawkesbury River	18 "	do.
Do.	200 "	do.	18 "	do.
James Thompson	1,000 "	do.	3 July,	do.
Isaac Jassenheim	2,000 "	(about) Comerang Bay	6 "	do.
Richard Baxter	1,000 "	Crookhaven River	6 "	do.
Joseph Asquith	1,000 "	Comerang Island	6 "	do.
William Baxter	1,000 "	Crookhaven River	6 "	do.
John Baxter	1,000 "	do.	6 "	do.
Thomas Baxter	1,000 "	do.	6 "	do.
John Constable	100 "	Moruya River	10 "	do.
John Severs	300 "	Broadwater	12 "	do.
Fredk. J. Gibbins	2,000 "	Hawkesbury River	16 "	do.
Alfred Rogers	500 "	do.	5 "	do.
William Harrison	743 "	Hunter River	16 "	do.
Fredk. J. Gibbins	1,605 "	do.	16 "	do.
Hans Anderson	1,498 "	do.	16 "	do.
Wm. Campbell	400 "	Jervis Bay	27 "	do.
John Antonio Bettini	1,000 "	Junction, Mogo Creek and Clyde River.	6 Aug.,	do.
Robert H. D. White	400 "	Karuah River, Port Stephens	13 "	do.
Do.	150 "	Port Stephens (Tahlee)	13 "	do.
C. F. Schmidt	200 "	Clyde River	11 "	do.
Francis Budds	300 "	do.	11 "	do.
George Haiser	1,000 "	do.	13 "	do.
James Cavanagh	600 "	do.	11 "	do.
John Milton	300 "	do.	15 "	do.
Edward Herborn	2,000 "	Port Stephens	15 "	do.
R. R. Armstrong	2,000 "	do.	15 "	do.
Henry Levien	2,000 "	do.	23 "	do.

Applicant.	Area.	Locality.	Date of Application.	Action of the Commissioners of Fisheries.
Harriott Muston	2,000 yards	Port Stephens	15 Aug., 1863.	Recommended for issue.
Edmund Thompson	2,000 "	do.	15 "	do.
Lawrens F. M. Armstrong	2,000 "	Middle Harbour, Port Jackson.	25 "	do.
Charles Bates	2,000 "	Port Stephens	27 "	do.
Rossiter Maldon	1,000 "	Broadwater, Pambula.	24 "	do.
William Muston	2,000 "	Middle Harbour, Port Jackson.	25 "	do.
Robert Latta	600 "	Clyde River	15 "	do.
Henry Bannister	1,400 "	do.	15 "	do.
Fredk. J. Gibbins	2,000 "	do.	15 "	do.
William Latta	1,200 "	do.	15 "	do.
Henry Engel	2,000 "	Port Stevens	4 Sept.,	do.
William Engel	2,000 "	do.	4 "	do.
Henry Engel	2,000 "	do.	4 "	do.
Alexander Engel	2,000 "	do.	4 "	do.
Francis Budds	100 "	Clyde River	1 "	do.
C. F. Schmidt	200 "	do.	1 "	do.
Richard R. Armstrong	1,500 "	Hawkesbury River	5 "	do.
John Cotton Walker	1,500 "	do.	5 "	do.
Richmond Thatcher	2,000 "	do.	5 "	do.
John Cotton Walker	2,000 "	do.	5 "	do.
R. C. Rose	2,000 "	do.	5 "	do.
James Hunt	2,000 "	do.	5 "	do.
E. Fenwick	2,000 "	do.	5 "	do.
W. G. Armstrong	2,000 "	do.	5 "	do.
Alexander Bowman	1,500 "	do.	5 "	do.
Henry Levien	2,000 "	do.	5 "	do.
Alexander Bowman	1,000 "	do.	5 "	do.
Joanna Bowman	2,000 "	do.	5 "	do.
B. O. Holtermann	1,500 "	do.	5 "	do.
Leila Alexa Bowman	1,000 "	do.	5 "	do.
John Cotton Walker	2,000 "	do.	5 "	do.
Henry Levien	1,500 "	do.	5 "	do.
Reginald C. F. Armstrong	2,000 "	Middle Harbour, Port Jackson.	15 "	do.
James Dent	500 "	Jervis Bay	10 "	do.
John Greer	100 "	Hawkesbury River	15 "	do.
Archibald Nicoll	300 "	do.	15 "	do.
William Muston	2,000 "	Middle Harbour, Port Jackson.	15 "	do.
R. C. Rose	2,000 "	Port Stephens	18 "	do.
L. J. Muston	2,000 "	do.	18 "	do.
Joseph Wilson	700 "	Hawkesbury River	28 "	do.
Francis Budds	400 "	Clyde River	27 "	do.
Do.	500 "	do.	27 "	do.
Joseph Wilson	2,000 "	Hawkesbury River	28 "	do.
W. Cain	300 "	Erina Creek, Gosford	1 Aug.,	do.
William Riley	100 "	Brisbane Water	15 Sept.,	do.
Frederick Schmitzer	220 "	Mitchell's Island	28 "	do.
Robert Emmett	2,000 "	Hawkesbury River	28 "	do.
Vincent Wm. Seymour	800 "	do.	15 Oct.,	do.
William Glover	500 "	Wonboyn River	17 Sept.,	do.
J. C. Walker	1,500 "	Hawkesbury River	26 "	do.
Richard R. Armstrong	400 "	Hunter River	16 Oct.,	do.
Leila Alexa Bowman	400 "	do.	16 "	do.
Joanna Bowman	400 "	do.	16 "	do.
Alexander Bowman	400 "	do.	16 "	do.
John Bird	400 "	do.	16 "	do.
Richard C. F. Armstrong	500 "	do.	16 "	do.
Laurens F. M. Armstrong	400 "	do.	16 "	do.
J. C. Walker	1,000 "	do.	16 "	do.
William Geo. Armstrong	1,200 "	do.	16 "	do.
J. Hunt	400 "	do.	16 "	do.
John Holdom	800 "	Port Stephens	29 "	do.
Samuel Holdom	800 "	do.	29 "	do.
John Milson	2,000 "	Hawkesbury River	27 "	do.
Do.	1,000 "	do.	27 "	do.
Do.	1,500 "	do.	27 "	do.
J. C. Walker	1,500 "	do.	6 Nov.,	do.
Do.	2,000 "	do.	6 "	do.
Nicholas G. Cusack	100 "	Clarence River	7 "	do.
B. O. Holtermann	2,000 "	Hawkesbury River	13 "	do.
Do.	2,000 "	do.	13 "	do.
Robert Emmett	500 "	do.	13 "	do.
Do.	500 "	do.	13 "	do.
H. A. Holtermann	1,000 "	do.	13 "	do.
Do.	2,000 "	do.	13 "	do.
B. O. Holtermann	2,000 "	do.	13 "	do.
Do.	2,000 "	do.	13 "	do.
Do.	2,000 "	do.	13 "	do.
Nicholas Buztic	1,000 "	Mundarlo Creek	19 "	do.
A. Patrech	1,000 "	Clyde River	19 "	do.
J. W. Dalyell	2,000 "	Hawkesbury River	16 Oct.,	do.
R. W. Levien	500 "	Hunter River	16 "	do.
Henry Woodward	1,000 "	Wallis Lake	21 Nov.,	do.
Do.	2,000 "	Hastings River	21 "	do.
W. H. Griffin	800 "	Port Stephens	5 "	do.
Thomas Templeman, junr.	400 "	Buckenboursa Creek	3 Dec.,	do.
David Quigly	400 "	Clyde River	3 "	do.
James Barclay	400 "	do.	26 Nov.,	do.
David Latta	600 "	do.	6 Dec.,	do.
Joseph Kennedy	900 "	Hawkesbury River	17 "	do.
Alexander Philp, senr.	100 "	Clarence River	8 Nov.,	do.

Applicant.	Area.	Locality.	Date of Application.	Action of the Commissioners of Fisheries.
Alexander Philp, junr.	100 yards	Clarence River.....	8 Nov., 1883	Recommended for issue.
James Barclay	200 "	Warrawilla Creek	1 Jan., 1884	do.
Edwin Cain	500 "	Darras Lake	5 " "	do.
Walter Foreman	800 "	Turoos Lake	22 " "	do.
John Smith	500 "	Karuah River, Port Stephens ...	29 May, 1883	do.
James Joass	1,000 "	do.	29 " "	do.
John Milson	1,900 "	Hawkesbury River.....	25 Oct., "	do.
Geo. Collingridge (for Burton Crossland).	1,000 "	do.	20 Dec., "	do.
Geo. Collingridge.....	800 "	do.	20 " "	do.

NOTE.—None of the leases have been issued.

No. 3.

William Ongley's application was refused, as it was considered by the Department of Mines that the leasing of the shore at Shark Island would interfere with quarantine arrangements.

No. 4.

The applications, save as above, have not been refused, but no action has been taken in approval of them, pending the question of royalty, which is now engaging the attention of Government.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

OYSTER CULTURE.

(PETITION OF APPLICANTS FOR LEASES.)

Received by the Legislative Assembly, 11 June, 1884.

To the Honorable the Speaker and the Legislative Assembly of New South Wales.

The Petition of the undersigned Applicants for Leases, with a view to oyster culture, in accordance with the provisions of the "Fisheries Act Amendment Act, 1883,"—

SHOWETH :—

That the 4th clause of the Bill amending said Act fixes future rentals of foreshores at 20s. per linear 100 yards and royalties at 3s. per three-bushel bag of oysters, which charges, your Petitioners respectfully submit, would be excessive and would not leave any margin of profit for those engaged in the undertaking. In proof of this we have the honor to lay before you the following approximate statement, showing the cost of producing and placing on the Sydney market each bag of cultivated oysters (neither rent nor royalty nor interest on outlay for plant, boats, gear, &c., being considered) :—

Firstly. There will be the work of cleansing the beds and foreshores, now covered with slime and various deposits, collecting and laying down spat, continuous supervision, collection and assortment of oysters for market, &c., involving outlay which may be set down at for each bag 2s. 6d.

Secondly. When assortment completed—charges for bag, cartage from beds to steamer, from steamer to store, freight and commission on sale, say for each bag, 6s. 6d.

(An oyster license may be required at £5 per annum.)

Your Petitioners respectfully submit that if a royalty of any amount is imposed it should only be on oysters taken from the natural beds.

Your Petitioners also respectfully direct your attention to the fact that (seeing the thoroughly exhausted state of all oyster reserves) in a proper course of oyster culture, begun under such unfavourable conditions, it may be two or three years before they can reap any benefit or have any return for their outlay.

It may also be reasonably expected that when the "Oyster Fisheries Act of 1884" shall have been some time in operation, the price of oysters (in view of the greatly increased supply from our rivers, helped by large importations from Queensland and New Zealand) will decline considerably, and that oysters will not then realize in Sydney more than from 12s. to 15s. per bag.

Your Petitioners therefore pray that your Honorable House, having due regard to the interests of intending lessees, and in order to afford them a fair chance of success in establishing this industry on a permanent basis, will reconsider your decision with regard to rent and royalty, and fix same at 10s. and 2s. respectively, or at such other reduced rates as to your Honorable House shall seem equitable.

And your Petitioners will ever pray.

Dated this 8th day of June, A.D. 1884.

[Here follow 22 signatures.]

1883-4.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT

OF THE

EXECUTIVE SECRETARY

ON THE

AMSTERDAM INTERNATIONAL EXHIBITION,

1883.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
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AMSTERDAM EXHIBITION OF 1883.

REPORT OF THE EXECUTIVE SECRETARY FOR THE COLONY OF NEW SOUTH WALES AT AMSTERDAM.

The Executive Secretary to The Colonial Secretary.

Sir,

Sydney, 14 July, 1884.

I have the honor to submit to you, and hope to obtain your approval for, the following report upon the completion of my duties as Executive Secretary for the Colony of New South Wales at the recent International, Intercolonial, and General Export Trade Exhibition which was held from May to November, 1883, at Amsterdam, under the high and distinguished patronage of His Majesty the King and the Government of the Netherlands.

It was on the 28th of February of last year that my appointment was notified to me by the Hon. the Agent-General, and a very few days only elapsed between my acceptance of same and the date on which I actually entered on my duties at Amsterdam, viz., 4th March.

The Exhibition was to open on the 1st of May, and when I had to begin the necessary preparations for the display of this Colony's exhibits within the building, scarcely any information had reached me as to the quantity and nature of the exhibits; all that I knew was that our exhibits were likely to be too few to fill up the space originally applied for. To a certain extent this foresight was somewhat justified by the event, although anything like bareness was carefully avoided, and I feel confident that, though Australian visitors might have said that the Colony was in a position to make a better show, yet the general public and the mass of the visitors were at all times most favourably impressed by the exhibits themselves, and by the accessory display and representations of the general resources and progress of the Colony.

All the instructions with which I was provided by the Honorable the Representative Commissioners were to exercise the greatest economy, to fit up the Court and display the exhibits in the most creditable manner to all concerned, and to have everything complete and in readiness for the opening day. As soon as I had decided upon the plan of the Court I made whatever contracts I could on the best terms possible, I choose my men, I stopped and worked with them, and thus the work was done in time, and well executed.

To secure successfully such results without, as I believe has been done, exceeding the credit granted by the Government, was a matter of more than ordinary difficulty, in one of the most expensive countries and cities of Europe. Old Holland, it must be stated, is far from offering by itself the same facilities as did New Holland a few years ago. Nature has in no way favoured the older country for the carrying out of work of any magnitude with quick despatch, although it must be said that people wonder at time there is not more delay, loss of time, and disappointments, in the actual state of affairs there.

The difficulties peculiar to the building of the Exhibition were that the ground itself had to be almost created in order to receive the many hundreds of thousands of piles upon which the buildings had to be erected; to make matters worse no railway, no tramway, not even a macadamized road, existed in the vicinity to be of assistance. The materials, and the exhibits, from the first day to the last, have had to be brought from the importing ship's side, or from a distant railway station, by water, upon canals running through the streets of cities and the paths of fields; they were laden upon old-fashioned, yet very handy boats, sometimes having to suffer several handlings, and even transhipments, owing to bridges having been constructed for the requirements of the country at a time when no one there had yet foreseen the powerful and transforming effects of International Exhibitions.

What was more again opposed to a rapid and cheap execution of the work was a great deficiency of willing, smart, and experienced workmen, and more especially of competent foremen to lead them. No doubt many people offered themselves for employment, but in a small country like Holland, where population is very limited, and generally occupied in seafaring or land farming, so would be limited the choice of skilled workmen, particularly for the work to be done, and at a time of great competition. No British workmen could be found in the place, but fortunately Belgian and French ultimately came in tolerable numbers. Last, but not least, bad, cold weather was experienced until a very late period. Three weeks before the opening day there were fully 2 feet of snow on the ground within the enclosure of the main building, and the wind and rain destroyed work almost as soon as it was completed.

I can assure you that I do not in the least exaggerate any of what I venture to call, for want of a better word, the difficulties which nature itself was pleased to add to the numerous others which most unfortunately surrounded the enterprise.

I should not do my duty if I did not mention here that the Colony was well assisted by Her Britannic Majesty's Consul at Amsterdam, J. Robinson, Esq., who, although under no instructions to do so, came of himself to place his services at the disposal of the Hon. the Agent-General as soon as he heard of the arrival in Amsterdam of Sir Saul Samuel, K.C.M.G., with myself. Until my departure for good from that city Mr. Robinson was at all times ready and willing to go even considerably out of his official path to assist me. The Colony is also under obligations to Sir Philip Cunliff Owen, Director of the South Kensington Museum, who, at the request of the Agent-General, let us have the use, free of all charges, of a number of glass show-cases. Sir Philip, at a later period, paid a visit to the N. S. Wales Court, and from the interest he manifested should certainly be regarded as one of the best friends of the Colony.

The reception accorded to N.S.W. Representatives in Holland has been most hearty and sympathetic, and in every way all that could be desired, so far as courteous attention and social intercourse were concerned.

I need hardly say that the best feelings of reciprocity were evinced, and that everyone connected with the work to be done had every resolution to do it as creditably and as energetically as was to be expected. Personally, I must say that I always experienced a ready disposition to serve the Colony, whenever coming in contact with the authorities of the Exhibition, while having the exercise of the executive powers, in the absence of any Executive Commissioner.

It may prove of interest to you, Sir, to receive from me the following information upon the origin and the organisation of the Amsterdam Exhibition. All programmes and other documents issued in Holland, in connection therewith, will be found annexed. (See Appendices No. 2 to 10.)

The project was originally started by the President and Members of the Amsterdam Chamber of Commerce, somewhat similarly to the manner in which the first International Exhibition of Australia was resolved upon by the Agricultural Society of N. S. Wales in 1878; but no sooner was this great, noble, and patriotic resolution adopted than difficulties of all kinds began to rise from quarters least expected. The constitution of the Organisation Committee being necessarily limited, all sorts of unfavourable and hostile comments from all parts of the Netherlands were excited against it. Either from want of faith in itself, or disbelief in the ultimate success, the mass of the Dutch people remained cold and indifferent; some went further, and even laughed at the spirited enterprise.

A general idea prevailed that such a small country as Holland was attempting too much, was trying to elevate itself too high, by the means of an International Exhibition, for competing with the rest of Europe, and of the World. It was said:—"How bold, if not heedless, on the part of diminutive old Holland, with its marshy soil, where neither stone nor metal is to be found, and perhaps worse endowed by nature than any other country, how daring to challenge other nations to compete in the field of industry with the Dutch people, within its quaint and antiquated capital!"

To this it was answered that "the invitation to be sent by Holland to the foreign nations had no such intention. Holland was to appear chiefly as a Colonial power, as the possessor of a large extent of territory far across the Indian Ocean, stored with all the treasures of the earth, and offering a large field to European enterprise. Holland had no desire to timidly conceal these riches, but was anxious to open them up to the gaze of other nations, in order that they might profit by them. Holland did not intend to keep as reserved hunting grounds her Indian territories, but to give the natives and the colonists the liberty of choice amongst the sources wherefrom to draw all that European trade might offer them, as such free-trade is the chief condition of the prosperity and progress of Colonies.

Holland was to say to all the other countries:—"Come and exhibit under my flag the treasures of your industry, not to beat me, not to disconcert me, or to be surpassed by me, but for the sake of my colonies, and of your own. Let the Exhibition be for all, for the Colonies in want of your manufactured goods, and for yourselves, who, in commercial connections with the Colonies, may thus find and secure an inexhaustible source of wealth."

Such was the idea of the promoters of the Amsterdam Exhibition. The difficulties that had to be conquered, the obstacles that would perhaps be met with, by reason of the peculiarities of the Dutch character, as regards a speedy execution of great enterprise, the open and secret counteracting to be fought against,—all was discussed, sifted, and searched, and the result was that the Chamber of Commerce remained firm to its first resolution, selecting Mons. Ed. Agostini as its Commissary-General, entrusting him with all administrative powers. Sub-committees were appointed, and a special one was formed, under the designation of Executive Committee.

Yet

Yet public opinion was so adverse, owing to the fear of failure, that in the many meetings subsequently held by the different Commissions, it often appeared as if only a few members firmly believed that their project would be carried out.

After a great deal of hesitation the situation became most critical, as the project had been published abroad, and to give it up at this juncture would have been a severe blow to the well-known and well-deserved reputation of the Dutch people for firmness of purpose, more especially when having to face a much more serious enemy.

The Government, it has been reported, went then so far as to give some hope of a substantial grant, together with that of its official patronage and concurrence, on condition that all necessary expenditure should be guaranteed by private gentlemen.

This guarantee was obtained, partly in Holland, but mostly in Belgium and other foreign parts; then it could be said that the Amsterdam Exhibition was fairly started.

The Municipality granted the free use of a very large space, on the outskirts of the city, and the Dutch Government, in August, 1881, felt itself justified in officially inviting, in the name of the Netherlands, the foreign nations to take part in the great World's Fair, to be held at Amsterdam in the year 1883.

His Majesty King William the Third, and the Ministers of the Government of the day, willingly granted their individual patronage and support, and the Governments of Europe began to notify their acceptance of the invitation. France asked not less than 12,000 square meters in the main building, not including the space required in the Machinery and Fine Arts annexes, or in the open ground, for herself and her Colonies; Belgium applied for 9,000 meters; and Germany for 8,000 meters.

Russia, Austria, Italy, Greece, Turkey, Spain, Switzerland, Denmark, Sweden, and Norway, subscribed also for large spaces. Then came the United States, Brazil, Uruguay, Haiti, Tunis, Transvaal, Egypt, Siam, China, and Japan; and with them all Great Britain, including the brightest jewels of the Colonial Empire, viz., Australia, Canada, British India, with numerous smaller constellations, occupying by themselves not less than 5,000 square meters.

There ought therefore to have been no further cause for anxiety or doubt as to the success of the affair, yet it seemed as if personal or party feelings or private rivalries would still try to jeopardise it until the last minute.

A change of Ministry took place, financial difficulties occurred, and the new Government, while still allowing its official patronage, did not endorse the previous Government alleged promise of more effective assistance; thus the whole risk and responsibility were thrown upon the private society.

The Exhibition was then represented again by its adversaries as being no longer a national affair in any degree, but a private speculation, undeserving of sympathy and support, as being the work of foreign capitalists.

Not less than 10,000 exhibitors had already agreed to meet at Amsterdam, and the Representatives of Foreign Nations were beginning to arrive in the city. Such a state of public feeling as that indicated might have been enough to shake their confidence in the ultimate success of the affair.

The Guarantee Society felt obliged to resort to all means of financial and business arrangements to alleviate the heavy risks thrown upon it, which were really of immense magnitude; but in this again they were thwarted, as every exhibitor objected to be compelled to pay for what was to be given free, or almost free, and insisted upon being let absolutely independent in the choice of the various contractors whose services might be required.

Indeed, great credit is due to those citizens of Amsterdam who were at the head of the Executive Committee, and to their Commissary-General, for having remained firm to the last, and not having shrunk from their post.

It may be said that at one time the Representatives of the Foreign Governments, while deeply regretting the state of affairs, and the private interest in conflict, were the people in Amsterdam who sympathised the most with the Dutch Executive Committee, and supported them in their endeavours to do well.

It was then that one of the New South Wales Representative Commissioners, the Hon. Thos. Holt, M.L.C., arriving in Amsterdam, thought proper, in the interest of the Colony, to severely remonstrate with the Dutch Committee on the want experienced in Holland by the New South Wales Commission of the many facilities given by other countries at their previous respective International Exhibitions.

By degrees the other Foreign Representatives and Executive Officers, sent to the Exhibition by their respective Governments, felt the want of being united, to better resist the new claims and pretensions constantly brought forward, and with, nevertheless, the unanimous desire to work as much in harmony as possible, and

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on conciliatory terms with the Dutch Executive Committee, they formed themselves for the purpose into a Special Committee, under the Presidency and Vice-Presidency of the French and Spanish Commissioners respectively,—the Belgian Commissary-General and the New South Wales Executive Secretary being elected joint Secretaries.

It was in the midst of these complications and head-wind sailings that the exhibitors were at work with their exhibits, and the opening day was fast approaching. It required, on the part of all who came in contact with each other, a great deal of tact and diplomacy and constant mutual concessions and goodwill; whilst, little by little, the population of the rich and historic city of Amsterdam, already feeling the immense benefits to be derived from it, became reconciled to the idea, as the successful event began to appear as a near certainty.

So far as New South Wales was concerned our exhibits had arrived and been landed within the building without having suffered too much, according to external appearances; on the other hand our Court was quickly reaching completion through being put from the first in the hands of competent working men.

On the opening day I had the satisfaction to receive the compliments of the Hon. the Agent-General and subsequently of the Hon. Thos. Holt and other Representative Commissioners of New South Wales, upon the general flattering, tidy, and forward appearance of the Court. Our immediate neighbours were, on the front side, Belgium, which scored nothing short of a triumph, and on the rear the junior Colony of Victoria, in whose favour the Hon. the Agent-General had agreed to part with some of the ground originally allotted to us, so that Victorian exhibits might also appear in the central avenue, an advantageous position which they would not have enjoyed but for our consent.

A few details as to the New South Wales Court may not be here out of place.

The main building of the Exhibition, the entrance to which was the reproduction of an East Indian palace, was a very long nave, most unequally divided amongst the various competitive nations, the first section being occupied by the Netherlands Court, immediately followed by Belgium. These two Courts were, on the opening day, almost completed. The next or third division of the main building was occupied in the centre by the two leading Australian Colonies—New South Wales being first when coming through the main entrance by the central avenue, the sister Colony of Victoria being next behind.

The space occupied by New South Wales was 600 square meters, or about 6,000 feet, divided as follows:—

In the central avenue	240 meters.
On the left side	300 „
On the right side	60 „

whilst Victoria covered an area not exceeding 400 square meters, 150 of which were in the central avenue.

The New South Wales Court was between Belgium on one side, Victoria on the other. The neighbours on each end in the other directions were the Crown Colonies of the British Empire and the Kingdom of Siam, with numerous small European and American States filling up the gallery on the left; while Persia was on our right, an English refreshment-room being between both.

The central part of the New South Wales Court was decorated by an archway, the base of which consisted of a quantity of exhibits from the Sydney Meat Preserving Company, the pillars on both sides being joined together by garlands of vine-leaves and grapes, and supported by gilded sheep's heads; at the top, being coats-of-arms of New South Wales, of England, and of the city of Amsterdam. From the roof hung several banners of various shapes, with the words "New Holland, New South Wales," in English and Dutch.

The samples of wools, in bales, were exhibited immediately in front of the archway, whilst on each side were the show-cases sent from the Colony, with their respective exhibits of wools. Close to these, at each corner, were two pyramids of tin and copper ingots, standing upon a high wooden pedestal, besides a quantity of large shale or kerosene blocks.

Round the bales of wool, upon which stood a photographic view of Messrs. Trebeck's new wool stores, trophies had been made with exhibits of timber, some standing up, some being laid flat in the shape of a table.

On the left side of the main section was a large square glass-case, in the lower part of which were lodged exhibits of tobacco, small specimens of Colonial timber, and ground bark. In the upper part were exhibited the account books, &c., sent by the Government Printer's Department.

On a line parallel to the show-case just described was to be found another one similar in every respect, in the lower part of which were exhibited a quantity of our best cereals, the upper part containing tanned skins, furs, and Colonial hosiery.

At

At the back of the archway there was a partition running the whole width, between New South Wales and Victoria; on this partition were shown the matting and mats exhibited by the Darlinghurst Department.

A space was reserved under the archway for a group of Australian birds, kangaroos, &c.

On the right side of the New South Wales central section there was a small portion of the Court, measuring 60 square meters, in which were exhibited exclusively the alimentary products, animal and vegetable exhibits, samples of Colonial manufactures, leathers, skins, whip-thongs, horse-shoes, brooms, port-manteaux, &c. Glac, gum accroides, maize, flour, wheat, cordials, and confectionery occupied a prominent place, next to the stand of the Meat Preserving Company and to the wine and glass case of Mr. J. Wyndham.

Our Colonial wines were also exhibited in a manner calculated to attract the attention of visitors; a small room had been reserved for tasting samples, &c., and against the side facing the main avenue had been fixed a painting representing the entrance to a wine-cellar, with appropriate ornamentation.

On the left side of the New South Wales central section there was a long portion of the Court, measuring 300 square meters, the entrance being from the main avenue; this was reserved to exhibits from the Fine Arts and Education Departments, also to those of the Survey Department, and to specimens of Natural History. The Mining Department occupied the whole centre of that portion of the Court, and was arranged strictly in accordance with the plan sent from Sydney. On one side were hung maps of the Colony, diagrams of coal-mines, &c.; and, on the other, a collection of photographs, sent by the Government Printer, the New South Wales Commissioners, and other exhibitors.

The books received from Sydney were exhibited in two book-cases, made for the purpose, and standing on each side of the entrance to the office of the Government Commission, which occupied the end of that portion of the Court. The Ethnological collections had been artistically displayed on pillars situated at the limits of the left section, fronting the central avenue. The garden chair sent by Mr. G. Fitté was placed also in the same prominent position, and these last-mentioned exhibits proved very attractive.

From the first day the New South Wales Court was in perfect order, although not complete, and its appearance seemed to give general satisfaction. The whole of our exhibits had not yet reached the Exhibition building; but those expected per s.s. "Parramatta" were to be soon delivered and unpacked, and contribute to complete and fill up our space.

The important position of the Colony in the central avenue of the building, next to the splendid Court of Belgium, and close to those of England, Spain, Austria, and France, had made it absolutely necessary to go to more expense than would have been the case, if we had not been so prominently situated. I endeavoured to do the work entrusted to me as economically as possible, yet in every way worthy of the Colony; and as our exhibits were mostly of raw materials, I felt that a modest and unpretentious appearance of quiet colours and simplicity of architecture was all that ought to be expected; the New South Wales Court thus made a very favourable impression. The ceiling consisted of the Colonial white ensign, with the British Union Jack in the centre, and on the two sides were trophies of British, Dutch, and Colonial flags, united together by large pictures of the Royal Coat-of-Arms. Seats were provided about the Court for the use of the public. On numerous large boards were displayed particulars upon the importance of Colonial export and import trades, with leading countries, the number of newspapers, of schools, &c., existing in the colony, the extent of our pastoral and agricultural resources, the quantity of wool, sheep, cattle, the number of acres planted in vineyards, &c., our wealth in minerals, and the facilities offered to immigration.

In addition to this description I have the honor to enclose herewith, for your information, a general plan of the Exhibition, showing the exact position of the New South Wales Court, also five photographic views showing the various parts of our Court from different points. You will perhaps deem it proper to have these views reproduced with this report, and I hope, come to the conclusion that there has been no ground to complain. No doubt the expenses of fitting and decorating were comparatively high, but I must say that it could not be helped, considering that Belgium was spending no less than £25,000 for the decoration of its Court only, not including the expenditure of private exhibitors; while on the other side, Victoria, having to contend against the narrowness of its ground, was constantly on the alert for any advantage, however small, it could possibly take against us. I may further assert in all modesty that amongst the various British sections, the two most particularly successful in retaining visitors were New South Wales and British India. The Colonial Government and the Sydney Commission may feel assured that everything was done from first to last by myself, within my sphere, so that there would be no cause whatever to regret the time, the labour, and the money bestowed by the Colony upon the Exhibition at Amsterdam.

On the opening day their Majesties the King and Queen of the Netherlands, with their suite, honoured the New South Wales Court with a very lengthy visit, the longest by far they certainly did pay to any Foreign Court on that State occasion. Their Majesties were received by the Hon. Sir Saul Samuel, K.C.M.G., whom

whom I assisted in taking the Royal visitors through every part of the Court, calling their attention on such objects likely to prove of interest to them. His Majesty the King had on that day a very long conversation with Sir Saul, within our Court, with respect to the participation of the Colony in the Exhibition and upon its general resources, mentioning the fact that he always read with interest the Consular reports he used to receive from Australia.

Numerous and flattering remarks were made by both their Majesties while passing through. Messrs. J. Want and Henniker Heaton, Representative Commissioners of the Colony, were present and introduced to their Majesties, and most effectively assisted in giving them a fit and proper reception.

At subsequent dates the King and the Queen visited several times again the Amsterdam Exhibition but in a more private manner.

During the Exhibition the New South Wales Court has also been visited by numbers of distinguished foreign personages and high officials, amongst whom should be named their Royal Highness Admiral Prince Albreicht of Prussia, the late Prince Leopold Duke of Albany, and the Crown Prince of Portugal; also by their Majesties the King and the Queen of Belgium, His Excellency the Chinese Ambassador at Berlin, &c., &c.

On all these occasions I was present and attended on our high visitors, retaining them as long as circumstances could permit, neglecting nothing which could in any way impress them favourably; full particulars of these Royal visits have been at the time given to the Honorable the Agent-General in London, and, I understand, subsequently transmitted to your Department in the usual course.

The Governments of France, Belgium, Italy, Austria, and Germany sent Special Commissioners to report amongst others upon the New South Wales Court. I provided these gentlemen with all the official publications they did desire, independently of every information a stay of twelve years in the Colony enabled me to give them personally.

The following Representative Commissioners and other gentlemen of this Colony did also visit the Amsterdam Exhibition, viz.:—Dr. G. J. Tucker; W. Clarke, Esq.; J. Dymock, Esq.; — Meyerfeld, Esq.; Charles Moore, Esq.; O. Langtree, Esq.; Van der Eb, Vice-Consul in Sydney for the Netherlands; F. Fulton, Esq., of Dunedin; C. Darley, Esq., of the Harbours and Rivers Department; and others. A number of gentlemen from the sister Colonies, amongst whom the Hon. Murray Smith, Agent-General for Victoria, the Honorable — M'Bain, and Sir Samuel Wilson, Representative Commissioners, &c., paid occasional visits to the New South Wales Court.

Although the Exhibition was opened on the 1st of May it was not really completed until the latter part of June, when the annexed galleries reserved for Machinery and for the Fine Arts collections were then thrown open to the public.

In the meantime the number of visitors was daily increasing, and as numerous and great facilities were given to people living at a distance by the various railways and steamboat companies, even in surrounding foreign countries, such as Germany, Belgium, France, and even England, the interest of the general public was very well kept. Indeed throughout the six months it may be said that the general daily attendance varied from 6,000 to 12,000 persons.

The pamphlets upon the resources of the Colony, together with statistical tables, printed by authority of the Commission of Sydney, and translated into French, Dutch, German, and Spanish, and a number of the French and English editions of "New South Wales in 1881," were freely distributed to all visitors who accepted them, and often asked for extra copies with marks of undoubted interest; indeed, I thought at one time that I would get short of Dutch, German, and French pamphlets. I had also obtained special authority to have a map of the Colony printed to the extent of 5,000 copies for distribution at Amsterdam.

I should mention here that Dr. G. J. Tucker, M.D., in his capacity of New South Wales Representative Commissioner, had a small *brochure*, called "Facts upon New South Wales," compiled and printed at his own expense for free distribution. It may be reckoned that no less than 45,000 documents or books of information upon the Colony have thus been disposed of, allowing for the supply of those printed in English, a portion of which has been returned to the Agent-General in London at the close of the Amsterdam Exhibition.

Dr. Tucker made several long stays in Amsterdam, and took special pains to bring the Colony into favourable notice, and to otherwise assist me in the representation of its interests.

Mr. Dymock, when in Holland, visited the districts more especially connected with the dairy farming industry, and entertained some members of the jury; whilst Mr. C. Darley paid frequent visits to the hydraulic and other remarkable waterworks of the country.

The Hon. Thomas Holt, M.L.C., at a late period of the Exhibition, officially invited a number of jurymen and other gentlemen of Amsterdam to a banquet.

The Press of Holland and that of the various European countries was constantly and warmly praising the Amsterdam Exhibition, and in several instances I had brought under my notice very favourable comments upon the share taken by Australia, and New South Wales in particular.

During the whole length of the Exhibition numerous attentions were received by me in my official capacity from the Governmental and Municipal authorities of the place, also from the various Foreign Commissions, and from the Dutch Executive Committee, to the members of which, and especially Mr. Wertheim, Vice-President—Pels, President of the Colonial Section—Ed. Agostini, Commissary-General—and Van Dhuyt, Chairman of the Press Committee,—the Colony is indebted for many acts of kindness and courtesies.

As, however, time was passing on, the constitution of the various Juries had to be taken in hand, and new complications again arose.

With respect to those countries, not being Sovereign States, but simply Colonics, it had been considered proper to attribute the appointment of Jurymen for them to the respective Metropolitan Governments only, thus depriving New South Wales in particular of what I considered as a certain right.

I took the lead in representing energetically to the Dutch Executive Committee that the Colony was participating in the Exhibition in its own name, under its own responsibility, at its own risk, and with its own means, and that therefore our individuality should not be merged in a larger agglomeration of various Colonies from different parts of the world, or having, in some cases, opposed interests.

I formally asked that, either as a right or as a courtesy, New South Wales interests should be placed on the same footing as those of independent countries, far less important indeed, and that the Representatives of the Colony be invited to elect such gentlemen as they might choose, in due proportion, to watch and defend their interests in the meetings of the Jury.

In my opinion it was not merely a satisfaction for the self-esteem or a superficial concession to the importance of the Colony that I desired, but also most particularly an effective means of providing against any event which could result in proper justice or attention not being paid to our exhibits.

The point was not obtained at once, but I eventually succeeded, with the support of the Hon. the Agent-General, of other Representative Commissioners, and of the Executive Officers of various countries situated like ourselves.

A number of meetings of the Colonial section of the Executive Committee took place, at which the numbers of Jurymen to be elected by each Colony having self-government was decided upon, and a re-partition of same duly made of a common accord.

I put myself at once in communication with the most honorable and competent men from Holland, France, and Belgium likely to accept the onerous position of Jurors on our behalf, and not already selected by the Dutch Committee.

I thought that, considering the purpose of the Exhibition, it was advisable to have as many Continental men as possible, especially from those countries where we may expect to establish business connection, with a view to secure their subsequent co-operation and their good reports amongst their own people in any future endeavours to open a direct trade with the Continent. I received on that account the subsequent and special approval of the Hon. the Agent-General.

The Hon. Thos. Holt having however returned to Amsterdam, modified to some extent the list prepared by me, by adding or substituting the names of several gentlemen of Amsterdam. (*Appendix No. 11.*)

The lists of members of the Jury were submitted by the Dutch Executive Committee to the Government, H.M. the King having reserved to himself the appointment of the President of the International Jury.

Mons. le Chevalier Hartsen, State Councillor, a gentleman of high standing in Holland, was chosen for that distinguished position, and it will be agreeable to you to know that, as the representative of the Colony, I received from him at all times the most obliging and courteous attentions.

The names of the members of the Jury were no sooner gazetted than they immediately organized themselves in sections and sub-sections for the better and quicker discharge of their duties.

The Jury was divided in Juries of classes, subdivided themselves in sections, whose mission was to adjudicate in the first instance and report to a Jury of Group, constituted with the Jury of all the classes included in any one Group. The Jury of Group acted, in its turn, as a Jury of Revision and Appeal.

Above this Jury of Group the Government regulations had instituted a Superior Council, presided over by the President of the Jury, and including all the Presidents of the Juries of Groups, the permanent officers of the Foreign Governments at the Exhibition, and a number of members of the Organization and Executive Committees, with the Dutch Commissary-General. I may here state that the President of the Jury did

did

did me the honor to appoint me as special reporter to the Superior Council upon the work of the Group II, the members of which had been pleased to elect me as Secretary. At a general meeting of the Superior Council the President complimented me in a special manner on the way in which I had discharged the duties he had entrusted to me.

The work of the Jury consisted more to examine every exhibit and decide upon it according to its intrinsic merits, rather than to compare each exhibit with similar produces, and only allowing an award to the most excellent of any specified quantity. This, to a certain extent, must account for the great number of awards granted at the Amsterdam Exhibition, although on reference to the Melbourne International Exhibition, for instance, it will be remarked that the present number has nothing excessive.

It was also decided by the Dutch Executive Committee that there should be no competition of exhibits of the Intercolonial section with those of the Export trade or European divisions.

From the very first day of meeting of the Jurymen I provided everyone of them with copies of our Catalogue and such other additional information as I could with respect to our exhibits.

The Catalogue prepared in Sydney not having been arranged in accordance with the programme of the Dutch Committee, it became necessary to have a catalogue printed again on the basis required, and a copy of same is annexed to this Report, together with one of the catalogues established in Sydney.

I presume it is my duty to give here a few remarks upon the various exhibits sent by New South Wales, and I purpose doing so now, following the order adopted by the Dutch Government and Executive Committee.

I made it my strict duty to be present at all the meetings of the Jury, whenever the interests of the New South Wales exhibitors were under consideration, and you may feel certain that nothing was neglected by me which could bring our Colonial exhibits under the most favourable notice of the Jurors.

I received every Jury personally and presented them with as much and many samples of the exhibits they could desire, whenever possible. I called the attention of the Jurymen to the notes and remarks accompanying the goods, and otherwise furnished them with the fullest information which could be of any use or service, not only in view of the exhibition work but also of future business connection, as the Colony may reasonably expect to get in due course.

The New South Wales exhibits, sent by 180 exhibitors and comprising as many as 325 various samples, some of these formed of several hundreds particles were divided between the three first groups of the official programme.

The total number of awards obtained by New South Wales has been 146, viz. :—

- 4 diplomas of honor.
- 24 gold medals.
- 51 silver medals.
- 38 bronze medals.
- 29 honorable mentions.

The first group comprised the following seven subdivisions :—

“Physical conformation of the Colonies and possessions of European States out of Europe.”

“1st Class.—Geography, atlas, charts, plans, &c.”

In that class the exhibits of the Surveyor-General's Department were the objects of very favourable comments on the part of the Jury, and in his report Mons. Maunoir, an official of the French War Department, and Secretary-General to the Paris Society of Geography, expressed the opinion that for precision of lines and clearness of drafting these maps were to be classed amongst the best to be found in the whole Exhibition; the award granted by the Jury has been, however, limited to a silver medal, because the exhibits bore the mention that they had already been exhibited at the Paris Exhibition of 1878, and on that account could not be admitted by the Regulations on the same footing as work done purposely for the Amsterdam Exhibition, or not having received previously any award.

“2nd Class.—Meteorology and terrestrial magnetism, charts, tables, and graphical diagrams.”

The numerous publications issued by the Government Printing Office, but bearing the name of H. C. Russell, Esq., the Government Astronomer, whose name and that of Professor Liversidge, were evidently quite familiar to foreign members of the Jury, were considered as creditable to a very high degree, and well worthy of countries with more pretensions to occupy a leading rank amongst the foremost of the world. The President of the class, Mr. E. Fuchs, Ingénieur-en-Chef of the Mining Department of France, spoke in very high terms of the works referred to, and a diploma of honour, the highest reward which the Jury could grant, was awarded to the author, Mr. Russell. I should mention here that this award did not in any way affect the exhibits, as books exhibited by the Government Printing Office, in which character they were reported upon and rewarded under a different classification.

“3rd

"3rd Class.—Scenes by means of painting, drawings, photographs, &c."

In this class we had six exhibitors, including the Government Printing Office, to whom a silver medal was attributed for photographic views of New South Wales and Sydney.

Mr. Holtermann's panoramic view of Sydney and Port Jackson was much appreciated, and would have received a gold medal had the specimen sent by him been in a new and good condition; as it was the Jury limited its award to a similar medal also, as well as for Mr. Paine's collection.

"4th Class.—Natural history, geology, and mineralogy."

The exhibits of the Department of Mines, and of Mr. Isaacsohn in that class, were, in the opinion of the Jury, the best of the sort amongst the Foreign Courts, and the two highest awards were granted, viz., a diploma of honor to the Minister for Mines, and a gold medal to Mr. Isaacsohn.

During the Exhibition both these collections, including respectively 400 and 500 specimens of minerals, crystallized quartz, and fossils, proved great attractions to men of science and others, and they received a special attention from Belgian and German visitors. Both had been displayed in strict accordance with the instructions of C. S. Wilkinson, Esq., as will be seen on reference to the photographs of that portion of our court.

At the close of the Exhibition I suggested to the Hon. the Agent-General that the collection of the Department should be presented to the Belgian Government, as I have a firm belief that the Colony has every reason to expect special attention from that country, where there is actually a current very favourable to the establishment of frequent and close relations with us. Sir Saul Samuel acted upon my report, and I have since been informed that the collection was placed in the Commercial Museum of Antwerp, a better place than which could not be desired.

In that same class three silver medals were awarded individually to C. S. Wilkinson, Esq., for his "Notes on Geology"; to J. Mackenzie, Esq., Examiner of Coal-fields, for the Diagrams of the New South Wales Coal-mines, drawn by him or under his supervision; and to Professor Liversidge, for his description of New South Wales minerals.

"5th Class.—Plants (live and dried plants), pictures, and description of flora."

The work of Mr. Fitzgerald, on *Australian Orchids*, exhibited by the Government Printing Office, was naturally entered by me in that class, and as much for its perfect execution as for its compilation was awarded a gold medal by the jury.

The award thus granted should be of so much more value that the jury of the class was composed of very competent gentlemen from Holland, France, and Spain, who would have been glad to obtain copies of the work, if available, as being of very great interest to the science of botany. I could not, however, dispose of it in favour of any of them, the instructions from the Department being to return same to Sydney.

Miss Annie Bennett exhibited in that same class a collection of the natural grasses of the Colony, which were sent to Amsterdam in a box, but which I had properly displayed in two albums, and for which she received a silver medal. These albums have been left in the office of the Hon. the Agent-General in London as specimens of the natural production and fodder plants of New South Wales.

"6th Class.—Animals: stuffed and otherwise preserved, pictures and descriptions of fauna."

The Jury of that class was presided by Mr. Van Musschenbroek, late Deputy-Governor of Java, and a gentleman of scientific attainments, who paid a visit to our Colony a few years ago, and published several reports on the Natural History of various countries. This Jury included further the Director of the Zoological Gardens of Amsterdam, one of the best in Europe, and the Directors of the Colonial Museum of Paris and Saigon.

The Colony obtained two gold medals, one of which for the fishes sent by the Sydney Commission, and the second for the work of Mr. Tennison-Wood, upon "The Fishes and Fisheries of New South Wales."

Mr. Kreff's book on "The Snakes of Australia" was awarded a silver medal, and Mr. Bray's small collection of parrots, which reached Amsterdam in a much damaged state, only received a bronze medal, notwithstanding its having been refitted before being examined by the Jury.

"7th Class.—Anthropology: descriptions and pictures, casts, skulls, preserved heads."

Our only exhibit in that class was a collection of photographs of aborigines sent by the Sydney Commission, and for which a gold medal was readily granted; those photographs, taken by Mr. Lindt, were the only one of their kind in the Exhibition, and I received many applications for them, but the Commission had decided to have these sent to Calcutta. Amongst the applicants was the Prince Roland Bonaparte, who takes great interest in ethnography, and has started in Paris a private Colonial Museum.

Group II, under the title of "*Native Populations*," included six classes with many subdivisions; the Colony had exhibits in four only of these classes, as follows:—

"10th Class.—*Means of subsistence of the Aborigines, sport and fisheries, apparatus, and instruments.*"

The only exhibit of our own was the collection sent by Miss Mary E. Bundock, including water baskets and fishing-lines, for which a silver medal was awarded by the Jury. This collection has been, at the end of the Exhibition, disposed of in favour of the Royal Ethnological Museum of Stockholm.

"12th Class.—*Religious rites of Aborigines.*"

The Jury granted a silver medal for Mr. Ridley's work, exhibited by the Government Printing Office, under the title of "*Kamilaroi, or Australian Languages*," containing reports upon many traditions and customs of the Australian Aborigines.

The Group's Jury regretted at the same time that Australia did not exhibit more largely in connection with the ethnography of this Continent.

"13th Class.—*Aborigines' weapons, arms, and means of attack and defence.*"

The Colony counted only two exhibits of that description, but both of great value and interest.

The magnificent and rich collection of Allaster E. Cox, Esq., which was displayed on the front pillars of our court, in the central avenue, was unequalled by any other in the Exhibition, even in the Java Court. The Jury awarded it a gold medal.

The other collection, belonging to Mr. E. G. W. Palmer, was also duly appreciated, but owing to its sameness and less striking appearance, as it consisted almost entirely of boomerangs and waddies, which, however, could not be again easily procured now-a-day, the Jury did not think they could give it a higher award than a bronze medal.

This collection was subsequently applied for by the Royal Museum of Stockholm, to which institution you have been pleased to direct, upon my report, that it should be presented in the name of the Colony.

Group III, the most important for the Colonial section, was composed of eight classes, in six of which the Colony was represented by very numerous exhibits, viz.:—"Classes 15th, 17th, 19th, 20th. *Colonial systems—their applications and results, laws and rules principally relating to administration and justice, books on Colonial policy and economy.*"

"*Public works—Descriptions, plans, projects, models, designs, &c.*"

"*Commerce and Navigation—Communications by land and water, general statistics, report upon public finances, and institutions of commerce and credit.*"

I submitted to the Juries of these several classes, under their respective headings, about twenty official and other publications sent from the Government Printing Office. A gold medal was awarded to the Colonial Government for that collection, with a special gold medal to C. A. Goodchap, Esq., for his reports upon the Railway system of the Colony and yearly statistics.

Silver medals also were given to E. G. Ward, Esq., Registrar-General; to J. Barnet, Esq., Colonial Architect, for the public buildings of the Colony, as judged from the exhibited photos; to E. O. Moriarty, Esq., Chief Engineer of Harbours and Rivers Department; and W. Clarke, Esq., C.E., for reports upon the Sydney drainage and water supply, and for Sydney and Newcastle Harbour works. In a country like Holland any work referring to hydraulics or water services is sure to find much appreciation, and I have had to promise that in future the Colonial Government should provide his own documents to the Water Department of the Netherlands, which constitutes in that country one of the principal branches of the Public Service, under the special immediate direction of a Minister, assisted by a large staff, including some of the most eminent engineers of Europe.

"20th Class," under the heading of "*Agriculture and Industry*," included every branch of Colonial trade and production, and was divided into sections, upon which I have the honor to report as follows:—

"In Section F—*Agricultural products, samples of alimentary products, vegetal order*," were exhibited, the oats, wheats, maize, barley, peas, and rye sent from the various parts of New South Wales.

The highest awards granted have been two gold medals—one for the P. A. H. Society of Albury, for the whole of their exhibits, and the other to Mr. D. Jack, of Inverell, for the fine quality of his wheat.

In addition to these, 3 silvers and 1 bronze medals, and 5 honorable mentions, were secured by the Colony, being a total of eleven awards amongst twenty-seven exhibitors, having sent as many as seventy-one samples.

The wheats and oats had reached the Exhibition in very good order, but the maize and the rye were hardly in a fit condition to be shown, owing to the ravages of insects. It is, in fact, most surprising that all of our cereals did not more suffer than they did, considering the careless way in which the exhibitors remitted them for shipment.

Nevertheless the rural visitors of Holland, Germany, and Belgium (who visited our Court in large numbers), used to congregate in crowds in front of these special exhibits, and the notices given by some of our people with respect to the productive power of their land, together with the fine appearance of the exhibits, were commented upon in most expressive and congratulatory terms.

It was especially from that class of visitors that I endeavoured to fix the attention upon the advantages offered by the Colony for their immigration. I believe I succeeded in provoking much interest, but it could hardly be expected that these people should make up their mind at once to start for Australia. I had to content myself with their assurance that they would think over the matter and communicate again. I am in a position to say that much subsequent inquiries have been made from emigration offices in Antwerp as to the best means of coming over to Australia, in consequence of which I have had to send very large numbers of the pamphlets prepared by the Commission, and of the special information for immigrants issued by the Agent-General's Department.

In another part of this report I will refer again to this question of immigration.

The exhibits of honey sent from Sydney had been so imperfectly packed that they could not in any way be appreciated on their arrival in Amsterdam. The beeswax was, however, favourably judged, although the sample was a very small one.

Section F included again "*Industrial products of the vegetal order, such as gum aceroids, lark, and tobacco,*" none of which, however, received much appreciation from the Jury.

There certainly could be a certain yearly exportation of gum aceroids, but the species of tobacco exhibited were reported upon as not of very good quality. The Jury of that class was a very competent one, as was to be expected in Holland, and they expressed the opinion that these species, which they judged to be of Virginia, U.S., were not the best adapted to the soil and climate of New South Wales. They appeared to think that plants should be imported here from Java or from the Philippine Islands for cultivation. I must, however, add that the tobacco leaves sent to our Court had evidently suffered from dampness for some time, and therefore did not appear under their most favourable light. I am glad to say, nevertheless, that one of these exhibits, the owner of which (Mr. Sutton, of Sydney) visited the Amsterdam Exhibition, on being re-shipped to Calcutta had so far recovered that it obtained there a higher award.

Amongst the industrial produces of the animal order we had to show two exhibits of silk and silk worms, and a large quantity of wools.

The jury looked very favourably upon our silk exhibits, and, in their opinion, the production of silk ought to become one of the leading industries of the Colony. I visited since, in the south of France, some silk-worm rearing establishments, and brought back with me, upon sericulture, several reports, which I intend presenting to the Technological Museum.

With respect to our Wools I deeply regret to say that circumstances had been against our exhibitors for the season previous to the shipment of the exhibits, so that the Colony did not appear with its usual advantages—a fact which was even admitted by the Sydney Commission, and referred to in a foot-note of the official catalogue sent from Sydney.

I regret to say, also, that the Wool Jury at Amsterdam turned out to be the most irregular of all; to such an extent that no correct meeting of its members did actually take place. It is thus that the gentleman selected especially by the Hon. Thos. Holt to take the interests of the New South Wales growers, was unable to attend, and that the work of other members was done by delegation through some persons not on the Jury's list. G. C. Levey, Esq., Executive Commissioner for Victoria, acted as Chairman and reporter of the wool jury, and, as you may have been informed at the time by my previous reports to the Hon. the Agent-General, considerable dissatisfaction was the result of the verdict on our wools. I insisted upon revision being made of the first awards, and, to a certain extent, the Colony obtained some redress. Advantage was certainly taken against us of the foot-note signed by Trebeck, Esq., and inserted in our catalogue; and there is no doubt that it rendered it very difficult for anyone to appear dissatisfied with the final awards.

It is my duty to mention here that on this particular subject, as well as in every other, I met with the strongest support from the Hon. Sir Saul Samuel, and from Dr. G. J. Tucker, who, as Representative Commissioners, happened to be in Amsterdam at the time this vexed wool question was brought up.

Although New South Wales did not secure as many high awards for his wools at Amsterdam as did Victoria it is not in any way to be apprehended that any ill-result is to follow, as their market value is well established on all European markets.

The

The Colony had in that section twenty-five exhibitors, whose exhibits received each a special award, or rather classification, the highest diploma of honor being granted to Hon. G. H. Cox, of Mudgee, whilst two gold medals were given, one to Mr. H. C. White, of Havilah, Mudgee, and the other to Mr. Jas. B. Bettington, of Merriwa.

A complete list of the wool awards will be found in the Appendix.

There is no doubt that a large importation of New South Wales wools could take place, and does actually take place in Holland; this trade is done at the present time, *via* London and Antwerp, and when done *via* Antwerp direct, is as direct as can be with Holland, whose wool manufacturing districts are precisely on that border of Holland and Belgium, more even in the vicinity of Antwerp than of Rotterdam.

At the end of the Exhibition our wool exhibits were not however disposed of in Amsterdam, neither were those of Victoria, as, upon communicating with the Honorable the Agent-General, it was found that the market price obtainable in London at the time would prove more satisfactory to the owners. A special statement of the sale of these exhibits has been provided.

It may be of interest to the exhibitors to know that their wools did not in any way suffer from insects nor otherwise, from the time of landing at Amsterdam, until their departure.

Section G, of class 20, was exclusively devoted to "*Sylviculture and Forest cultivation, products and models of kinds of woods, samples recommended for exportation to Europe.*"

In that class the Colony made most certainly the best display in the Exhibition; many gentlemen from various parts of Europe came to examine the Timber exhibits sent by the Commission, and if a regular supply of such woods as those which were exhibited could be assured to continental furniture and carriage-makers, many business people would find therein very remunerative transactions.

The Jury, composed of well known specialists and connoisseurs, granted a gold medal to the collection of the Sydney Commission; by some misunderstanding, however, the award was made in the name of Messrs. John Taylor and Co., of Sydney, who prepared it for shipment, the Jury being at the time under instructions not to fix any awards for official bodies, such being reserved for a Special Committee, which however never met; so, rather than lose the satisfaction of the distinction offered, I agreed to have it recorded in the name of the Colonial firm above mentioned.

I must say that these samples of timber had been revarnished and polished on arrival at Amsterdam, and were displayed in a most effective manner, in the centre of the main avenue, as may be seen from the accompanying photos.

Section H, of class 20, was intended for "*Industrial, mining, and metalurgy, samples of products, &c.*"

I submitted to the Jury of these specialities our exhibits of antimony, stones, coal, copper, tin, gold and silver; this Jury was somewhat different of the one which adjudicated upon the exhibits of Class 4, Group I, and had for mission to report more especially from a business point of view.

I will certainly not surprise you, when informing you that the report was of a most favourable nature upon the mineral wealth of this Colony; our copper and tins have already much affected, even in Holland, the similar produces of the Javanese Colonics, viz., the tin from the Banka Mines. Dutch merchants, especially from Rotterdam, will feel quite disposed to deal largely in these particular branches, *direct with the Colony*, should it prove practicable; as it is the tin and copper ingots sent from Sydney by the Commission obtained a slightly better figure than they would have fetched in London. New South Wales antimony would also be in demand, although perhaps not so much as other minerals.

The Jury allowed silver medals to the Commission for its copper and tin ingots; also to the Glen Smelting Company, for its rich and varied collection of stream tin. Amongst the other exhibits in that class the big blocks of cannel coal or kerosene Shale were very much remarked, and inquired about by the public. I have no doubt that should there be any desire on the part of the companies or their agents in Europe to push this produce forward and advertise it, it would soon get in general use amongst the Gas Companies of Northern Europe, at a paying rate; I made that opinion from several conversations with competent Jurymen. Our exhibits of coal were also much looked at, but no special interest could be taken in them for business purpose, with Holland or any part of Europe. The Managers of the Netherlands Steamship Company, whose splendid steamers run between Amsterdam and Java, do already employ a large quantity of our Newcastle coal (depôts of which exist at Java), as well as the Gas Companies of that Colony, and those of Singapore and the French Naval Dépôt at Saigon. I may state here that a very large trade is carried on in Europe, with bricks of agglomerated small coal, much in use for railway and home purposes, also on board steamers; such a business will probably be established here some day, and should prove as profitable as anywhere else.

Some

Some of the New South Wales building stones proved of interest, but although it was represented that they get harder by being exposed to the air it was feared they could not stand long journeys and several transshipments or handlings without suffering severely.

The marbles exhibited by the Commission were, on the contrary, very much thought of, and should prove a good article of exportation, if in large quantities and blocks.

The specimens of gold quartz and silver, included in the Government and in Mr. Isaacsohn's collections, provoked great curiosity and numerous inquiries, as did also the large blocks of copper and iron ore, quantities of which can always be disposed of on the Antwerp market.

I desire to call again your attention on the important place occupied by these mineral collections in our Court.

Section I, of class 20, was reserved "*to Industry and Manufactures.*"

I called first the attention of the Jury of that class upon the book "*Industries of New South Wales,*" compiled by Charles Lyne, Esq., of the *Sydney Morning Herald*, to whom, after perusal, the Jury allotted a silver medal, with flattering remarks, in their report to the Central Dutch Executive Committee.

Amongst our Colonial manufactures three gold medals only were secured: one by the Colonial Sugar Company, one by the Sydney Meat Preserving Company, in both of whose favour the Jury's report was very enthusiastic; and the last, by Messrs. Dalton Bros., of Orange, for their exhibit of silk-dressed flour.

Silver medals were granted more particularly to the leather, the tweeds, the matting (exhibited by the Darlington Department), to a sample of wheat flour, exhibited by Mr. R. Sim, and to a sample of maizena, exhibited by Mr. Munn.

Seven bronze medals and eight honorable mentions were divided amongst a number of the remaining exhibitors, including furniture, brooms, and minor articles.

I regret that, from the expressions of the various Juries, I cannot give a very satisfactory report upon the bulk of the several industries included in that class. The jurymen were perhaps rather too severe; at the same time it must be confessed that the Colony cannot yet compete for cheapness and finish of its manufactured goods with European manufacturers. There was no question as to the superior merits of Messrs. Dalton's flour, judging from the bread made with it for the purpose, neither of the sugar of the Colonial Sugar Company, which was judged by a highly competent Jury of well-selected thoroughly experienced men. A favourable yet qualified opinion was expressed in respect to the tweeds or woollen fabrics of Bowenfels, some members of the Jury considering the samples exhibited as nearly equal to any to be found, for the same value, in Europe; some others insisting to compare them with the best goods sent from Louvain, Verviers, or Sedan, where highly-skilled workmen and perfected machinery defy competition. I was glad, however, that the majority of the Jury succeeded in allotting a silver medal to that very promising industry; but great objections were made to the leather, which did not seem to have been sufficiently tanned, and was, besides, found too thick for the usual trade purposes of the country; I must state also that numerous complaints were made of the smell emanating from this last named exhibit.

The mats from the Darlington Gaol were placed in a very good position, and I have had to reply to many inquiries concerning them, and made especially by German or London merchants. Whilst their merits were fully admitted, the high price to which they were quoted, comparatively to other similar articles of European make, prevented their being sold. A point also which seemed doubtful was whether they could stand rain or being washed without losing the colours of the designs. On this the information given by the exhibitor was not precise; the industry however was considered as deserving much encouragement.

The samples of maizena kept very well, but no offer could be obtained for it at the close or during the Exhibition, owing, as I was informed, to the universal preference already secured by similar produces from the United States.

A portmanteau, exhibited in our Court as the workmanship of Mr. Lancashire, junior, of Sydney, received a certain attention, but the price asked by the exhibitor could not allow any comparison with same articles exhibited close by, in the Belgian Court, and which for delicacy, finish, and strength, as well as for convenience, cannot be surpassed. It should however be said that instructions from Sydney were that the exhibit referred to was not for sale, but sent merely as an apprentice's work.

The few pieces of Colonial-made furniture which I submitted to the Jury were the show cases of the Mining Department, another one belonging to J. Wyndham, Esq., of Dalwood, and those containing the smaller wool exhibits. The work was well thought of, but for want of information as to value, &c., no precise conclusion could be come to by the Jury.

With respect to Colonial-made house furniture, it seems as if the Colony is not in any way progressing; the same old patterns, somewhat smelling of Chinese extraction, are still in favour; a new
 departure

departure should be made, with more artistic tastes, without endangering the durability of the goods. A nice furniture renders a home more comfortable and attractive, and is also a permanent family investment. All classes should be encouraged to patronize that industry, one of the best paying in large centres of population, and most likely to favourably affect ideas and soften manners. The Colony is rich in the necessary timbers, and we have artists to give good models, so that competition should be successful after a few years against imported goods of inferior make, yet of better appearance, and fetching actually high prices amongst us.

A garden chair, exhibited by Mr. G. Fitté, and placed in the best portion of the Court, was much admired on account of its peculiarity. It consisted of Colonial gum and box woods, and of a considerable number of small pieces to be adapted all round; altogether it has been, during the whole time of the Exhibition, a great attraction for our visitors. The Jury however would not treat it as an article of usual Colonial manufacture, and would not allow it more than a bronze medal; I could not prevail upon them doing better justice to the exhibit.

The Colonial-made packing papers, exhibited by Messrs. Wearne and Hack, of Sydney, received an honorable mention; but I have been led to believe that had these gentlemen sent their exhibit in a different shape, in larger size and quantity, with full information as to selling price, the Jury would have granted them a higher award and more complete report; as it was, these exhibits merely served to illustrate the progress of the Colony, without securing the amount of information otherwise desirable; indeed the same remark should apply to many other New South Wales exhibitors.

A few cheeses had been sent from Kiama, at the Amsterdam Exhibition, but they were made too richly, and did not keep in sufficient good condition to be even tasted by the Jury, although they were exhibited under glass. Similar exhibits sent from Victoria and packed in tin did not fare much better. Mr. Dymock, one of the Representative Commissioners, paid special attention to that important branch of Dutch industry during his stay in Holland, visiting the districts mostly reputed for their cheese factories; and it is to be hoped that, in course of time, a more general interest shall be taken in dairy-farming generally and cheese-making by the rural population of the Colony, who should certainly follow the example of European farmers in that direction. The benefits to be derived by small dairy-farmers, after a short practice and experience, are large enough to induce special care and attention being bestowed upon the subject by Colonial enterprise.

The preserved meats of the Sydney Meat Preserving Company were tasted by the Jury, in competition with those of Victoria, at a special luncheon organized for the purpose, and at which the Hon. Charles Moore, one of the Representative Commissioners, and Mr. Baas, the London agent of the Company, were present.

The satisfaction of the Dutch Jurymen, with the New South Wales meats more especially, their surprise at the perfect state of preservation of the New South Wales meats, the absolute absence of tin or lead refuse in the New South Wales tins, were fully stated in their report to the Committee. A rather large quantity of tins of all sizes, and of every description of meats, was placed at the disposal of the Jurymen; a number were sent for trial, at the Amsterdam Hospital and Sailor's Home; not a single one was found damaged, or in any way faulty.

The Company has already a tolerably large trade in Europe, and it entirely remains with the Colony alone to increase to any degree it may please itself that branch of industry, should nature and circumstances favour cattle breeding in any degree.

I had, personally, a number of tins of these preserved meats sent to the officers in charge of the Dutch, Belgian, Russian, and French soldiers and sailors, who attended at these respective Courts; a quantity was placed also at the disposal of the English restaurant within the Exhibition, and several foreign Commissioners were given opportunity to taste them; some of the soup-tins were even placed on the table at a public dinner; in no single case was any disappointment experienced. As it is, reports from the Jury, of the general public, of the foreign delegates at Amsterdam, unite to confirm the excellent repute in which New South Wales preserved meats are held. A Spanish naval officer of high grade and Commissioner for Spain assured me that they were far superior to those sent from South America, and that he would certainly recommend them to the attention of the Spanish Government for early trial. I had the same assurance from an official Italian visitor.

Considering the scarcity of meat consumed by the generality of the European poorer classes, owing to its high price on the Continent, Australian business men should certainly not neglect anything which might tend to the development of that Colonial trade; at the same time I should recommend them to exercise the greatest care and vigilance in the carrying out of their preparation of the meats; workmen should not be allowed to act carelessly or trusted too far in the matter, as a limited number of inferior cases might soon compromise success in Europe.

I might add also that our merchants should avoid accumulating large stocks year by year, unless they are prepared to send their meats abroad in neatly got-up glass or earthen jars, in which meat does not become tainted, nor tin-smelling or tasting.

In conclusion, there is in the meat preserving business a great source of good profits, which should on no account be neglected or despised in the Colony.

With reference to our Colonial manufactures, generally speaking, it may be remarked that if the producers and the working men actually in the Colony can execute whatever work is entrusted to them, a limit must be expected from either their willingness or ability to improve. No doubt the facts, that there are no models to imitate, no competition to surpass, and no one to do better than what is actually known and required by the generality of the consumers of the Colony, are strong reasons to prevent them from ameliorating their ways; but they should be made to understand that such a state of things is not good for themselves, nor for the country; that not going ahead, or not rising higher, means falling backwards or going down, and that imported articles, as a matter of course, must be always preferred by people in good circumstances to the Colonial made.

The Technological Museum and schools, so numerous in Europe, and acknowledged of so great use to the artizan's class, should help to remedy the evil just complained of, and the Government as well as the various societies of the Colony cannot do better than support such institutions, and develop their influence in every possible way, in every centre of population of the interior, as it is done in the capital. A very few years only of proper training would be enough to mark a considerable change for the better, which no doubt would be easily perceived and stated at a next International Exhibition.

In the same section I of the class 20th, under the head of alimentary products, I included the Wines from the Colony.

As I will have shortly the honor to submit to you other reports, dealing at length and more especially with the viticulture and the wine making industry and trade, as also with the merits and demerits of Colonial wines in connection with the representation of the Colony at the late Bordeaux Exhibition of 1882, I will merely allude briefly to the matter in this document.

The Colonial wine industry was represented by twenty-three exhibitors, who sent to Amsterdam 170 samples, of which eighty-nine were of white wines and eight-one of red wines; these wines reached Amsterdam, for the most part in good external conditions, and every opportunity was given to the public for tasting them. I took special care to introduce these to merchants and private people, also at public dinners whenever I had a chance, and as often as I could to the notice of distinguished visitors.

Most of the exhibits had been sent in bottles; six only were shipped in casks; some of these casks, from previous use, affected the contents to such a considerable extent that two of the samples could not be brought round again to a proper state for their appreciation.

The Amsterdam Wine Jury was composed mostly of local wine merchants and brokers, to whom I induced the Victorian Commissioner to add at the common expense of both Colonies a gentleman connected with the wine trade in Bordeaux, Mr. E. Roullé, who in the previous year had taken a special interest to New South Wales wines, defending them in the local press, and otherwise been of great assistance.

The Jury tasted every sample exhibited and submitted by me to them, and decided, as at Bordeaux, to grant rewards in such a way as almost to classify the exhibitors' vineyards, rather than give an award to each sample of wine, as done previously at some other Exhibitions; as it was, I regret that some of the exhibitors who took part at the Bordeaux Congress of the previous year should have thought proper to abstain from this contest. A second trial should not have frightened them, and would have, indeed, proved of great service. To a great extent the decisions of the Amsterdam jury agreed with those obtained from the Bordeaux judges, who, of course, cannot be excelled in all that refers to wine.

The New South Wales exhibitors of wines secured a very fair number of good classifications. Mr. John Wyndham obtained the highest award for certain of his Dalwood red wines, viz., the diploma of honor; whilst gold medals were allowed to Messrs. Munro, Fallon, Holmes, and Bouffier. At Amsterdam, as at Bordeaux, there was some hesitation as to which was the best producer, Mr. J. Wyndham or Mr. Al. Munro, the decision being finally in favour of Mr. Wyndham, on the ground that the Dalwood vineyard gave wines of a description somewhat lighter and more neutral in taste, although not so pleasing to the eye nor otherwise so well *faits* as the same year's wines from Bebeah.

A complete list of the awards to the wines will be found in an appendix.

I obtained from Mr. Roullé a copy of the Jury's Report to the Dutch Committee, having reference to the New South Wales wines, and in which the Jury expresses itself as follows:—

“The Colonial wines submitted to our examination were those from the Cape of Good Hope, from Transvaal, from New South Wales, and from Victoria. “The

"The Cape and the Transvaal were represented by four exhibitors only, who however had numerous samples of various wines, most of which were of a tolerably successful make. We regretted still not to have found amongst them a single perfect sample of Constance wines.

"The two Australian Colonies of New South Wales, represented by twenty-six exhibitors with 170 samples, and Victoria, represented by fifty-six exhibitors with 280 samples, have submitted to us a collection as numerous as interesting of the produces of their vineyards. With three or four exceptions only their samples were found in excellent conditions for tasting, thanks to the intelligent care given to these by the Executive Delegates of both Colonies. It is then with satisfaction that we have been enabled to recognize, through the success of its best wine-growers, that Australia, if ameliorating its soil yet virgin, by an appropriated cultivation, if combining a wise mixture of its best wine species, and if perfecting its present ways of wine-making, must ultimately produce most excellent wines for constant use."

I have already provided some months ago a brief report upon each sample exhibited at Amsterdam by the Colony, as I did it after the Bordeaux Exhibition, for the private information of every exhibitor especially interested in the results thus obtained. To such report I will add the following observations of a general character which Mr. Roullé was good enough to provide me with, in addition to his official report:—

"The most successfully made wines of Mr. J. Wyndham are certainly the finest of Australia, and those most adapted to the requirements of European consumers. He should, however, give the utmost attention to the first phases of the making of his wines, for his vineyard appears to be most favourably situated and otherwise qualified to give superior results.

"It is unfortunately not so with most of the other vineyards, the soil of which seems very defective. To remedy that defect I would recommend the wine-growers to plough deeply their ground and under-ground, to bring sand into it, so as to divide and transform the argileous substrata, which are the principal cause of these earthy tastes, so strong in some wines as to render them almost unpalatable.

"Further, instead of making wine with only one species of grapes, it is equally indispensable for obtaining a good wine likely to keep and to improve, to mix at least from two to four species properly selected, and such as will thoroughly combine together.

With such a mixture of species it is further necessary to be careful of a proper vinification, by collecting the grapes at the proper time, neither green, neither too ripe, both defects being equally as bad one as the other, with respect to the quality and conservation of the red wines more especially.

"These improvements should not be despised, for if the wines, either red or white, become suddenly acid and bitter, it is due mostly to an improper blending and imperfect vintage, and a want of proper care, under a climate which requires more constant attentions than any other.

"As a conclusion I would advise the wine-growers thinking of starting new vineyards to choose first a ground with pebbly or sandy substratum, which will give much finer wines than argileous soil; then they should select at least three species of wines amongst those which succeed the best in their district. By adhering to these recommendations Australia will certainly obtain, in a very short time, far superior results to those they have had until this day."

For my own personal part, as the experience of over two years just spent in bringing forward the Colonial wines on the Continent of Europe, and even in England, and in making myself as thoroughly acquainted as possible within the time with the wine industry of other countries, I do not hesitate to tell to the New South Wales wine-growers that they actually have vineyards producing much better ordinary wines than those of Spain or Portugal for instance, and that they need not in any way feel any hesitation or doubt concerning the near prosperous future reserved to their wines; they may rest assured that as soon as they produce large quantities of any given particular quality or sort of wine they will find a ready sale for it on all the Northern European markets, *at the same rate* as is paid for the average of the ordinary European wines.

At this present moment a very good market for any quantity exists in Northern Europe, including the north of France, with much better chances than in England, where our wines are still by degrees gaining ground and coming in favour.

I should think that a central depôt always well supplied, established at Antwerp or at Havre, by a national syndicate or an association of wine-growers, would at once prove a source of great profits.

I must however insist upon the fact that private or isolated exertions, although all very well in their way, will necessarily be on too limited a scale, and therefore should not be considered sufficient; public opinion should be brought to bear on the subject, if possible, and the Colonial Governments should see their way to help the wine industry to become for them what it has proved, viz, a great source of revenue in the Southern European countries.

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In Australia, as in France and elsewhere, there should exist a branch of the Public Service especially entrusted with the patronage and assistance of viticulture; the Public Treasury should assist in the way of spreading information, of exchanging same with other countries; also in organizing local or general syndicates for the training, manufacturing, and shipping of the wines, as well as for the improvement of the cultivation of the vine, for its preservation against diseases and insects. Vineyards should be registered and reported upon, the introduction of new species of grapes carefully watched and even cautiously prevented. As a matter of fact the wine industry of the Colony should be deemed worthy of the same interest and Government protection as the tobacco plantations, the forests, the fisheries, oyster-beds, &c.

In course of time schools of viticulture, with nurseries and other accessories, should be established; even from this day scholarships should be granted to such young colonists who would bind themselves to go and spend the necessary time at the European schools in existence.

Now is a very good time for the starting of such an organization, as it may be said that France and other European wine-producing countries are to a certain extent not much better off than our own Colony; the reconstitution of the French vineyards, destroyed by the *Phylloxera*, the plantation of new ones in Spain and Italy have created there the same uncertainty as to the best species to be adopted and cultivated for the making of wines. The Colony should therefore, either under Government supervision or either through a syndicate of its wine-growers, provide for proper studies and observations being made, as well as for preparing to meet any calamity which at any moment should overcome an industry so liable to become an important contributor to the public revenue, and to provide so considerable an element of trade, both foreign and local. Moralizing societies should also approve of such a Colonial industry, as it is well known that there is far less propensity to drunkenness or abuse of drink in the wine-producing countries where people are used to wine from their younger years.

The wine-growers should, at the present time, endeavour to produce none but good ordinary dinner wines, fit for European consumption on being landed; they should not go in for the production of wines merely intended for blending purposes, unless they can do so on a very large scale at once, and are prepared to be satisfied with very low price.

Liqueurs wine will also prove a successful speciality, if exclusively made by anyone; so would brandy wines, provided proper soil, grapes, and appliances are at hand to give a really good brandy for European markets; but I do not feel justified in recommending any one to actually attempt growing others than the best ordinary wines obtainable in the Colony, for reasons which will be more amply developed in my special report referring to the Bordeaux Exhibition.

Group III included three further sub-divisions, in two of which the Colony was yet interested.

In class 22, exhibits referring to "*Literature and Education*," were submitted to a special Jury, who granted a diploma of honor to the New South Wales Ministry of Public Instruction for the reports upon the state and development of instruction in the Colony and for its plans of school-houses.

The Jury remarked that New South Wales was amongst the few foreign countries who had thought it worth their trouble to give a special place to this Service of Public Instruction; the exhibits of the department occupied a foremost position in our Court, and received much attention from special delegates of various foreign countries.

Mr. Combes' "Report upon Public Schools in Europe and America" was awarded a gold medal, and a similar award was obtained for the "Transactions of the Royal Society," as published by Professor Liversidge, who received, in his own name, a silver medal for his report upon "Museums and Technological Schools of Europe."

At the end of the Amsterdam Exhibition most of the exhibits and books of that class were presented to members of the Jury, or to the French and Belgian Departments of Public Instruction.

Class 23 was the last of the Group III of the Colonial Section, and was devoted to the "*Press and its accessories*."

The whole collection sent by the Government Printer's Department was brought under the above description, and received a gold medal. The printing of several of the official publications, the binding of the commercial accounts books, were considered as almost artistic, and not to be surpassed for neatness and finish; the Jury, including some of the best printers of Europe, was unanimous in its decision.

Messrs. Gibbs, Shallard, and Co., printers, of Sydney, were readily awarded a bronze medal for their specimens of colour printing and lithographs.

Such were the exhibits sent by this colony, upon which special remarks were justified. I wish the reports of the Jury upon these could be published by the Amsterdam Committee; it would certainly then be found that I have in no way exaggerated the good impression created by the *ensemble* of the Court.

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At the close of the Amsterdam Exhibition the exhibits were either returned to Sydney or transhipped to Calcutta, in accordance with the instructions received from the Sydney Commission; others were sold at Amsterdam or transmitted for sale to London whenever they could not fetch at Amsterdam the price asked by their owners.

Full statements of expenditure have been furnished by me to the Hon. the Agent-General, audited in London, and duly transmitted to your Department and to the Sydney Commission. (*See Appendix No. 14.*)

I must say here that the high value fixed by exhibitors has often prevented business, especially when, as is well known, there is an idea that Exhibition goods should, at the close of an Exhibition, be readily parted with by their owners for almost nothing, so as to avoid expenses of removal. This high value, besides giving cause to the Jury to show more severity in its awards, has increased the Government expenditure for rates of fire and marine insurance, and with respect to the security to be given to foreign Customs Departments.

At the close of the operations of the Jury an official proclamation of their awards was made; a general list of these will be found in Appendix No. 12, arranged, for easier reference, according to the plan adopted by the Sydney Commission for the compilation of the Colonial Catalogue printed in Sydney.

Besides the awards to exhibitors, a special and extraordinary Diploma of Honor was granted to the Colony in the name of the Hon. Sir Saul Samuel, K.C.M.G. These special diplomas have been very limited in number, and none was awarded to other British Colonial Courts.

On our part a formal document, bearing the arms of the Colony, and expressing the thanks of the Government, and its high appreciation of the services rendered, was addressed through me by the hon. the Agent-General to each gentleman who, at the request of the Hon. Thomas Holt or of myself, had been so kindly disposed as to give us his services as a member of the Jury. (*See Appendix No. 13.*)

As to the diplomas and medals awarded to the exhibitors I fully expect them to reach the colony by every incoming mail steamer, as they were about to be sent when I left Europe. I should mention here that in accordance with its original official programme the Dutch Committee are simply giving bronze medals, even for the higher classes of awards mentioned in the diplomas.

The British Colonies represented at the Amsterdam Exhibition, besides New South Wales, were:— British India, Victoria, Western Australia, Canada, Jamaica, Mauritius, the Straits Settlement, Natal, and the Cape of Good Hope.

The exhibits of Canada were very limited in quantity, but the quality of the grains displayed was beyond all praise.

British India occupied a very large area, very well filled with numerous and valuable collections of the natural produce, industrial and artistic manufactures, for which that country is so well known. Tapestry, metal works, reproductions of fruits, plants, and fishes, timber, skins, and leather, constituted the bulk of the goods exhibited. A special prominence was given to Indian teas by the Calcutta Tea Syndicate, which provided a large pavilion wherein the public was freely admitted every day to taste the exhibit prepared on the spot by natives of India for immediate consumption. Their Majesties the King and the Queen of Holland had, one forenoon, an early tea specially served to them in that place at their request. The British Indian interests were very well represented in every way, and obtained a very large share of awards.

Victoria, which was next to our own ground, appeared to receive also during the Exhibition a fair share of public patronage. Its display was one of great variety, and did not lack in attractive character.

In its limited share of the main avenue that Colony had had erected a huge pyramid, representing the total amount of gold exported from its territory since the first discovery of the valuable metal.

The wheat and other grains exhibited were also very conspicuous, and, it must be said, of very fine description.

The wool show proved most complete and successful. A display of kangaroo and other leathers, of rugs, of timbers, of a few minerals, and sundry small articles of Victorian manufacture, with a collection of medals, models, wood-cuts, and steel-engravings, from the Melbourne Mint and Government Printing Office, contributed to fill up the narrow gallery to which that colony was confined.

The Victorian wines sent especially from Melbourne for the Amsterdam Exhibition were, generally, much approved, and there is no doubt that, in Victoria, as in New South Wales and Australia generally, the wine-growing industry is assured of securing a good name in course of time, should the interested parties feel inclined to take the necessary care and go to the unavoidable expenses to put their trade on a well-defined and properly-organized basis.

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The general appearance of the Victorian Court was, on the whole, quite creditable to itself, in spite of its somewhat unfavourable position and of its reduced extent.

The various Crown Colonies which came to the Amsterdam Exhibition were grouped in a very small area at the back of the New South Wales Court. Their exhibits were of varied nature, but, with the exception of Jamaica, which distinguished itself by its rums and cigars, the colonial display was generally more of a scientific or ornamental character than one of business and trade.

Western Australia exhibited a fine collection of native weapons between two wax figures of aborigines.

The Cape of Good Hope limited itself to a few samples of its famous Constancia wine, which, however, did not meet with the approval of the Jurors.

A small quantity of sugar-cane from Queensland, refined and raw, was sent at the last moment by a local merchant, and received a rather favourable appreciation.

The Colony of Mauritius had applied for a comparatively large area, but the majority of the exhibits having never reached Amsterdam no correct conception could be formed of its participation to the Exhibition. At a late period its space was even transferred to the Kingdom of Siam, where models of the King's palace at Siam were exhibited and much looked at, together with a rich and complete collection of Siamese products, such as timbers, minerals, spices, and a number of hides, including handsome tigers' skins.

It is very much to be regretted that at this present moment a complete and exhaustive report upon the whole Amsterdam Exhibition has not yet been published by the Dutch Committee, including the Jury's reports. Even the general catalogue itself was never published in a complete form. It makes it now somewhat difficult to write as fully and as precisely as might be desirable upon the exhibits of the various foreign countries represented, and I shall not be able to submit to you more than a *vue d'ensemble* upon their most attractive exhibits.

Amongst the European Courts the most successful and remarkable was certainly that of France, very closely followed by Belgium.

Switzerland, Austria, Russia, and Sweden proved also very attractive, but on a considerably much smaller scale. Germany occupied a most prominent position; its Court was a very complete one, well worth many and lengthy visits.

As to Netherlands, its Court, which was the first when coming in the main building, surpassed for appearance and for its contents the expectations of very many; it covered an area of 7,000 square meters, and in spite of the first hesitation of the Dutch people to respond to the invitation of their leading Chamber of Commerce every inch was ultimately occupied, and the extent originally reserved had to be increased at four different times to accommodate 1,100 exhibitors.

The most remarkable exhibits in the Dutch Court were certainly the walls' ornamentations, with tapestry and with porcelain tiles, both industries in which Holland has more especially excelled for centuries.

The next objects mostly brought forward were the shipping implements, especially cables and fishing-nets of every description.

A rather large place was occupied also by preserved food, cheeses, and liqueurs, and deserved special attention for their tempting neatness.

The several Governments' Departments had also contributed models and drawings of their famous hydraulic works to which the country owes yet its very existence.

The Tilburg industry of woollen and clothing materials was well represented in its various branches owing to the exertion of a local committee, and so far as I could ascertain from its agent the Australian wools are largely imported there every year.

Outside the main building the "Atlas Machine Works" of Amsterdam had erected an imposing crane of 100 tons lifting strength, made of iron, and built for Batavia. In the neighbourhood a small pavilion had been especially erected to illustrate the Amsterdam Diamond industry, which is considered as unrivalled in the whole world, and occupies constantly 10,000 persons, most exclusively Jews, and all of well-established skill. The *parures* exhibited in that pavilion were of fabulously high value.

There was every reason for the Dutch nation in general to be proud of its section. They exhibited with success almost in every class of the programme. In many respects, no doubt, especially owing to their marked preference for old-fashioned articles, there is much to be learned by Dutch industry from that of its neighbours; but the Amsterdam Exhibition was precisely intended to have the beneficial effect to teach the people how they should improve their ways, and there is no doubt that in a very few years the quiet, modest, and unpretentious Dutch working men will show themselves as progressive as any other people.

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The Belgian Court made a really most brilliant figure, and showed to the world to what a high degree of prosperity can rise a small nation, when peaceable and laborious.

Belgium asked a space of 10,000 square meters, not including annexes in the outer grounds, for its 1,560 exhibitors; and it revealed itself as fast becoming one of the leading European countries, in its manufactures of soft goods, of objects *de luxe*, of carriages, or of powerful machinery, as well as in the fine arts.

Indeed it should be said that with respect to machinery, Belgium secured the greatest success against all other nations. One of the Belgian-made engines provided the motive power required by the whole of the galleries.

The Honorable the Agent-General, during one of his visits to the Belgian section of Fine Arts, was so struck with one of the pictures that he had almost decided upon its purchase for presentation to the Sydney Art Gallery.

The Belgian manufactures of fire-arms of Liege, and the clothing factories of Verviers and Louvain, maintained their established fame and prestige.

The coal-mining industry and the iron-works of Belgium were also most conspicuously exhibited, and constituted a great attraction for numerous visitors from Great Britain and Scotland.

Floors, *ameublement*, house decoration, occupied a very large place, together with musical instruments.

The Brussels lace-works were especially successful in securing a large and constant part of public attention.

While speaking of the Belgian Court I feel it a duty and a pleasure to mention the courteous and friendly dispositions evinced at all times towards the Colony by the Chief Commissioner, Mr. Rombaut, C.E., and head of the Department of Technological Education in Belgium; also, of his deputy, Mr. Bernard, Director of the Trade Department at the Home Office of Belgium. These gentlemen seized every opportunity to bring forward the resources of New South Wales, and to them are due, to a great extent, the frequent visits paid to our Court by Belgian high officials, Members of Parliament, and commercial men.

At the rear of Belgium were to be found the exhibitions of several other European States, amongst which the most prominent were Switzerland, with a most interesting collection of watches of all sizes, including every combination ever thought of, however small and complicated. Then Sweden and Norway, remarkable by their rich exhibits of fine timber, mostly sawn pine, large grain-seeds, and well-finished horse-shoe nails.

Russia distinguished itself mostly by a varied display of magnificent furs, artistic bronzes, and well-selected and worked tables of malachite and mosaics, to which should be added some samples of wines.

Austria confined itself mostly to Vienna furniture and *objets de fantaisie*, Hungary having sent some dresses and a small quantity of its wines.

Italy had a very limited ground and representation of its industries. Its marble statuary, as usual, was well to the front; but the other exhibits were generally of inferior description, or not such as to provoke a large or constant trade. The same should be said of Greece, Turkey, and Denmark.

Spain was represented exclusively as a Colonial power, and a few tropical producers, or exhibits connected with the ethnography and natural history of its possessions, constituted the bulk of its catalogue. Cuba and the Philippine Islands were especially noticed by the importance of their tobacco, cigars, timber, and rope exhibits.

The Spanish wine trade was represented by the Central Syndicate of the Wine-growers of Madrid.

France, with 1,500 exhibitors, occupied the largest space of all in the Amsterdam Exhibition, measuring in the main building nothing less than 12,000 square meters. The decoration of the French Section in the main avenue was a most elaborate one, without being overdone, and can hardly be said to have been better than that of Belgium, which was particularly successful; but both countries spared neither men nor money to secure the richest appearance possible.

To attempt to give a brief description of all that France exhibited, or of such of its exhibits as deserved more than a passing notice, would be in itself the work of a volume. As usual, the *objets de luxe* were the most foremost, the artistic works of the silver and gold smiths, the beautifully-finished furniture, the tapestries and carpets, the silks, the glass and porcelain ware, the saddlery and the carriages, the confectionery, the wines, the musical, surgical, and electric instruments, the printing and bookbinding industries, were all represented on a footing as large as ever, and with an unequalled success.

An electric tramway was to be seen travelling in the outer grounds, concurrently with the Decauville portable system of railway. In the machines gallery the most remarkable apparatus were those for distilling purposes and for the fabrication of sugar ; also, very powerful cranes and steam-ploughs.

Special rooms had been reserved for the exhibition of school-books and material, and, with the Fine Arts Gallery, the whole of the section brought evidence of the staunch vitality and superiority of French art and industries.

Mons. le Cte. de St. Foix, Consul-General and Commissary-General of France ; Mons. le Sénateur Dietz-Monin, President of the French Commission ; Mr. Herisson, M.P., and Minister of Commerce ; Mr. F. Faure, M.P., and Under Secretary of State for the Colonies ; and several other high officials of the various French Departments and learned Societies, took great notice of the New South Wales Court ; and no one of any note or influence ever came from France to Amsterdam without being taken through our section, or being given an opportunity to ascertain *de visu* the constant increase of wealth and importance attained by New South Wales. Government publications were freely distributed on every such occasion, and the French Press often commented upon the wisdom evinced by the Colonies in thus seizing these opportunities to make themselves known by providing every visitor with the fullest possible printed information concerning their resources.

Germany had secured not less than 8,000 square metres in the main building alone. It exhibited most powerful steamship machinery and steering apparatus, together with field guns and other war material ; but its manufactures of house furniture, of musical instruments, of school implements, its iron works and coal mines, its legendary Nuremberg industry, its sewing-machines, and its linen factories were most fully represented.

A special gallery of German pianos contained the exhibits, several in each number or name, of no less than eighty manufacturers, and constituted a special feature of the German Court.

German breweries were established on several spots, within and without the main buildings, as well as wine cellars or dépôts ; and the whole court gave a most gratifying evidence and impression of the rapid strides recently made and still being made by that country in the way of trade and production.

Mr. Consul-General Hoyack, Imperial Commissary, took special interest in the progress of our Colony, and often visited the court, with the view of taking notes and otherwise obtaining every information. It was to him we were indebted for the special visit paid to us by H.R.H. Admiral Prince Albreicht of Prussia, on which occasion Dr. G. J. Tucker, as Representative Commissioner of the Colony, was present.

The British section had a very central and convenient space of about 2,000 square metres in the main building close to our court, towards the middle of the palace, independently of that reserved within the machines gallery.

The number of exhibitors was a little over 300, and the display had little of the rich style usual to the greatness of England, as the Government had declined to take part officially in the Exhibition, thus leaving the private exhibitors to do the best they could for themselves.

The great cotton and woollen industries of England were represented, as well as safes, cutlery, hardware, machinery and engineering appliances, carpets, linoleum, matting, bedsteads, more prominently than many other specialities. Yet it may be said that altogether the British court possessed features commending it to the earnest attention of continental visitors. Most interesting and successful machines were exhibited, especially an apparatus for the distilling of salt and impure waters, and another for digging ground, seizing it and lifting it away. English agricultural implements were also to the fore in good numbers.

Amongst the countries situated out of Europe which came to compete at the Amsterdam Exhibition, the most attractive proved to be the Dutch, the British and French Colonies, Tunis, China, Japan, Brazil, Uruguay, Persia, the United States, and the Transvaal.

The building especially occupied by the Java section was considered as the gem of the Colonial Exhibition. It was certainly rather than an exhibition a most complete museum of all that could be collected to illustrate the production and the civilization of the great Dutch colony. A very large expenditure indeed must have been incurred to meet the exigencies of the display made.

The catalogue special to the Javanese section constituted a very thick volume from which interesting notices could be obtained upon the multitude of its exhibits. I wish I could give here a correct impression of the importance of that special court, which for completion and *coup d'œil* at any rate, has never been equalled before at any other Exhibition I have had opportunity to visit.

The Java court covered an area of 4,500 square metres ; the principal building was of Oriental style of architecture, and great credit was given to Mr. Pels, as President of the Dutch Colonial section, and to

Mr.

Mr. Stortenbeker, the architect, for the agencement. Natives of Java and the surrounding Melanesian Islands had been brought over to illustrate their ways of living and working, and constituted one of the most permanent attractions of that part of the Exhibition. A very large place had been reserved to ethnography, and it was far from being the less interesting portion of the court.

With reference to agricultural and industrial exhibits, the tobacco, sugar, coffee, tea, rice, indigo, naturally enough, filled up the longest list. Splendid specimens of timber, maps, and models referring to mining and engineering, samples of metallurgy, deserved also special mention; but there was not much to report upon in the way of manufactured goods adapted to European or Australian requirements.

There is, however, in Java, one industry very prosperous, which may well be adopted in the warmest part of New South Wales, if not all over the territory. I refer to the *ramie*, more generally known as vegetable or *Chinese silk*, and of which the scientific name is *urtica tenacissima*.

The Dutch Government has conceded gratuitously very extensive areas of land in the Island of Java, for a period of 99 years, exclusively on the condition that it should be entirely given to the cultivation of that fibra, which, as a matter of fact, grows most successfully in that country, giving as many as five harvests in twelve months. It requires very little expense of manipulation, and must in a very few years become a great element of trade with Europe, and even very useful to Australian manufactures, owing to the fact that it may advantageously be substituted to cotton and silk, flax, and linen-yarn. With respect to silk especially, the difference in price is something considerable, defying all competition, whilst the produce itself is more solid, more brilliant, for tapestry and fancy trimmings.

This plant is now getting in very great favour in Europe, especially in the South of France, near Bordeaux, and in the French Dependencies of Algiers and Tunis, where it is much encouraged. The British Government has also given some consideration to the subject with a view to its being largely planted in India. Machinery has been invented to facilitate the decortication of the plant and otherwise prepare it.

I beg to call especially your attention upon the matter, which, if it was the object of a special investigation and report to the Government, and properly brought under the notice of many landowners in the Colony, must within a very short time largely contribute to the wealth and prosperity of New South Wales. I have brought with me, intended for the Technological Museum of Sydney, some samples of the material obtained from the plant referred to. At various local exhibitions recently held in Europe gold medals have always been awarded to the dress material obtained from the *ramie*, and the demand for it will soon attain very large proportions from every manufacturing country.

The French Dependencies of Algiers and Tunis were also most noticeable for the variety of their produces. The grains and the wines from Algiers were highly commented, whilst the marbles and the filigree works of Tunis excited general admiration. With reference to the wines exhibited from Algiers, I must say that they evinced more than any other foreign wines I have tasted, a very great similitude to the majority of those of New South Wales; and from what I have been able to gather it seems like if the two countries were following the same course in all that refers to viticulture. In certain districts, however, where the influence of the ministry of Agriculture is more appreciated and listened to, the progress made have already been so as to give rise to a beginning of direct export to Bordeaux and Marseilles, very large vineyards being already producing.

The Chinese section was a very large one, under the direct supervision of H. E. Li Fong Paō, Chinese Ambassador at the Court of Berlin, who took at different times much interest in the New South Wales exhibits, and by whom I was honored with numerous interviews and conversations with respect to the growing importance of this Colony, and of its relations with the Chinese Empire. His Excellency requested to be provided with the Statistical Register and such other official documents concerning New South Wales as I could supply.

Chinese industry was represented under many forms, but furniture and porcelain ware constituted the greatest bulk, whilst tea was the main agricultural products. A Chinese junk and crew had been brought and exhibited on the canal bordering the Exhibition ground.

Japan was very conspicuous, and made a magnificent and successful display of porcelains, silks, and laces.

Persia brought together a rich collection of antique and modern carpets, made entirely by hand, some having taken several years to complete. The *finish* and the durability of these carpets are too well known to be the subject of any remarks from me. Embroidery also is still one of the most creditable industries of Persia, and made a good figure, side by side, with metal works, hammered, chiseled and engraved without the assistance of machinery, comprising armours, vases, and ornaments of all sorts.

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The small Republic of *Transvaal*, now known as the South African Republic, and whose section was close by ours, made also a very attractive and successful appearance at Amsterdam. Produces of every description to be obtained in that country were exhibited on however small a scale, and provision had also been made for ethnographic collections of undoubted value and interest, as connected with South African tribes.

I wish to specially refer to the very promising wine industry of *Transvaal*, which competed somewhat successfully with that of the other extra European countries; these wines were generally strongly spirited, yet of a pleasant flavour; their colour was flattering to the eye, and the Amsterdam wine jurors report on these was couched in very encouraging terms for the growers. From the information I could gather at the Exhibition it would appear as if the *Transvaal* wine-production was susceptible of great development, and I believe that a special depôt has already been established in Holland to originate there a regular trade in that line.

The American countries principally represented were the United States, who exhibited a good collection of sewing-machines and agricultural implements; also splendid specimens of minerals from Utah.

Next to the United States was the Brazilian Empire, whose leading exhibits were an immense collection of coffees, and a magnificent display of birds' feathers and ornamental works of that description.

The collections of samples of coffee were worth a visit; one exhibit included over 1,000 samples, sent by 879 exhibitors, under the management of the "Centro-da Lavoura y Comercio de Rio Janeiro." The constant attentions and efforts made by that syndicate for the expansion of the Brazilian coffee trade over the whole of Europe deserve to be mentioned; they have met with a considerable success since its organization, and in 1882 the exportation of coffee from Brazil alone attained over 368,000,000 kilogrammes, or about 375,000 English tons.

The Brazilian Syndicate has published, for free distribution in Amsterdam, a small pamphlet in French, referring to its operations and its mode of understanding and serving the interests of its members; a better, more perfect model, could not be adopted and followed by such of the Colonial industries as may desire to be pushed forward, and are anxious to get a share of European trade.

I have yet to speak of another large American section represented at the Amsterdam Exhibition, viz., the Republic of Uruguay, which exhibited on an extensive scale, and in a very effective manner, its wool, fleeces, bullock hides, sheepskins, and preserved meats.

I will not venture to pass any remarks upon the wools, which are well known by their competitors themselves; the Amsterdam jury did not however seem well impressed by the exhibits submitted to them.

The hides and skins from that country constitute a great trade between South America and Bordeaux; these skins are much appreciated, and preferred to those of Australia especially, owing to the fact that they are always regularly cut and branded, whilst those from the Colony bear brands all over, and are somewhat spoilt in the cutting up of the animals, thus rendering them much less profitable and therefore less marketable.

With reference to the preserved meats, I am in a position to say that they were by far less successful than those from New South Wales, so far as quality is concerned; the question of price, however, more especially at the present critical time for our cattle farmers, and also the manner of presenting them to the public, appear to influence considerably the market, and secure them at times the largest consumption in Europe.

In the open grounds surrounding the Palace, or main building of the Exhibition, were to be found a very considerable number of smaller pavilions and edifices of various sizes and styles of architecture belonging to official and private exhibitors, amongst which the most noticeable were the Java Court, the Machinery Gallery, the *Travail* Workshop, very attractive by its Glass-cutting and Engraving Departments, of which I brought a specimen offered by the artizan for the Sydney Technological Museum; also the Medical and Ambulance Tent, the Pavilion of the City of Paris, containing models of the Public Works of that Municipality, of its Public Schools, and specimens of the various modes of registering prisoners by the Police Department; then the pavilion of the City of Amsterdam, the Tunisian Court, the Algiers Court, the Press Pavilion, and the King's private room; last, the Railways material building, and marble, slates, tiles, bricks, and stones works.

The Fine Art Gallery occupied a very extensive ground at the rear of the main building, and in it France, Belgium, Italy, Germany, and Holland sent selections of their best modern pictures; the building

itself was quite appropriate to the purpose, and of a very effective appearance ; the French and Belgian Commissions on several occasions made use of the rooms containing their best pictures as drawing-rooms for holding receptions.

This last part of the Exhibition offered to the visitors of Amsterdam a most favourable opportunity to compare the works of the ancient masters of Holland with those of the present time, a rare advantage not to be willingly lost. It is to be hoped that at the next International Exhibition in Europe, Australian artists will send also some of their compositions, as the existence of an Australian school will go far in the opinion of the leading classes of European society, not otherwise acquainted with the Colony, to bring it to the rank of the enlightened and most advanced countries.

A special mention must be made also of the British Indian collection of H.R.H. the Prince of Wales, which was exhibited in the new Dutch National Museum, together with another of the Retrospective Arts of the Netherlands ; this last exhibition included objects illustrative of the arts, navigation, coins, dresses, tapestry, glass, porcelain, house furniture, and popular customs of Holland and its Colonies, and none were posterior in date to the eighteenth century.

During the Exhibition an International Medical Congress, at which the Colony was represented by Dr. Sydney Jones, and an Intercolonial Conference, at which I was called upon to appear on behalf of the Colony, and at the sittings of which I have had several occasions to speak, took place both under the auspices of the Dutch Government and Exhibition Committee, the opening sittings being presided over by members of the Ministry. Colonel Young, Secretary to the Royal Colonial Institute of London, came as the representative of England, and delivered upon the question of Federation of the Colonies and Great Britain, a lecture which was well received and favourably commented upon in the Press and in the Conference ; other questions treated by the Congress have referred to the various means of obtaining agricultural labour for the Colonies, landed property, transportation of criminals, etc.

A well attended Congress of the International Literary Association was also held in Amsterdam, with the patronage of the Diplomatic Body, under the Presidency of Professor Asser, one of the most eminent European jurists, on International Laws. The principal purpose of the Congress was to consider the necessary measures to be adopted to obtain the consent of all nations to the recognition of literary property and rights, and to the enactment of an international law for the protection of same, on an equal footing with all other properties. The principle of this claim has been admitted by the Swiss Confederation, where a law is now being prepared on the subject, to be submitted to the ratification and adhesion of all Foreign Governments, and it is confidently expected that soon the rights of writers will be respected alike all over the civilized world.

On the occasion of the earthquake of Java, which occurred before the closing of the Exhibition, a great fancy fair or bazaar of charity, for the benefit of the victims, was organized jointly by the Dutch Committee and the Amsterdam press, with the concurrence of the Foreign Representatives, within the Exhibition building and grounds, and proved a most successful affair.

At the closing of the Exhibition the Dutch Government distributed a number of the national honorific distinctions amongst the Foreign Commissioners accredited to the Exhibition, but in consequence of a circular from the Foreign Office requesting Foreign Governments not to grant such honors or distinctions to British officers on duty abroad, the representatives of England and her Colonies in Amsterdam could not be included amongst those of their colleagues who received these testimonials of satisfaction from H.M. the King of the Netherlands and his Government.

During my stay in Europe I obtained from the National Museum of Natural History of Paris, four cases of various specimens for the Australian Museum of Sydney, which have been duly handed ; and I hope the Colony will yet be favoured with similar donations from other countries.

As you will likely glean, Sir, from the above brief report, the Amsterdam Exhibition has been most complete, in every way successful, and should have deserved a much fuller report than the one I can submit to you ; but as an absolute fact, the whole of my time was so monopolized by the requirements of the N.S. Wales court, that I have never been at liberty to absent myself for any length of time. Further, I had no sufficient credit from the Government, nor other means to secure the assistance of the necessary order or degree of ability, to allow me of dividing my attendance and my attention.

Indeed the high expensiveness of the place was felt in so many ways that it made the credit available so inadequate to the necessities that, together with several other causes, it has at times rendered very difficult and expensive to me the position which I have had the honour to occupy, and to which I had to do justice, in Amsterdam, as the permanently residing official agent of the Colony.

PART II.

I beg now to offer a few remarks on the results to be expected by the Colony from the Amsterdam Exhibition, and on prospects of any business connections with Northern and Central Europe.

In accepting the invitation of the Dutch Government to appear at the Amsterdam Exhibition of 1883, the intentions of the Colony must have been, (1st.) to bring once more under the notice of continental people, and especially of the northern countries of Europe, the resources which it offers in the way of raw material and natural produces, to European industry, and for general business and trade purposes; and (2nd) to advertise its capabilities and advantages, as a land for the immigration of European artizans, capitalists, and agricultural settlers.

I have now the honor to report that both results have certainly been attained to the fullest extent; the Amsterdam Exhibition has been a most undoubted success, at least, so far as went the number of competitors, and the attendance of visitors, however much more unanimity amongst its promoters might have been desirable from the beginning. By opening an International Exhibition within its own territory, or by appearing as competitor at any International Exhibition held on a foreign or distant land, a country secures its admission by the rest of the world, to the rank of a civilized and civilizator power; and in the case of a colony it simply advances the time when it is to possess a voice in the congress of sovereign nations; it affirms its existence, and develops its influence abroad; whilst at home it improves the ideas, enlarges the views, softens the manners of its people, by a frequent contact with more advanced populations; its education and fine arts, the character of its public works, buildings, manufactures, are benefited and improved far deeper and quicker than if any such country was to keep away from the society of nations, and be contented with waiting for such events as fate might keep in store for it.

In a more material and business point of view the circumstances of the people are affected by new relations being formed, new means of communications created, new springs of trade and exchange discovered, and new factors of fortune brought into action.

Capitalists and immigrants will more willingly turn their attention and steps towards a country which comes of itself under their notice, and I do not hesitate to say that, at the present moment, should the Colony experience any difficulty in finding credit in England, it could and would realize the largest loan on very favourable terms, in the Western States of the continent of Europe, as easily as may have ever been the case before, and more certainly so than many sovereign states of Europe or America.

Such a result is certainly due, in a great measure, to the favourable impression yet left by the first International Australasian Exhibition held in Sydney in 1879, as well as by the participation of the Colony at the Paris Exhibition of 1878; to the same causes must be attributed the establishment of maritime services, with and without the Government aid, between France and this port, as also the projects of a German line of steamers, and the opening of branches of a leading foreign institution of credit.

I do not suppose that it is in any way necessary for me to enter into further and longer considerations upon the advantages to be derived from International Exhibitions; these have been exposed many a time by abler pens than mine, and all I could do, at best, would be simply to repeat all that has been said, and perhaps uselessly take your time in trying to convince you of what you yourself may have long ago accepted as a palpable truth.

That results as those mentioned above, and perhaps of greater or certainly not of less magnitude are to follow from the Amsterdam Exhibition, is beyond doubt for me; I need hardly say that business connections or large establishments are nowhere formed in a day or a year, but that the eyes of several northern European countries are turned towards us with fixed purposes should not be doubted.

Germany is most anxious to open a constant *débouché* to its new manufactures, in this part of the world; Holland and Belgium are rivalising in their desire to bring Colonial export trade to their ports; and, if it was not too presumptuous to say so, I would say that the Colony has simply to choose upon which of these countries it is to bestow its preference.

At the present moment the Australian trade is almost monopolised by English Banks and London merchants; that the Colony should have been satisfied so far, there can be no question, but that it should continue to be so for an indefinite period is another matter. Monopolies of all sorts are the very worst things which can happen in any country, to any people, trade or industry. Free trade, full competition, are the very best, if not for private individual and vested interests, at least for communities at large. If these principles are admitted, if there is any desire, either now or to come, on the part of this Colony, to see its connections extended to other European places in the North, a choice shall have to be made between Havre, Antwerp, Rotterdam, Amsterdam, and Hamburg.

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In whatever direction the Colony may go it is assured of meeting with the greatest sympathies and the best welcome; we have only to consider which is the most advantageous point for ourselves.

Leaving aside all questions of personal preference and nationalities, the geographical situation, local conveniences, and shipping facilities, should alone guide us.

Hamburg is very far north; Havre is very far south. Amsterdam has a magnificent harbour, easy of access to the finest ships and steamers. Very large sums of money have been spent lately on most admirable hydraulic works, and for the purpose of opening a direct canal shortening the way from the port to the North Sea. Amsterdam possesses powerful ship-building and repairing yards and docks; it has already in hands most of the Java trade; yet it is a very expensive place and somewhat out of easy reach and rapid communication with the manufacturing towns of the actual centre of Europe.

Rotterdam offers great advantages of every description; it is nearly as well situated as Antwerp, and the active business spirit of its merchants is in itself a valuable attraction; but access to the port is not yet made always easy to vessels of the largest size, as those which actually visit our shores.

Further, it did not appear to me, during my stay in Holland, as if New South Wales or Australia could ever have a much active trade with either Amsterdam or Rotterdam. No doubt Colonial wheat, wool, and minerals would find buyers there, but the local market is too limited to prove attractive or offer any permanent inducement. Holland itself has no leading industries as would suffice to aliment exportation towards these Colonies; therefore all we could expect would be simply a limited carrying trade, and those places would remain ports of transit for Australian produces, which means heavy charges without any correspondent visible advantage.

Antwerp, on the other side, seems destined to become the great *entrepôt* of the continent; it is on a magnificent river, possesses numerous, spacious, and commodious docks; and by its railways and its canals is in direct and quick communication with the very heart of industrial and manufacturing Europe. It has been said, not without some reason, of the Amsterdam Exhibition, that it had been mostly made with Belgian capital and was almost entirely due to Belgian enterprise. To judge by the importance of the Belgian Court people might certainly have believed these sayings to represent a correct and true fact. My personal impression of Belgium and of the Belgians is that they are commercial and industrial activity itself, and that they are the best impersonation of the progress of the 19th century.

Belgium is a country of free trade and Antwerp, fast becoming almost a free port, is a commercial place *par excellence*. The Belgian Government consecrates yearly large sums of money to bring it in direct communication with every part of the territory and of the surrounding countries, and not less than 50 millions of francs, or £2,000,000, have already been spent on the making of the port, where there are now 3,500 meters of wharves with 26 feet of water at low tide; the quay and the railway measure a minimum breadth of about 70 yards, and room has been calculated for berthing at the same time thirty vessels, 400 feet in length each and of 4,000 tons register, not including those which could be placed on a second rank. At the same time as these continuous improvements traffic is still increasing, and an idea may be formed of the progress of Antwerp from the fact that its shipping which was in 1830 of 719 vessels, and in 1878 of 4,500 vessels, has reached in 1882 over 7,000 ships and steamers, including many of the largest dimensions.

The Antwerp Exchange is one of the most important on the continent and is daily attended by regular crowds of business people; the building itself is worthy of the city; on its walls are painted on a large scale maps of the leading commercial or productive parts of the world, and amongst these Australia and New Zealand.

The Chamber of Commerce is carefully watching where to and where from starting new connections. The Government has established there a large commercial museum, collecting all Belgian and Foreign goods with the help of the national consular body, who is called upon to provide frequent commercial reports for immediate publication and direct information of merchants; and at the time I was there a movement was started to organize an International Exhibition there at a near date.

Antwerp has already a wool market of growing importance, which must increase, as wool manufactures are getting more and more numerous in the provinces of Alsace Lorraine, and on the south borders of Belgium, between the *Meuse* and the *Rhine*, where they do now fast emigrate from France, owing to inducements offered by cheaper manual labour, and of engineering appliances, abundance of fuel, and cheaper and casier access to port of shipment. The transit trade alone is enormous, and makes Antwerp a most dangerous rival and neighbour to Dutch and German ports.

For other imports than wool, such as *sheepskins, bullock hides, timber, shale, tobacco, sugar, tallow, preserved meat, and Colonial wines*, Antwerp would prove equally well situated. Although Marseilles is a large wheat market, and Bordeaux is the European *entrepôt* for sheepskins and other hides, the
steamship

steamship owners of both these places are actually offering to take Australian goods direct from Sydney to Antwerp. The "Messageries Maritimes Company," I have been informed, are having special large steam cargo-boats built in view of such trade. House furniture and ameublement, floorings, carriages, manufactures are so numerous, and these industries are being so developed in Belgium, that our Australian cedar and other select timbers would soon become an important item of our exports. The same may be predicted of our preserved meats, and with better results again, to our Colonial wines, which will be far better received and praised there than amongst the rival wine-producers of Southern Europe. While again on the subject of wines I beg to insist and say that the Colonial wine-trade deserves the fullest sympathies of the Colonial authorities, and that, owing to the scientific and experimental character of their industry, our wine-growers as a body might well hope that some Governmental assistance should be given them.

As to the exporting trade of Antwerp there is hardly a speciality to be left out of the list which could be made. Not that the industry of the place itself is very much developed, but owing to the industrial character of Belgium, and the facilities accumulated by nature itself on its soil, for the establishment of factories.

The important iron-works and foundries, which are to be found south of Liege, from Namur to Seraing and Verviers, can rivalize with the leading similar establishments of England. Although these are considered now-a-day as monuments of national enterprise, it might be mentioned that the principal of these factories have been created by English men and money, and still bear their original names.

Most certainly, if ever Australia will look for a Continental-European port of correspondence, no better place will be found than in Belgium.

Every one there is, or wishes to be, acquainted with Australia.

The expressions of marked interest with which the people, from His Majesty the King to the commonest man in business, spoke to me of these Colonies, about which they generally know more than other Continental people, gave me the absolute certainty that it will certainly not be any fault of their own if their port of Antwerp does not get before long a larger share of Australian trade.

We have seen our connections with the United States become much closer after the Philadelphia Exhibition. I feel confident that our successful participation at the Bordeaux Exhibition of 1882 has provoked a movement towards us in that part of France. In the same manner must we expect to receive great benefits from the late Calcutta Exhibition.

In the same way may we expect to establish direct communications at some near day with the great Belgian port, and see in the waters of Port Jackson steamers under the Belgian flag, as they are seen now at New York and Boston.

There is so much more reason to expect it, that factories of every description are constantly being erected all round Belgium, and between France and Germany, so that Antwerp is to them the nearest port wherefrom they can get our raw produces. Whilst, on the other side, it is easy of access, and water or railway carriage cheaper than elsewhere to the manufacturers of Belgium, Germany, and France, for the reimportation to us of their manufactured goods.

But we must also look at ourselves, with respect to these direct connections with progressive foreigners, and see whether we are likely to secure and retain it, or, in other words, if our own port is up to the progress made everywhere else.

In almost every port I have seen in Europe, even in such secondary places as Valencia and Barcelona in Spain, the shipping facilities are not considered completed if the iron horse and the railroads do not come within reach of every ship's tackle.

I may then, be permitted, perhaps to say, that this Colony should not allow its rivals to proclaim that Melbourne, or even Newcastle, are more convenient business ports than Sydney, the metropolis of Australasia, in spite of its unequalled beauties.

I will be saying nothing new to you, Sir, when reporting that there is an erroneous idea circulating in Europe that Melbourne is the most important commercial place of the Colonies; at all events it advertises itself more and more constantly, and is, as a fact, more generally known and spoken of than we in New South Wales may claim to be.

New South Wales should therefore lose no time, or wait any longer, for counteracting such mischievous influence. I have done my best, and I feel confident that I have succeeded in re-establishing correct facts in the minds of all those with whom I came in contact, but an isolated man could not do much, nor enough, and what he does might not prove lasting.

An opinion has been expressed that the Colonies should abstain from participating in any foreign exhibition not exclusively under official control. I beg to submit that no such decision should ever be taken. On the contrary, this Colony should go to every Exhibition, whether national or private.

No doubt it is more flattering for the Representatives of the Colony to be received and treated in foreign lands by Governments as official personages, instead of having to deal with private individuals, and being treated on the same footing; but such a consideration should matter little to the Colony, it would simply require a previous clear understanding, and at the worst the Colonial representative men should have the good sense to understand that they are not sent for their personal glorification but simply to make the Colony and its resources favourably and successfully known to capitalists and intending immigrants.

Reproaches have been made that exhibitions conducted by others than Governments are no better than private speculations; even if it be so, the main point to be desired and attained is that they should be honestly conducted, genuine, and made successful; but surely it would be contrary to the Australian sense of justice and spirit of business to expect that they should bring on their promoters, instead of a limited and reasonable profit and fair reward, nothing else than losses and ruin. It is to be deplored certainly that the Dutch Government thought proper, at the eleventh hour, to keep the second rank for themselves in the management of the Amsterdam Exhibition, and left the credit of organization and execution to a private society, which of course has had to provide against all risks and uncertainty of such a business, by charging for space, &c., but, more especially with respect to our Colonies, there has been every reason for New South Wales and Victoria to congratulate themselves upon taking part in it. This Amsterdam Exhibition should be an encouragement to other peoples and nations to look at Exhibitions as national and patriotic undertakings, almost always sure of success, and certainly as amongst the best means of developing the resources of each exhibiting country, calculated to promote reciprocal sympathies, and serve the general welfare of the country upon whose territory any Exhibition is taking place.

With special reference to the private character reproached to non-official exhibitions, it should not be forgotten that there are in the world many small countries and Governments not so well situated as Holland, and which can ill afford the men, the time, and the pecuniary charges of an official Exhibition. Why, then, should not private people undertake, at their own risk, and in a patriotic spirit, that which the public treasury cannot afford to do for the good of the country?

If I may be allowed to express myself thus, I consider that International Exhibitions, official or private, mark on the dial of the centuries the steps forward made by the various races and agglomerations of mankind; and if this Colony was to neglect or despise such means of pushing itself, it would soon feel the evil effects of such a decision and bitterly regret it.

I even go so far as to say, that whenever and wherever practicable, and more especially with us, the representation of the Colony at Foreign Exhibitions should be a fixed rule, and constitute a special branch of the public service, or the work of a permanent Government Board, or at all events of a national association helped by a Government grant. Every member of the community, merchant, producer, consumer, professional or literary man, should support it without the expectation of any other dividend than the self-satisfaction of doing good to the commonwealth.

There is certainly enough of public spirit and broadness of mind among the leading classes of Colonial societies to maintain such an organization on a good footing; it exists already to a certain extent in other countries, and it works well.

It would have for effect that the Colony should never be taken by surprise, that it would always be ready, and that its representation, being in the hands of experienced and tried men, with a material hardly to be renewed, would prove more effective and cheaper than as under present arrangements, when new men have to be looked for each time, and every arrangement has to be started *de novo*.

The French, the Belgian, and other European Governments have a somewhat similar organization, and there is certainly no reason why this Colony should not have the same if it chooses.

It has already been spoken of having at Sydney in 1888 an International Governmental Exhibition in commemoration of the Centenary of the Australian Colonies. I humbly hope such a resolution will be adopted, and I can assure you, Sir, from what I have recently been enabled to see and to hear in Europe, that the Colony will meet with a much greater success again than it did on the previous occasion; and, indeed, provisions should be made beforehand on a considerably much greater scale, without necessarily incurring an increased or as large an expenditure.

It should not be forgotten that the year 1888 will be a red-letter date in the annals of the world, owing to the projected opening of the Panama Canal, which will bring our side of Australia nearer to Europe. It may be added also that in the following year, 1889, France is to celebrate by an International Exhibition in Paris the centenary of its great revolution, and for the Colony the one held in Sydney would be a good preparation; but if it be decided to hold such an Exhibition in Sydney in 1888 no delay, no hesitation, no counter-action of any sort should be allowed or tolerated; it should be undertaken with a firm hand, as a patriotic, national, and possibly a federal enterprise.

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It has been asked from me, many times, while in Europe, why these Colonies should not have a permanent representation on the Continent, and people wonder how Australia, important as it is, can have been so long without a permanent commercial museum of its own, in London at least, in connection with the several Agents-General Departments. With respect to this last suggestion I believe this Colony would not find it expensive to start one for itself, for there is now sufficient *matériel* in hand in the London office, in the way of show-cases, maps, &c., to satisfy immediate requirements.

As to the permanent representation of the Colony on the Continent, it is an extra expenditure which the Colony would have no reason to regret. It can well afford to have two Deputy Agents-General under the direction of the London head office, to act as commercial and immigration agents.

At the present moment many intending *émigrants* from the Continent, wishing for information about the Colony, are in no way aware of the existence of the Agent-General in London, or else hesitate to communicate by letter, in a foreign language, with a public official in a distant place. What happens in such case is that they apply, or get someone to apply for them, to the nearest Consular officer of Her Britannic Majesty; but, as it was pointed out to me by some of these functionaries, they themselves have no information in hand. They must write for it, and if there is any delay at one end or the other, or if anything occurs, taking the Consul or his attention away from such a special subject, which is not exactly in his attributions, the matter must naturally drop, and the intended emigrant is induced to go somewhere else, sometimes with his family or friends, and thus these are lost to the Colony.

Further, Consuls will make the remark that they cannot act as emigrant agents for any one colony; they must, at the best, speak for all British possessions, and are not supposed to influence anyone in favour of one settlement rather than of another; then again, they have this inferiority that they are not personally acquainted with the countries in want of immigrants.

If, therefore, the Colony has any desire to open its shores to a reasonable number of foreign immigrants, there is an absolute necessity to maintain somewhere on the Continent permanent agents of its own; but there is in the way another difficulty which should be got rid of; it is that people of Germany, or of France, Spain, Italy, willing to start straight from a near port for Australia, will hesitate, or even will be unable, on account of extra expenditure, especially in the case of families, if they must first proceed to a distant port in England, there to wait some time for the departure of the vessel which is to bring them here. I believe that for such cases arrangements should be made with the shipping companies of Bordeaux, Marseilles, or elsewhere, trading to this port, similar to the agreement actually in force with the Orient steamers.

It might be said that the Colony should require some special agents of its own, at each port of departure, but it would be easy to find there gentlemen of standing who would be prepared to serve the Colony, as some are actually found to accept Consular appointments without any remuneration from other foreign States. As a precedent to the above remarks, I may quote the dominion of Canada, which actually keeps in Paris a regularly accredited agent under the official denomination of commercial agent. I may also refer to the agents already appointed by the Colony, for validating agreements made in Europe.

During my stay in Europe, in the service of the Colony, for the last two years I have given much attention to immigration, and endeavoured, as I understood it was my duty, to promote as much as I could a current of useful emigration towards the Colony where a stay of over twelve years has enabled me to speak of its advantages. I always represented matters strictly as they are here, and limited my encouragements to small land farmers, winegrowers, and dairymen, having a limited capital with a large family, or to artizans of various professions likely to do well for themselves, and be useful in the Colony. Occasionally I gave lectures, accompanied with views of the Colony, of its public buildings, etc., reproduced by the oxydric light, and I feel sure that the Colony is much better known now than it was wherever I went; but I must not hide from you that I generally met with an absolute ignorance as to our very existence, or very often most absurd notions on the social, political, and economic conditions of this country. I have actually received letters from groups of men, asking whether, in the event of their coming here, they should be allowed to remain free, and at liberty to go away if they wanted to do so. By high officials I have been asked how many thousand people were in Australia, and they were much surprised when I replied that the population of Australia should be reckoned by millions of souls, and not by thousands.

I am aware that a certain portion of the Colonial population is adverse to the encouragement of immigration, owing to the difficulty of finding what they call remunerative employment for people already in the country, and therefore, whenever having to speak on the subject, I did not hide this fact to those for whom it had a special interest; yet the answers I got were generally that they felt confident of finding better chances

chances in Australia than in the old world, and that the worst they could meet with would be to be there in the same situation as in France, or other continental countries, where life is very expensive, work hardly remunerative, competitions of all sorts too keen, and where after all the same crisis, the same social problems, are also the permanent *statu quo* in all large cities.

But to return to immigration, it will perhaps appear to you of absolute and imperative necessity for the Colony not to let it go forth that there is no longer room for new comers within its boundaries, or else people in England and Europe might come to the conclusion that Australia is not the rich and happy country which it has been represented. Its commercial and even political influence must suffer, and a severe blow would be dealt to its financial credit, whilst the current of immigration would continue to flow towards the American continent at the rate of over 600,000 heads per year. Immigration at all events of British people, if not of Foreigners also, must be encouraged for the sake of the Australian race itself, and it should be welcomed by all because it must, as a matter of course, not only increase the Colonial population, but also bring a certain proportion of capital, and contribute to the increase, of production and consumption, of the revenue of the Colony, and of the welfare of the general community; the idea should not be encouraged that young Australia can yet do without old Europe.

I am personally in a position to say that many people of means, many families of the agricultural classes, many professional working men and skilled labourers, could be induced and found willing to come from the Continent at their own risk and costs if more was known about the Colony, and if means of travelling could be given more direct than is at present the case.

I have met with the same want, and a well affirmed desire, to know more of the Colony, amongst higher classes of European society, especially amongst public officials, and rich merchants. I do not see a cheaper way nor one more effective, for the present, to diffuse information upon the Colony than by the Government sending periodically the official publications, reports, and statistical registers of the Colony to the principal Chambers of Commerce, to the leading libraries, and Ministerial departments of those countries for which most interest may be felt from this side; or else by creating such agencies, either permanent or not, as mentioned above, in certain parts of Europe and elsewhere—a step which the Colony must certainly prepare itself to take at a not very distant time, as its importance is growing and its influence more felt.

I have yet to speak of a desideratum which was very often mentioned to me by business people of the Continent, and also in London: I refer now to the Universal Postal Union, into which the Australasian Colonies have not yet secured their admission. The inconvenience to the Continental firms, to the general public, to the foreign post office officials, and to Australian travellers having to correspond with Australia, is much more felt than may be supposed here; and any decision taken by the Colony of New South Wales to remove very soon that self-inflicted restriction in the enjoyment of facilities used by the rest of the world will certainly be much appreciated by all countries and peoples with whom the Colony has already secured, is interested or in any way likely to secure, commercial and political connections.

I trust this report, as a whole, will prove of some interest and value, and that its concluding part will be accepted with satisfaction. I feel quite confident that all Australian colonists who have visited the Continent and mixed with the population there will endorse the generality of my remarks.

I beg now to be allowed to express here my thanks, very respectfully, for the honor which was bestowed upon me by my appointment to serve as Executive Secretary for the Colony at the Amsterdam Exhibition. I accepted it with the firm intention to carry out the duties of the position most faithfully and devotedly to the satisfaction and to the credit of the Colony, so as to prove myself a useful citizen, worthy of the important trust placed in my hands; and it has been my sole aim, all through, to serve the interests of the Colony at large and of the exhibitors individually, to the best of my abilities.

I now hold myself ready to extend this report, as far as I may be able, upon any particular point which should appear to you as requiring further information.

I have, &c.,
HENRY BONNARD,
Executive Secretary for the Colony of New South Wales at Amsterdam.

APPENDICES.

Appendix No. 1.

NEW SOUTH WALES COMMISSION.

President :

The Honorable Sir John Hay, K.C.M.G., President of the Legislative Council.

Vice-Presidents :

The Honorable Sir George Wigram Allen, Knt., Speaker of the Legislative Assembly.
 The Honorable Arthur Renwick, M.D., M.P., Secretary for Mines.
 Sir Patrick Alfred Jennings, K.C.M.G., M.P.
 Edward Combes, Esquire, C.M.G., M.P.

Members of Commission :

Joseph Palmer Abbott, Esquire, M.P.
 Robert Dudley Adams, Esquire.
 James Barnet, Esquire, Colonial Architect.
 The Honorable William Adams Brodribb, F.R.G.S., M.L.C.
 Herbert Harrington Brown, Esquire, M.P.
 Sydney Burdekin, Esquire, M.P.
 John Fitzgerald Burne, Esquire, M.P.
 Angus Cameron, Esquire, M.P.
 Henry Clarke, Esquire, M.P.
 The Honorable George Henry Cox, M.L.C.
 John Davies, Esquire, C.M.G., M.P.
 David Lyndsay Dymock, Esquire, J.P.
 The Honorable Edward Flood, M.L.C.
 Edmund Fosbery, Esquire, Inspector-General of Police.
 Robert Fowler, Esquire, J.P.
 The Honorable John Frazer, M.L.C.
 Edward Greville, Esquire, J.P.
 John Harris, Esquire, Mayor of Sydney.
 Henry Hudson, Esquire.
 John Henniker Heaton, Esquire.
 Sigmond Hoffnung, Esquire.
 Archibald Hamilton Jacob, Esquire, M.P.
 John Story Jamieson, Esquire, J.P.
 The Honorable Samuel Aron Joseph, M.L.C.
 The Honorable Philip Gidley King, M.L.C.
 The Honorable Lewis Wolfe Levy, M.L.C.
 Archibald Liversidge, Esquire, F.R.S., Professor of Chemistry and Mineralogy in the University of Sydney.
 The Honorable John Macintosh, M.L.C.
 John Mackenzie, Esquire, F.G.S., Examiner of Coal-fields.
 The Honorable William Macleay, M.L.C.
 Francis Macnab, Esquire, Consul for the Netherlands.
 Charles Moore, Esquire, F.L.S., F.Z.S., Director of the Botanic Gardens.
 The Honorable Henry Mort, M.L.C.
 William Henry Paling, Esquire, J.P.
 John Pope, Esquire, J.P.
 Charles James Roberts, Esquire, C.M.G., J.P.
 The Honorable Jeremiah Brico Rundle, M.L.C.
 William Arthur Seward, Esquire.
 John Sec, Esquire, M.P.
 Robert Burdett Smith, Esquire, M.P.
 The Honorable John Sutherland, M.L.C.
 Prosper Nicholas Trebeck, Esquire, J.P.
 George Alfred Josephus Tucker, Esquire, J.P.
 Ebenezer Vickery, Esquire, J.P.
 William John Watson, Esquire, M.P.
 John Henry Want, Esquire, Barrister-at-Law.
 The Honorable John Brown Watt, M.L.C.
 Charles Smith Wilkinson, Esquire, F.G.S., F.L.S., Geological Surveyor.
 John Young, Esquire, J.P.

Alex. Cumming, Secretary.

Offices of the Commission :—Sydney.

N.S.W. Representative Commissioners at Amsterdam:

The Honorable Sir Saul Samuel, K.C.M.G., Agent-General for N.S.W., in London.
 The Honorable Thomas Holt, M.L.C.
 William Clarke, M.P.
 John Meyerfield, J.P.
 The Honorable Charles Moore, M.L.C.
 E. B. Woodhouse, Esquire, J.P.
 O. Langtree, Esquire.

Executive Secretary for the Colony of N.S.W. at Amsterdam:

Henry E. Bonnard, Esquire.

Appendix No. 2.

KINGDOM OF THE NETHERLANDS—CITY OF AMSTERDAM.

INTERNATIONAL EXHIBITION OF COLONIAL OBJECTS AND OF GENERAL EXPORTATION. MAY, OCTOBER, 1883.
 GENERAL PROGRAMME.

THE brilliant success achieved by the city of Amsterdam in obtaining a direct road of communication to the North Sea, and by which she has maintained her ancient reputation of being the first commercial city in the Kingdom, has given her a fresh stimulus to show renewed signs of life and energy in every department of human knowledge. A Committee, selected from the most influential men of the town, purpose to organize an International Exhibition of Colonial objects and of general exportation, for the year 1883.

One of the principal objects of this Exhibition will be to promote the interests of the Dutch Colonies as well as those of the Colonies of other nations, who, it is confidently expected, will gladly support and patronize this work.

London, Paris, Vienna, and other important places, in the latter part of the present century, have successively collected at their Exhibitions the products of trade and industry, of agriculture and horticulture, of science and art, in a manner calculated to raise the admiration of the whole world.

Of late years the great cities of the new world, Philadelphia, Sydney, and Melbourne, have successfully followed their example.

As one of the eldest Colonial Powers, Holland would claim the privilege and the honor of taking the initiative in organizing a concourse between the various colonizing peoples, such as has never yet taken place.

The Committee selected for the execution of this project is convinced that an exhibition of this kind, whilst spreading a new light on the Colonies in general cannot fail to be of immense interest.

Much as has been done for stimulating the spirit of enterprise, and securing the success of fresh commercial designs, there still remains a great deal to achieve in propagating a vaster knowledge of those countries, whose inexhaustible wealth of the soil only wants knowledge and capital, those powerful levers of our age, in order to contribute most thoroughly to the universal prosperity.

There is perhaps no fitter medium for the spreading of more knowledge concerning Colonies than a Colonial Exhibition, where, with the aid of history and science, is shown what those Colonies were and what they actually are.

The projected Exhibition will be subdivided into five great departments—

- 1st. Colonial Exhibition.
- 2nd. General Export Exhibition.
- 3rd. Retrospective Exhibition of Fine Arts and Arts applied to Industry.
- 4th. Special Exhibitions.
- 5th. Scientific Lectures and Meetings.

ART. 1. The Colonial Department forms the main basis of the Exhibition.

A comparative inquiry into the various systems of colonization, of tropical agriculture, of the exploitation of the treasures of the soil, promises to be a useful and original labour, worthy of the general interest.

This Exhibition should not be limited to a mere show of materials and products, but must also offer an opportunity of comparing the manners and customs of the natives of the Transatlantic regions.

Public works and means of conveyance, as being the foundations of prosperity and civilization, should form part of the Exhibition.

It is likewise thought desirable to represent specimens from the fauna and flora of the Colonies, as images of the luxuriant nature of the tropical countries.

Finally the Army and Navy, those bulwarks of liberty, should not be wanting.

ART. 2. The second department will contain all that belongs or relates to the general export trade. A vast space will be set apart for industry as applied to the transformation of matter, whilst industry and commerce will find ample opportunity for honest competition.

ART. 3. In the third department will be exhibited specimens of art from the remotest times, as an instructive picture of the ideas that have existed with regard to them among the original peoples, and how these ideas have been developed under the influence of civilization.

A comparative inquiry into the fine arts of different periods and nations seems highly interesting.

ART. 4. The object of the fourth department is that of temporary exhibitions. These will be for the greater part of a national character, so as to show the native products of agriculture and industry and as tending to promote the general interest.

ART. 5. The fifth department is the intellectual part of the Exhibition. Scientific lectures and meetings will offer an opportunity to the men of science, those pioneers of civilization, to communicate their ideas on and discuss the interests of trade and industry, of science and art, international law, education, hygiene, &c. Colonial economy, especially the relations between the mother country and colony, will occupy a first place in the list of interesting subjects of discussion.

The interests of mankind are universal as the human genius is.

We

We venture to hope that the invitation which the Dutch Government will forward to the other European Powers, for a hearty support of the Colonial Exhibition of Amsterdam, will meet with a favourable reception, so that by a general co-operation a complete success may be secured.

Even the mightiest nations will profit by occasionally entering into intellectual contests with their rivals, be it only for the purpose of showing that power and wealth, supported by moral and intellectual energy, will ever continue to deserve the esteem of the whole civilized world.

Extending the commercial operations, encouraging industry, raising the moral force of nations, strengthening the bond of union among the people, those will be the salutary fruits of so many united efforts, both for the Colonies and the Mother Country.

For the Executive Committee,

Amsterdam, August 15, 1881.

E. AGOSTINI, General Commissary.

D. CORDES, President.

S. DE CLERCQ, WZN, Deputy Member.

J. KAPPEYNE VAN DE COPPELLO, Secretary.

Appendix No. 3.

EXPLANATORY REMARKS TO THE PROGRAMME FOR THE COLONIAL SECTION OF THE INTERNATIONAL, COLONIAL, AND EXPORT TRADE EXHIBITION.

In framing the programme for this Exhibition its object, to wit: "the extension and a more general diffusion of the knowledge regarding the Colonies and extra-European possessions of the different Powers" has been kept in view as much as possible. The authors have considered it the best means of attaining that end, by dividing the programme into three distinctly characterized chief groups and by sub-dividing these into classes which, as it were, constitute the units thereof.

In group I, "The physical conformation of the Colonies and possessions" Natural Science in its strictly critical sense is the primary object. Moreover, as a basis for the development of both the succeeding groups, it is destined to embrace all destined to embrace all such data which may contribute towards the knowledge of the soil and its productions, of natural forces acting thereon, the races and tribe inhabiting it, its realms of plants and animals.

In both the succeeding groups we have endeavoured to include everything connected with the life and doings of the different classes of the populations in the Colonies, with the object of giving a clear and exact representation of them.

Although completeness has been the aim we do not contend that the limit of perfection has been attained, and, perhaps, much has been withheld or forgotten which nevertheless strictly belongs to an exhibition, and contributions of which would therefore be desirable.

In each class under the three groups objects are mentioned, contributions in which would be particularly welcome, and on which the authors intended to draw special attention. It should be remembered however, that we have done so in a descriptive not in a limited sense, so that articles not mentioned are not necessarily therefore excluded.

A few explanations may render our meaning more clear, and show that what may appear to have been omitted in one group will sometimes be found in another.

In the second class of the first group "meteorology and terrestrial magnetism" mention is only made of charts, tables, and graphical diagrams. We had then, as regards the Neth.-Indian possessions, mainly in view the series of magnetical and meteorological observations made in Batavia by Dr. P. A. Bergsma, and published by order of the Neth.-Indian Government, as well as the magnetical survey of the Indian Archipelago by Dr. E. Van Rijkevorsel, the report of which is accompanied by charts on which the lines of equal magnetical intensity and those of inclination and declination are indicated.

Similar contributions may also be expected from other countries, and are of the greatest importance to science. Besides, comparisons, instituted by means of the exhibition of instruments used or required for such observations, are of the highest value, since it has often been proved, also recently at the geographical exhibition held at Venice, that the acquaintance with instruments as used by different nations is unequal and far from common. These meteorological and other instruments were, however, ranged in our programme under the 3rd group, letter B of the 23rd class.

In the 4th class of this group, "Geology and mineralogy," Paleontology, or descriptions, sketches, and exhibitions of fossils have not been mentioned in so many words, but it was considered desirable to draw attention thereto in an especial manner in the explanatory remarks, owing to the great importance of this branch of geology. Liberal and well chosen contributions of both articles and pictures, with descriptions of them as well as of the places of origin and their vicinity are earnestly invited.

The demands of the 6th class of this group, "Animals," are various, and it was not feasible to mention all in the programme.

The researches in natural history do not only require animals and constituent parts, hides, skins, tender organisms, &c., preserved in serviceable condition, but also full descriptions and drawings mentioning the place of origin, species, native names, tables of measurements, &c.

Monographs of multifarious species found in different climes, or of species conspicuous from their close connection with the mother country or other lands, are very desirable, and their value will be enhanced by explanatory collections and drawings.

Of the 4th or last class of this group, "Anthropology," besides the foregoing, communications or contributions are very much desired of everything which could bring out conspicuously the difference of races and the form of development of man, from the most barbarous up to the most civilized races.

"Furniture" in the 9th class II group, mentioned under letter B, must be taken in the most liberal sense, so that it would comprise furniture for ease and luxury, cooking and washing utensils, means of illumination and heating, implements for making fire, riceblocks and such like.

In sending head-gear, turbans, mantles, ponchos, sarongs, loincloths, &c., comprised under letter C, "Clothing and finery," it is desirable to accompany them by elucidations regarding the manner in which they are worn by the natives. Such can be done by means of drawings or painted figures, but it is hardly necessary to add that dressed figures of natural size would be extremely welcome.

In

In the year 1878 "Models and instruments used in diamond digging and polishing at Banjermassin" were exhibited in Paris. Similar articles are also invited for this exhibition, and ought to be classed under the 10th class, letter F, "Mining."

As regards letter G, "Industry," it would be of importance to illustrate under this class the gradual processes previous to completion and fitness for use, by exhibiting the products in their different stages of treatment.

It would be extremely difficult, if not impossible, to exhibit in this country sea and rivercraft, fishing smacks and other conveyances by land and water, as they are used by the natives in the colonies. It has therefore been decided to limit contributions under letter H, "Trade and navigation"—to models and drawings which, however, to be of value ought to be made in exact proportions, with indication of scale, and be accompanied by a description of the construction and joints, &c.

It would, however, not be quite impossible to bring over rowing and sailing craft, and transports of small description and to allot them place in the Exhibition. This applies equally to sleighs and sedan-chairs which, together with harnesses, saddles and whips should be classed with means of land transport.

Among the conveyances by land choice should rather be made of those conspicuous by elegance, strength, lightness or adaptedness as excellent rowing and sailing boats. Among craft such attention should be given as much to elegance in form as to particular excellence in its use.

Also specimens of planks and knees to illustrate native shipbuilding are greatly desired.

Among ships requisites are particularly included; tackle and sails, cordage, anchors, oars, paddles, &c.

In the 13th class, "Forms of Government and States Institutions," under the heading Military, communications are invited regarding modes of warfare, usages in war and the art of fortification by the natives. It has been proved, especially in later times, that some native peoples are far from being unskilled in that art; hence, in order to demonstrate the progress of such peoples in the construction of defensive works, it is considered desirable to accompany these communications by models of forts (bentings), redoubts or other earth or stone defences. Contributions in these are therefore earnestly solicited.

Under the title "Public buildings," letter E, models and sketches of which are desired, no special mention has been made of palaces or dwellings of native chiefs, or grandees, as being comprised among dwellings of chiefs; yet, it is obvious that contributions in such will be greatly appreciated.

Regarding the 10th class in group III "Naval and military forces in the Colonies" is to be observed that by "means of fortification and defence," is meant in the widest sense everything which belongs to the living or dead fighting-forces of a country, or is destined for the organization, preparation, exercise, and equipment of armies and fleets; among which may also be mentioned marine wharfs and establishments for the construction of steam-engines, armour-plates, gun-foundries, and pyrotechnical ateliers, and particularly institutions for the education of officers and non-commissioned officers, and asylums for invalids and old soldiers who do not return to civil life.

The definition of the 17th class, "Public Works," has been purposely given in general terms in order to embrace everything that has been done in the colonies by Governments, private companies, or individuals, for general benefit and use, such as rail- and tram-ways, and engineering constructions therewith connected, bridges and river passages, the buildings of harbours and docks, digging of canals, the improvements of rivers, irrigation works, drainage of lakes, the construction of breakwaters, dikes and dams, and the erection of buildings for the Public Service, or for general benefit.

Finally, it must be remarked that where statistical data and comparative statistics regarding navigation, commerce, industry, and agriculture are mentioned, particularly in the third group, graphical descriptions of the movements on these various subjects, although not expressly stated, are nevertheless much desired, as being best calculated to place such movements to view in a distinct manner.

HINTS TO CONTRIBUTORS TO THE COLONIAL EXHIBITION.

It is absolutely necessary that exhibitors do accompany their contributions by such careful explanations and details as may be required to fully indicate the nature, the use and application, the origin, the composition and value or price of the articles, and which are also indispensable for the drawing up of a good and explanatory catalogue.

It need hardly be added of how much importance such a catalogue would be for the many exhibitors themselves, especially for those who exhibit the products of agriculture, art, machine, and manual-industry, as it is also scarcely necessary to show how much the usefulness of the exhibition would thereby be enhanced.

Objects classed in the II group of the Colonial Section must be ranged under the name by which they are known in the country of their origin, but must also have the nomenclature which European colonists or European countries may have given them.

The value of the contribution would be enhanced by a description, or rather by the addition of samples of the materials out of which they are made.

Simple articles in daily use by the natives, indicating their morals, customs, and way of living, nature and degree of culture, are more desired than costly articles, or those in less general use, betraying European influence. Even repaired articles have a peculiar value, as indicating the manner in which the repairs are done. Such articles, showing the skill of the native people to imitate European art and compete with it, should neither be omitted.

Small but carefully selected collections, tending to improve the knowledge of the people and country and advance their prosperity, are valued more than large or even costly collections where these objects have not been kept in view.

In sending models care should be taken that all the proportions of the original have been faithfully reproduced, whilst it would be advisable to state also of what kind of wood or raw material they are made of. In case that the models require to be taken to pieces for transit, the different parts should be marked with numbers or letters in pencil (if possible twice repeated) referring to a list or sketch indicating the manner in which the parts are to be joined.

It is requested not to label the articles, as during the voyage the labels frequently fall off or become detached through moisture. It would be better to write the numbers or letters in pencil on the articles which are then detailed in a separate list.

Seeds liable to spoil through damp or otherwise should be rather despatched in tins or stoppered bottles.

It

It is advisable when packing to put camphor or insect powder in the cases and to rub in iron or steel articles with a little grease, or what would be better still, with some vaseline.

It is earnestly solicited not to hold any so-called preparatory exhibitions if the cases have thereby to be opened after despatch by the sender. Experience has taught that through that cause articles reach in a damaged and sometimes quite unserviceable condition, for nobody can be expected to attend better to a good and careful packing than the owner or exhibitor himself.

Thus the cases ought to reach the Exhibition building unopened, and should be opened there first.

The latest date on which goods can be received has been fixed as 1st February, 1883.

If sent later the risk is incurred of their not being accepted.

The packages destined for the first section should be marked distinctly on at least two contiguous sides, thus :

Exhibition, Amsterdam.

1883.

Colonial Section.

Appendix No. 4.

COLONIAL AND EXPORT TRADE EXHIBITION, AMSTERDAM.

MAY—OCTOBER, 1883.

PROGRAMME OF THE COLONIAL SECTION.

THE Exhibition will embrace the Colonies and extra-European Possessions of the different Powers. Nations without Colonies or Possessions abroad may contribute towards the Exhibition, provided they trade or are connected with Colonies, or in case they have advanced the knowledge of such parts through charts, books, collections of the products thereof, &c.

The Colonial Exhibition is divided into three general groups :—

- I. Physical conformation of the Colonies and Possessions.
- II. Their native populations.
- III. The Europeans in such countries and their relation towards the natives.

1ST GROUP.—7 CLASSES.—PHYSICAL CONFORMATION OF THE COLONIES AND POSSESSIONS.

- 1st Class—Geography. Descriptions, atlases, charts, plans, reliefs, profiles, &c.
- 2nd Class—Meteorology and Terrestrial Magnetism. Charts, tables and graphical diagrams.
- 3rd Class—Scenes, by means of paintings, drawings, engravings, lithographs, photographs, &c.
- 4th Class—Geology and Mineralogy. Zoological and mineralogical descriptions, pictures and collections.
- 5th Class—Plants. Live and dried plants, pictures of plants, and description of the flora.
- 6th Class—Animals. Stuffed and otherwise preserved animals, pictures of animals and descriptions of the fauna.
- 7th Class—Anthropology. Descriptions and pictures, casts, skulls, preserved heads.

2ND GROUP.—6 CLASSES.—NATIVE POPULATIONS.

(By which it is understood all inhabitants not of European race.)

- 8th Class—Statistics of population in tables and graphical diagrams.
- 9th Class—Domestic and social life.
 - A. Pictures and models of cities and villages, dwelling-houses, shops, workshops, &c.
 - B. Furniture.
 - C. Clothing and Finery. Toilet requisites, designs of tattoo-processes and instruments.
 - D. Dietary. Utensils for preparation, use and preservation.
 - E. Stimulants. Utensils for preparation, use and preservation of tobacco, betel, opium, drinks, &c.
 - F. Morals and Customs. Pictures, paintings, drawings, sketches, costumes, arms, or other subjects illustrative of ceremonies and customs, such as betrothals and marriages, pregnancy and births, death and burial, contracts and oaths. Sports and popular games, and objects and pictures thereto appertaining.
 - G. Pauperism. Communications regarding the means of counteracting it. Poor laws.
- 10th Class—Means of subsistence.
 - A. Sport and Fisheries. Apparatuses and instruments for capture and treatment of animals, as : Traps, drummets, fences, nets, lines, hooks, harpoons, darts, nooses, cages, &c. Fishing craft and models thereof. Produce of the chase and fishing, as ivory, horns, musk, skins and hides, pearls, mother-of-pearl, coral, tortoise-shell, amber, dried fish, &c.
 - B. Cattle breeding. Statistics of cattle-markets in tables and graphical diagrams. Pictures of cattle, buffaloes, horses, sheep, &c., indigenous or cross breeds, with quotations of prices. Products derived from cattle, as horns, hides, wool, dairy produce, &c. Instruments for feeding, dairy manufacture, wool shearing, &c. Cattle marks, pictures and stamps. Cattle bells, shepherds' tools, stables and fences.
 - C. Breeding of useful insects, such as silkworms, bees and cochenille-insects. Utensils and samples.
 - D. Agri- and Horti-culture. Products of agri- and horti-culture, obtained by native means, such as sugar-cane and tobacco for home use, pepper, betel, gambier, rice, Indian corn, and other cereals ; arrowroot, sago, kapok, cotton, cocoa, &c. Models and drawings of waterworks and means of irrigation. Implements for agri- and horti-culture, such as ploughs, harrows, shovels, spades, hatchets, grasscutters, choppers, scythes, &c. Lofts and sheds.

E.

- E.* Forest produce, as samples of wood for house and shipbuilding; for piers, embankments, and bridges; for the manufacture of furniture, agricultural implements, instruments, weapons, &c., for charcoal, &c.
Resins, gums, rattans of different descriptions, bamboos, wax, aconite, oils and fat, fibrous stuffs, colouring matters, wild nutmegs, massoooy.
- F.* Mining. Mining explorations, gold and diamond washing, salt boilings, &c. Implements and samples. Eatable clay.
- G.* Industry. Spinning, weaving, thrashing, dying, cotton printing, tools, models and samples.
Spun yarn, fibrous materials, raw materials, &c. Implements and samples.
Basketry, rope and mat work, raw materials. Implements and samples.
Paper manufacture. Materials, tools and samples.
Workmanship in precious stones, gold, silver, iron, stone, clay, wood, leather, &c. Tools, models and samples.
Preparation and manufacture of animal substances, such as amber, musk, wax, honey, ivory, horn, bones and teeth, tortoise-shell, shells, skins and hides, feathers, hairs, &c. Tools and samples.
Preparation of popular drinks. Materials, utensils and samples.
- H.* Trade and Navigation. Review of the inland trade in tables and diagrams. Review of maritime trade, as coast trade and foreign commerce driven by natives, models and drawings of crafts and other means of transport by land and water for the inland trade.
Models and designs of craft for the native sea-trade. Sea-charts and instruments. Ships' requisites.
Charts, drawings, or models of communications by land and water, bridges, market places, sale exhibitions and other institutions, in favour of commerce.
Examples of the native modes of packing, coins, measures and weights. Seals and trade-marks.

11th Class—Arts and Sciences.

- A.* Drawings, paintings, engravings, sculptures and lacquered ware.
B. Music and musical instruments.
C. Stage appurtenances and dramatical representations.
D. Calligraphy and printing materials and samples.
E. Education. Reports on the organization and result of native education.
Models and plans of school buildings.
Means of instruction and school furniture.
Educational schemes and school rates.

12th Class—Religion and religious customs.

- Descriptions, models or copies of temples, mosques, &c.
Idols.
Images of priests, female priests, astrologers, soothsayers and objects in use in the discharge of their avocations.

13th Class—Forms of Government and State Institutions.

- A.* The present and early forms of Government. Literature.
Pictures of princes, grandees, and chiefs. Their symbols of distinction and dignity. Flags and Banners.
B. Military. Communications on the modes of warfare, customs of war, and arts of fortification.
Means of attack and defence.
Arms, war garbs, and equipment. Martial music.
Attributes and drawings of heralds and champions.
Symbols of challenge and truce.
C. Means for maintaining public peace and safety.
Contributions to the knowledge and conduct of the civil police.
Spearforks, handcuffs, stocks, &c.
D. Judicial Institutions and customs. Laws, placards, and other contributions to the knowledge of native judicial institutions.
Objects in use in judgments by ordeal. Drawings or models of instruments of punishment and torture.
E. Public Buildings. Models or pictures of houses of chiefs, communal buildings, guardhouses, and prisons.

3RD GROUP.—THE EUROPEANS IN COLONIES AND THEIR RELATION TOWARDS THE NATIVES.

14th Class—Voyages of discovery and investigation.

- Descriptions and charts.

15th Class—Colonial systems, their application and results. Charters and Octrois.

- Laws and rules, principally relating to administration and justice. Literature.
Books on Colonial policy and Economy.
Decorations and honours exclusively for the Colonies.

16th Class—Naval and Military Forces in the Colonies.

- Means of fortifying and defence, descriptions, drawings, and models.

17th Class—Public Works. Descriptions, plans or projects, models, charts, designs, or other drawings.

18th Class—Telegraphy and Post-office, telephones and signals. Instruments, model and drawings, postage stamps and seals. 19th

19th Class—Commerce and navigation in and with the Colonies.

- A. Literature on commercial law and treaties of commerce and navigation.
Tariffs of import, export and transit, pilotages and port dues. Harbour regulations.
- B. Statistics of trade and navigation.
Comparative statements of trade and navigation prior to and after the reduction and abolition of import, export, and transit duties.
Comparative statements of trade and navigation of the colonies with their mother countries and foreign lands prior to and after the abolition of differential duties.
Comparative statements of the proportion of steamers and sailing vessels in the trade movement.
- C. Communication by land and water.
Ways and means of transport. Descriptions and models.
Steam, sailing, and rowing crafts, wharf, docks, lighters, diving apparatuses, cranes, &c.
Models, drawings, and sections.
Statistical data regarding traffic in connection with tariffs, particularly as to railways.
- D. Communications relative to institutions of commerce and credit.
- E. Coins and coinage. Stamps.

20th Class—Agriculture and industry.

- A. Description of agriculture aided by Europeans on proprietary, leased, or farmed lands.
- B. Agricultural implements or models, drawings, and descriptions.
- C. Agricultural establishments. Models or drawings and descriptions.
- D. Agricultural handbooks.
- E. Agricultural statistics in diagrams showing the increase and decrease of produce, rise and fall of prices, increase and decrease of cost of production.
Comparative returns regarding Government and private cultivation.
- F. Agricultural products. Samples.
- G. Forest cultivation. Description of the cultivation of forests by Europeans. Implements and instruments, charts, drawings, photographs, and models.
Products. Models of kinds of wood which are already in use in the colonies for mining, ship-building, &c., and samples of sorts of wood to be recommended for export to Europe.
- H. Mining, metallurgy, and artesian wells.
Laws and regulations.
Mining. Description of experiments, construction of mining establishments, mining explorations, rock-boring illustrated by models, charts, sketches, sections, drawings, and photographs. Instruments and implements, or models and drawings. Samples of the products.
Metallurgy. Descriptions of metallurgical establishments and processes, illustrated by models, plans, profiles, and drawings. Instruments and implements, or models and drawings. Samples of produce.
Artesian Wells. Descriptions of artesian means of water supply, means of boring, boring instruments, illustrated by charts, plans, profiles, drawings, photographs, and models.
- I. Industry.
Machine and manual industry. Descriptions. Models, instruments, and products.

21st Class—Domestic and social life of the European.

- A. Necessaries for the passenger to and from the colonies, and for the pioneer and the scientific traveller.
- B. Life in the Colonies.
Copies or models of dwellings.
Furniture, clothing.
Diet.
Recreations and amusements differing from those of the European. Objects used in such, with drawings.
- C. Pauperism. Information regarding pauperism and means of alleviating it, and poor laws.

22nd Class—Education and Instruction.

- A. Preparatory, lower, middle, and higher instruction.
Laws and regulations.
Schemes of instruction and school-rates, school requisites and means of instruction.
Drawings and models of schools.
Educational statistics.
Reports and literature.
- B. Missionary Labour. Information regarding the activity of missionaries and results obtained.

23rd Class—Scientific Research.

- A. Requisites for forming scientific collections, viz., animals, plants, minerals, geological specimens, ethnological objects, &c. Means of preserving, cabinets and labels.
 - B. Instruments for scientific observations, such as astronomical means of determining latitudes, measurement of levels, surveys, hydrographical surveys, meteorological and magnetical observations.
 - C. Printing. Products—books, periodicals, journals, and weekly papers, illustrations. Stereotype plates, frames. Binding.
- The Colonial Committee :
- | | |
|------------------------------------|---|
| DR. P. J. VETH, Honorary Chairman. | The Central Committee : |
| M. P. PELS, Chairman. | D. CORDES, Chairman. |
| I. J. VAN SANTEN, Secretary. | S. DE CLERCQ Wz., Delegated Member. |
| | J. KAPPEYNE VAN DE COPPELLO, Secretary. |

Appendix No. 5.

INTERNATIONAL COLONIAL AND EXPORT TRADE EXHIBITION, AMSTERDAM.

MAY—OCTOBER, 1883.

PROGRAMME OF THE SECOND SECTION.

EXHIBITION OF ARTICLES FOR EXPORT TO THE COLONIES AND TRANSOCEANIC POSSESSIONS.

GROUP IV.—*Furniture and Upholstery.*

- 24th Class—A. Joinery and cabinetwork. Furniture in every sort. Wicker-work.
Bedsteads and accessories.
Billiards and accessories. Arms and other rests.
School and office furniture.
B. Garden furniture and garden ornaments in wood, bamboo, and twigwork.
- 25th Class—Furniture stuffs, trimmings, galoonwork, etc. Carpets, furniture coverings, tapestry, rugs, alcatives, etc.; waxcloth, canvass, imitation leather, camptulikon, corticine, etc.
Blankets, sheets, and other bedding.
Mirrors, framework and separate parts of same.
- 26th „ Chandeliers, candlesticks, lustres, candelabras, lamps, gas-ornaments. Separate parts.
Chamber ornaments in bronze.
Garden furniture and garden ornaments in iron.
Safes. Locksmiths' work.
- 27th „ Gold- and silverwork. Articles of iron, steel, bronze, yellow and red copper, tin, aluminium, nickel and other metals or metal compositions, electro-plate and such like for ornament and domestic use. Cutlery. Pins and needles.
- 28th „ Clockwork, pendulums, house barometers, thermometers, etc. Mechanical numerators.
- 29th „ Porcelain and crockery. Glasswork, ceramic, terra-cotta, mirror glass, etc.
- 30th „ Apparatuses for heating, cooling and ventilation, filters and separate parts. Ice chests.
Furnaces and cooking utensils. Apparatuses for weighing and measuring. Weights and measures for domestic use.
Bathing utensils. Washing machines, wringers, mangles, etc.
Ice machines, apparatuses for distillation of water and utilizing the sun's heat.
Heat reservoirs, etc.
- 31st „ Morocco and other delicate leather work.
Fancy-goods. Toys. Fine brushing-work.
Social Games. Haberdashery.
- 32nd „ Stationery and office articles. Drawing and writing requisites. Printing and bookbinding.
Albums and engravings, photographs, etc. Trade labels, prints, etc. Educational and school requisites.
- 33rd „ Music and musical instruments, organs, pianos, wind, string, and mechanical instruments, etc.
Musical boxes, etc.

GROUP V.—*Clothing, Linen and Accessories.*

- 34th Class—Twist and tissues of hemp, linen, cotton, silk, wool, ramah, etc.; rugged, bleached, dyed, printed. Felt, etc.
Shawls, wrappers, laces.
- 35th „ Ready-made clothes, uniforms, liveries and separate parts, etc. Waterproof clothing. Body-linen. Head coverings. Gloves. Shoes.
Umbrellas and parasols.
Toilet and fancy articles. Flowers. Feathers. Head-dresses. Hair.
- 36th „ Jewellery and trinkets. Precious stones. Gold, silver, and other personal ornaments. Imitation and fancy-work. Fans.
- 37th „ Outfits for a residence in the Colonies, for out and homeward voyages, etc.
Travelling articles, tents, camp equipage, etc.
Portable weapons. Implements for chase and fishery.
Precision instruments for travellers. Travelling and pocket barometers. Hypsometers, clinometers, teleometers, pedometers, and others. Telescopes, spectacles, eyeglasses, and other optical instruments.

GROUP VI.—*Dietary, Chemical products, and modes of packing them.*

- 38th Class—Preserved food, butter and cheese, oleomargarine and other substitutes for butter. Breadstuffs and articles made thereof.
Cakes and sweetmeats, articles prepared from coffee, cocoa, etc.
Salt, spices, etc.
Drinks in every sort.
- 39th „ Cigars and cigarettes, snuff, tobacco, opium, etc.
- 40th „ Oil and fat. Soap. Stearine, paraffine, etc. Articles made of them.
Dyes, lacks and varnish.
Spiritual liquids for domestic and industrial use.
Raw materials, specimens, samples of dying, bleaching, sizing, tannery, etc.
Prepared caoutchouc, gutta-percha, damar, copal, and other gums.
Medicines, mineral waters, chemicals, drugs, matches. Perfumery.
Other products of industrial chemistry and examples of their application.
Gypsum, bonedust and animal-charcoal, phosphates, guano, artificial manure.
- 41st „ Bottles, cooperage, cork, corking-machines, and other means of packing and preserving.
Implements and samples.

GROUP

GROUP VII.—*Machinery and Implements—Means of Transport.*

- 42nd Class—Engines and other propellers and separate parts.
 Axles, belting, cylinders, presses, and other general manufactory requisites.
 Instruments and implements for agricultural purposes.
 Instruments and implements for industrial purposes. Printing-presses.
 Sewing and knitting machines.
- 43rd „ Requisites and apparatuses for physics and chemistry, for spectral analysis, polarization, saccharometry, etc. ; for meteorology and electricity, and for seismography.
 Photographical apparatuses and accessories, etc.
 Requisites for physical research and scientific collections.
 Surgical instruments and hospital necessaries. Instruments for Dentists.
 Apparatuses for gymnastics, orthopedy, etc.
 Survey, water-level, and other instruments of precision and measurement.
 Manometers. Diagram instruments, calculating machines, etc.
 Telegraphs, telephones, heliographs, etc.
- 44th „ Material for railways (stationary and portable), for tramways, transport cables. Separate parts. Models.
 Carriages and vehicles. Freight and other carts. Separate parts. Models.
 Articles of saddlery and harness, etc.
- 45th „ Material and requisites for ocean, coast, and river navigation. Models.
 Ships stores, equipments and means of defence and attack in marine warfare.
 Boatfittings. Tackle and ropework, anchors, chains, etc.
 Requisites for whaling, and cachelot, coral, and sponge fishing. Chase and fishery.
 Nautical instruments, charts, compasses, etc.
 Lights and signalling. Pilotage. Buoys, and beacons. Separate parts. Models. Drawings.
 Material for wharfs and docks. Models. Drawings.
 Deep marine soundings, diving apparatuses, lifeboats, and apparatuses. Separate parts, models.
 Drawings.
 Implements for loading and discharging.

GROUP VIII.—*Building.*

- 46th Class—Building materials. Ornaments.
 Dwellings and annexes. Fabrics, sheds, stables, etc. Models, drawings, separate parts.
 Removable dwellings, ways of joining, binding, etc.
 Hygienic apparatuses.
- 47th „ Supplies for public works. Bridges, piers, harbour-works, etc. Models. Drawings. Separate parts.
 Machines for water supply, water and other wheels, jackscrews, etc. Pumps and pumping machines, centrifugal, Norton's and others. Turbines. Norias. Pulsometers, etc. Appurtenances.
 Fire-engines and life-saving apparatuses.
 Implements for irrigation of roads, estates, etc. Models, drawings, separate parts.
- 48th „ Requisites for mining, artesian well-boring, stone quarryings. Covering, lighting of mines.
 Boring instruments, manipulation of ores, transport, etc. Models, drawings, separate parts.

GROUP IX.—*Articles of export, exclusively for the use of the native population.*

- 49th Class—Furniture and clothing. Spun, woven, and other goods. Ready made clothes, personal ornaments, praying-carpets.
- 50th „ Implements and instruments for agricultural and industrial purposes.
 Implements and instruments for chase and fishing.
- 51st „ Arms and war material.
- 52nd „ Books, school and writing requisites.
- 53rd „ Articles of barter (knives, beads, looking glasses, coins and medals, glassware and crockery, images, etc.) Haberdashery.

GENERAL REMARKS.—As the Export trade also embraces component parts, and loose and spare pieces, etc., of the articles of trade, apparatuses, instruments, etc., mentioned, they may likewise be contributed to the exhibition, even if they are not specially quoted in this programme, and will be placed in the class of which they form part.

The same remark applies equally to models, drawings, etc., even when not expressly indicated.

Contributions of Books, Treatises, Statistics, etc., relative to the articles indicated, and to the Export trade in general, will be highly valued.

AMSTERDAM, 15th December, 1881.

The Committee for the Second Section "Export Trade."

The Central Committee.

J. LEONARD WOLTERBEEK, LL.D., *Chairman.*

D. CORDES, *President.*

TH. STUART, LL.D., *Secretary.*

S. DE CLERCQ Wz., *Delegate.*

J. KAPPEYNE VAN DE COPPELLO, LL.D.,
Secretary.

E. AGOSTINI, *General Commissioner.*

Appendix No. 6.

KINGDOM OF THE NETHERLANDS—CITY OF AMSTERDAM.

INTERNATIONAL COLONIAL AND GENERAL EXPORT TRADE EXHIBITION—MAY, OCTOBER, 1883.

GENERAL REGULATIONS.

First Section.—Patronage, Commission of Organization, Executive Committee, General Commission, Provincial and Colonial Committees, Foreign Commissions.

Art. I.—Under the high patronage of H.M. the King of the Netherlands and of the Government of the Netherlands, and under the honorary presidency of H. E. the Minister of Colonies, an International Colonial and General Export Trade Exhibition will be held in Amsterdam in the year 1883.

This Exhibition will contain :

1. Produce of the Colonies.
2. Articles of General Export.
3. Works of Art and Antiquities.

It will give opportunity for competitive exhibitions of :

4. Living Animals, Flowers, Fruit, &c.
5. For Congresses and Conferences.

It will be opened on the 1st of May, 1883, and have a minimum duration of five months.

Art. II.—The Exhibition is organized by a Commission called the Committee of Organization. It is placed under the direction of an Executive Committee, represented by a Delegate.

The administration and general management is entrusted to a Commissioner-General.

Art. III.—Provincial and Colonial Committees are formed, having for function :

1. To make known within their province the object and purport of the Exhibition.
2. To promulgate informations concerning its organization and to distribute the forms for request of admission and all other documents.
3. To find out the most prominent inhabitants of Colonies, agriculturists, manufacturers, artists, &c., whose admission to the Exhibition would tend especially to enhance its solemnity ; and to indicate the importing merchants, exporters, &c., fit to lend efficacy to the organization for competition.
4. To call forth exhibitions of agricultural and horticultural products of the Colonies and provinces
5. To call forth and eventually to organize the collective grouping of similar products of the Colonies and the provinces, and to accredit to the Executive Committees delegates charged with representing each collective exhibition.

Art. IV.—The Foreign Commissions appointed by the several countries, at the request of the Government of the Netherlands, are invited to communicate as early as possible with the Executive Committee, and to have themselves represented there by delegates.

Each delegate will be appointed with the Commissioner-General on questions touching his nation.

Second Section.—Commissioners of Groups, Juries, Rewards.

Art. V.—For every group in the Exhibition of the Netherlands and the Dutch Colonies a special Commissioner will be appointed charged with :

1. Preparatory labours for the organization of his group.
2. Transmitting to the Commissioner-General all claims of his exhibitors, and to detect all breaches of the rules, which he is bound to execute strictly.

The Foreign Commissions or their Delegates are charged with presiding at the installation of the exhibits of their nation.

Art. VI.—Rewards will be granted by an International jury.

The jury will be divided into sections corresponding to the groups and classes of the Exhibition.

Art. VII.—The Rewards will consist of :

1. Diploma of Honor.
2. " for Gold Medal.
3. " " Silver Medal.
4. " " Bronze Medal.
5. " " Honorable Mention.

Every diploma of medal will be accompanied by an official medal of bronze.

These rewards will be apportioned on the reports of juries to the exhibitors whose contributions are pronounced to be of incontestable superiority.

A special regulation for the procedure of the jury will be drawn up later.

Third Section.—Arrangement of Products, Catalogue.

Art. VIII.—The articles exhibited will be arranged for every nation into nine groups for the two first divisions. Each group is divided into classes according to the system of the general classification.

Art. IX.—An official catalogue of the produce of all nations and the names of the exhibitors will be drawn up in the French and Dutch languages.

Fourth Section.—Admission of Exhibitors—Installations.

Art. X.—Applications for admission will be sent up to the Commissioner-General and submitted to the Executive Committee, which will decide in the highest instance as to the admission of the applicants.

The Commissioner-General will be charged with sending the certificates of admission to every admitted exhibitor.

Art. XI.—The space allotted will be placed at the disposition of the exhibitors, subject to the following charges :—

Galleries of the main building.	For every superficial meter...	...	...	25 Guilders.
" " "	" " "	"	for isolated spaces	50 "
Annex galleries in the gardens	" " "	"	"	12.50 "
Space in the open air	" " "	"	"	7.50 "

Art.

Art. XII.—The industrial exhibitors requiring water, gas, or steam must state so on applying for admission, indicating the quantity of water, gas, or steam required.

The supply of water, gas, or steam furnished by the Administration is subject to a proportionate charge, regulated according to a special tariff, which will be at the disposal of parties interested.

Art. XIII.—The exhibitors that are admitted will receive in due course all the necessary informations, particular regulations and printed addresses for the dispatch and transport of their products.

The addresses will contain the following printed indications :—

1. The number of the group.
2. " " class.
3. The labelled address as follows :—
 " International Exhibition of Amsterdam, 1883, Amsterdam, Netherlands.
 Colonial Section or Section of General Export, or &c., &c."

The packages must bear on one side of the address, in large characters, and on paper of the national colours :

1. The nationality.
2. The name of the exhibitor.
3. His address.
4. His consecutive number.

Art. XIV.—The Exhibition enclosures will be constituted bonded warehouses, where the foreign products will be admitted as in transit.

Art. XV.—Every exhibitor must attend either personally or through his agent to the dispatch, transport, and reception of his packages, as also to the declaration of their contents.

If the exhibitor or his agent is not present to receive the packages on their arrival within the enclosures of the Exhibition, the supervisor will be charged to remove them immediately and store them at the expense of the exhibitor.

Art. XVI.—The exhibitor who shall not have staled his contributions before the 20th April, 1883, will lose all his right on the space allotted ; his application for admission and the certificate addressed to him will be considered null and void. The Commissioner-General, after conferring with the Executive Committee, shall have the power of disposing immediately of the space allowed for his exhibits, without any judicial or extra-judicial formalities.

Art. XVII.—The cases and other wrappings of packages, after unpacking, must be removed by the exhibitors or their agents ; if not, they will be removed under the direction of the administration, without the latter incurring any responsibility in the discharge of their duty, and this at the expense of the exhibitor.

The storing and keep of empty cases, &c., will take place at the charge of the exhibitors and must be done outside the enclosures of the building, either by themselves or the supervisor, after a special tariff.

It is distinctly understood that all the cost of packing, transport, keeping, unpacking, putting up, and return, &c., &c., will be at the expense of the exhibitor.

Immediately after the close of the Exhibition the exhibitors must proceed to remove their exhibits. This operation must be completed by the 31st December, 1883.

After this date the products, packages, &c., which shall not have been withdrawn by the exhibitors or their agents will be removed officially and stored at the expense, risk, and peril of the exhibitors.

The articles which shall not have been withdrawn from the storehouse on the 31st May, 1884, will be put to public sale and the net proceeds handed to the Municipality of Amsterdam for the benefit of the Poor Fund.

Fifth Section.—Administration and Police.

Art. XVIII.—All colonial products and articles of exportation are admitted into the Exhibition, save the following :—

- Detonating and explosive materials, and in general every article considered dangerous.
- Spirits or alcohol, oils and essences, corrosive materials, and, in general, whatever may damage other exhibited products or incommode the public will not be received except in solid and appropriate receptacles and of limited sizes.
- Percussion caps, fireworks, chemical matches, and other analogous objects, cannot be received in imitated form and without any addition of inflammable material.

Art. XIX.—The Commissioner-General, in consultation with the Executive Committee, has the absolute right to cause the withdrawal of all products of such substance which from their nature or appearance may seem to him to be dangerous or incompatible with the aim and propriety of the Exhibition.

Art. XX.—Products are exhibited under the name of the signatory of the application ticket. This condition will be strictly adhered to.

The exhibitors are invited to indicate within the space of their stall the names of their co-operators, whoever they may be, that have contributed, in what manner soever, to the excellence of the products exhibited.

They are particularly invited to state the selling price of the articles exhibited.

Art. XXI.—The exhibitors will be permitted to sell their articles, but cannot remove them during the hours that the Exhibition remains open ; when removed they must replace them immediately by articles of the same nature.

They are in such case to provide themselves with a permissive pass.

The articles produced on the spot can at once be delivered to the purchasers.

Drinks and products for consumption sold on the spot are subject to a special agreement.

Art. XXII.—No article or object whatsoever shown at the Exhibition can be imitated, copied, or reproduced under whatever form without a special authorization from the exhibitor and from the Commissioner-General ; the latter reserves the right of authorizing the reproduction of collective groups.

Art. XXIII.—An entrance card is delivered gratis to every exhibitor. This card is personal.

It will be withdrawn if it be found to have been lent or ceded to another person, and this without prejudice to the right of prosecuting the delinquent.

The card must be signed by the exhibitor, bear his photograph, and the number of group and class to which he belongs.

It must bear, moreover, the stamp of the Commissioner-General.

Art.

Art. XXIV.—The exhibitors are allowed to be represented by agents of their choice, agreed to by the Executive Committee.

The personal cards of free entry will be delivered to the agents under the conditions enumerated in the preceding article.

The representative of an exhibitor will not be allowed to have more than one entrance card, whatever be the number of exhibitors he represents.

Art. XXV.—The Executive Committee will take the necessary measures to secure the articles exhibited against every damage, but will in no case be responsible for fires, accidents, deterioration, or damages which they may undergo, whatever the cause or extent.

The Committee leave the exhibitors to attend to the insurance of their goods immediately and at their own expense.

It will furnish the necessary persons for guarding the articles exhibited, but it will not be responsible for thefts or irregularities which may be committed.

Art. XXVI.—All communications relative to the Exhibition must be addressed by the exhibitors and others interested to the Commissioner-General of the International Exhibition of 1883, Amsterdam, Netherlands.

Sixth Section—Supplementary Exhibitions—Congresses and Conferences.

Art. XXVII.—Supplementary exhibitions, competitions, congresses, conferences, lectures, reports, &c., will take place during the Exhibition.

Art. XXVIII.—The Executive Committee will invite International Congresses on all questions subject to diversity of opinion and action, and lend their assistance to all projects the realization of which they consider likely to increase the importance and success of the Exhibition.

Special Regulation.

Natives of the Netherlands and foreigners who become exhibitors are thereby held to declare themselves bound to conform to the present general regulations, as well as to the special rules hereafter to be enacted.

Dated at Amsterdam, 15th December, 1881.

E. ACOSTINI,
Commissioner-General of the Exhibition.

For the Executive Committee,
D. CORDES, President.
S. DE CLERCQ, Ws., Delegate.
J. KAPPEYNE VAN DE COPPELLO, LL.D., Secretary.

Appendix No. 7.

ROYAUME DES PAYS-BAS—VILLE D' AMSTERDAM.

EXPOSITION INTERNATIONALE, COLONIALE ET D'EXPORTATION GÉNÉRALE.—MAI OCTOBRE 1883.

RÈGLEMENT DU JURY INTERNATIONAL DES RÉCOMPENSES.

Le Comité Exécutif de l'Exposition Internationale, Coloniale et d'Exportation Générale d'Amsterdam en 1883—

Vu les Articles VI et VII du Règlement Général de l'Exposition, a arrêté comme suit le règlement du Jury International des récompenses à décerner à l'occasion de ladite Exposition.

Art. I. Les récompenses consistent en :

- 1°. Diplôme d'honneur.
- 2°. „ de Médaille d'or.
- 3°. „ „ d'argent.
- 4°. „ „ de bronze.
- 5°. „ Mention honorable.

Chaque diplôme de médaille sera accompagné d'une *médaille officielle de bronze*. (Art. VII du Règlement Général de l'Exposition).

Ces récompenses seront décernées d'après des rapports écrits, motivés et attestés par les signatures de leurs auteurs. Ces rapports seront publiés.

Art. II. Il sera nommé dans chaque classe un nombre de membres du Jury en proportion croissante du nombre des exposants de chaque classe, comme suit :

de 10 à 100 exposants	...	...	3 membres du Jury.
„ 101 à 200	„	...	6 „ „ „
„ 201 à 300	„	...	9 „ „ „ et ainsi de suite.

Art. III. 1°. Trois sixièmes des membres du Jury seront nommés :

Pour la 1^{re} section de l'Exposition par S. E. le Ministre des Colonies ;

Pour les 2^{me} et 4^{me} sections par S. E. le Ministre du Waterstaat, du Commerce et de l'Industrie.

Pour la 3^{me} section par S. E. le Ministre de l'Intérieur.

2°. Trois sixièmes seront nommés, sur l'invitation du gouvernement néerlandais, par les gouvernements étrangers, proportionnellement au nombre de leurs nationaux exposants.

Il sera nommé des suppléants pour le cas où un juré titulaire serait empêché ; si un juré ainsi que son suppléant étaient empêchés, le Comité Exécutif de l'Exposition nommera une personne pour occuper la place vacante.

Les noms des membres du Jury devront tous être parvenus au Comité Exécutif le 15 Avril 1883. La liste de tous les membres du Jury International sera publiée fin Avril 1883.

Art. IV. Chaque Jury de classe élira à sa première réunion un bureau composé de :

- Un Président,
- Un Vice-Président,
- Un Secrétaire Rapporteur.

Art. V. Le système de la classification générale sert de base aux travaux des Jurys.

Afin de faciliter l'appréciation des objets exposés, certains Jurys de classe pourront se subdiviser en Jurys de section conformément à un système qui sera postérieurement établi par le Délégué du Comité Exécutif

Exécutif et le Commissaire Général de l'Exposition d'accord avec MM. les Commissaires et Délégués étrangers.

Les Jurys de section nommeront également des bureaux.

Art. VI. Les Jurys de classe ou de section pourront s'adjoindre des membres du Jury d'autres classes ou sections de tous les groupes ou autres experts.

Les experts doivent être proposés par un membre et doivent être élus à la majorité absolue.

Ces nominations doivent être adressées au Commissariat-Général pour être soumises à l'approbation du Comité Exécutif.

Art. VII. Un Jury de classe ou de section peut se constituer lorsqu'il compte six membres au moins. Si ce nombre de membres n'est pas atteint, les travaux de la classe ou de la section seront remis par le Jury de groupe à une ou plusieurs classes ou sections.

Chaque Jury de classe ou section procède à l'examen des objets exposés dans sa classe ou section respective et, après le résultat de l'examen, propose ceux qu'il a trouvés dignes d'être récompensés.

Ces propositions sont soumises au Jury de groupe.

Art. VIII. L'assemblée générale des Jurys des classes et sections d'un même groupe forme le Jury de Groupe chargé d'examiner les propositions de récompenses des Jurys de classes et de sections.

Chaque Jury de Groupe élit son bureau composé de :

- Un Président,
- Un Vice-Président,
- Un Secrétaire Rapporteur.

Art. IX. Les Jurys de Groupe décident de la répartition des travaux des classes et sections qui ne se sont pas constituées, examinent les propositions des Jurys, des classes et sections et soumettent à l'approbation du Conseil Supérieur du Jury les exposants désignés pour les récompenses.

Art. X. Le Conseil Supérieur du Jury se compose de :

- M. le Président du Jury International, qui sera nommé par le gouvernement des Pays-Bas.
- M. le Président du Comité Exécutif ;
- MM. le V. Président, le Délégué et les Secrétaires du Comité Exécutif ;
- MM. les Présidents des cinq sections de l'Exposition ;
- M. le Commissaire Général de l'Exposition ;
- MM. les Commissaires ou Délégués étrangers, soit un représentant pour chaque gouvernement.

Le Premier Secrétaire du Comité Exécutif est secrétaire de l'assemblée ; en cas d'absence il est remplacé par le deuxième Secrétaire du Comité Exécutif.

Art. XI. Chaque Jury de section, de classe ou de Groupe, ainsi que le Conseil Supérieur ne peuvent adopter une décision que si la moitié de tous les membres au moins, à part le Président, est présente. Les décisions des Jurys ne sont prises qu'à la majorité absolue ; si les voix sont également partagées, celle du Président décide.

Le Délégué du Comité Exécutif, le Commissaire Général ou leurs délégués pourvoient à l'installation des divers Jurys.

Les convocations, communications, etc., sont toutes faites par les soins du Secrétariat du Jury International. Le Président, ou en son absence le Vice-Président, de chaque Jury dirige les délibérations, surveille l'enregistrement par le rapporteur des propositions et décisions, ainsi que de leurs motifs dans le procès verbal de la séance.

Le procès verbal, après avoir été vérifié et signé par tous les membres présents, sera remis au Commissaire Général.

Art. XII. Les exposants qui fonctionnent comme membres du Jury renoncent complètement au concours pour les récompenses ; mais les experts ne sont exclus que de leur classe ou section respective. Ce renoncement peut être affiché sur les objets exposés par ces mots :

Hors Concours—Membre de Jury.

ou *Hors Concours—Expert.*

Cette décision est aussi valable pour les intéressés et directeurs des maisons exposantes.

Art. XIII. Dans le cas où une des nations exposantes n'aurait pas désigné les Jurés qui doivent la représenter, ou un nombre suffisant de Jurés, il y sera pourvu d'office par l'assemblée générale des Jurés présents dans chaque classe, lesquels auront à choisir sur une liste préparée à cet effet par le Comité Exécutif.

Art. XIV. Le Conseil Supérieur de Jury prononcera sur les appels qui lui seront déférés ; il accordera ou rejettera les récompenses proposées par les Jurys de groupe.

Art. XV. Le Jury International des récompenses commencera ses opérations le 15 Juillet, 1883 ; ses travaux devront être achevés fin Août de la même année. La date de la distribution solennelle des récompenses sera arrêtée postérieurement.

Art. XVI. Toute communication relative au Jury international des récompenses doit être adressée au *Secrétariat du Jury International des récompenses pour l'Exposition Internationale d'Amsterdam 1883, à Amsterdam, Pays-Bas.*

Amsterdam, le 15 Janvier, 1883

Le Commissaire Général de l'Exposition.

E. AGOSTINI.

Pour le Comité Exécutif.

- D. CORDES, Président.
- S. DE CLERCQ WZN., Membre Délégué.
- J. KAPPEYNE VAN DE COPPELLO, } Secrétaires.
- D. JOSEPHUS JITTA, }

Vu le Ministre des Colonies.

DE BRAUW.

Le Ministre du Waterstaat, du Commerce et de l'Industrie.

G. J. G. KLERCK.

Le Ministre de l'Intérieur.

C. PIJNACKER HORDIJK.

Appendix No. 8.

EXPOSITION INTERNATIONALE COLONIALE ET D'EXPORTATION GÉNÉRALE.

Sous la protection de S. M. le Roi des Pays-Bas—Président d'honneur : Son Excellence le Ministre des Colonies.

CONGRÈS INTERNATIONAL DE MÉDECINS DES COLONIES—AMSTERDAM—DU 6 AU 8 SEPTEMBRE, 1883.

Ordres du Jour proposés par le Comité d'Organisation.

Séance d'Ouverture.

Jeudi 6 Septembre, à midi dans l'Amphithéâtre de Felix Meritis, Keizersgracht 324 (les dames sont admises).
Ouverture de la séance.
Rapport du Secrétaire-général sur l'organisation du Congrès.
Nomination du Bureau définitif.
Discours de M. le Professeur Stokvis, Président du Comité d'Organisation.

Assemblées Générales.

Jeudi 6 Septembre, 3 heures : "Hygiène des professions, cultures et métiers insalubres dans les Colonies."

Rapports :

Dr. J. da Silva Amado, Professeur d'hygiène à l'École médicale de Lisbonne.
Dr. C. van Ovebeek de Meijer, Professeur d'hygiène à l'Université d'Utrecht. "Sur la Colonisation Européenne dans les pays chauds."

Vendredi 7 Septembre, 2 heures : "Les Quarantaines."

Rapports :

Dr. F. de Chaumont, Professeur d'hygiène à Netley (près Southampton).
Dr. F. J. van Leent, Médecin en Chef de Ire Cl. de la Marine Néerlandaise à Amsterdam.
Communication : M. J. A. Kruyt, Consul des Pays-Bas à Djeddah.

Samedi 8 Septembre, 3 heures : "Education spéciale des médecins des Colonies."

Rapport : Colonel B. E. J. Becking, Ancien Chef du Service médical aux Indes Orientales Néerlandaises, à Utrecht. Communications : Dr. Dyce Duckworth à Londres, Dr. Catrin d'Alger.
M. van den Corput, Professeur à Bruxelles, fixera l'attention sur quelques questions annoncées dans le programme provisoire.
Clôture des travaux.

Séances des Sections.

Ie. Section—(Climatologie, géographie médicale, hygiène, pathologie générale etc.)

Vendredi 6 et Samedi 7 Septembre à 9½ heures du matin, dans l'Auditoire au premier.

"Des modifications que subissent certaines maladies, et en particulier les maladies infectieuses, sous l'influence des climats tropicaux."

Rapports : Dr. Walther, Inspecteur du service médical de la marine Française à Paris, et Dr. Norman Chevers, Ancien Professeur de Médecine à Calcutta, Londres.

Communications :—

Dr. Bonnafont, Paris, "Pourquoi les fièvres dites pernicieuses offrent plus de danger dans un climat tropical que dans un climat modéré."

Dr. Catrin d'Alger, "Modifications apportées à la syphilis par les pays chauds."

"De la phthisie dans les Colonies et les climats tropicaux."

Rapport : Dr. B. Carsten, Inspecteur-Adjoint du service médical à la Haye.

Communications en dehors du Programme.

Dr. Bonnafont, "Sur le Drainage du sol par l'Eucalyptus," etc.

Dr. M. W. C. Gori, Prof. agrégé à l'Université d'Amsterdam, "Sur le transport des malades et blessés par les voies ferrées dans les pays tropicaux."

Dr. Chs. Landré à Bruxelles, "Sur la contagion de la Lèpre."

Dr. A. Rutgers van der Loeff, médecin 1^{re} Classe de la Marine Néerlandaise, "La nature et le traitement des maladies vénériennes dans les climats tropicaux."

Dr. van der Heyde, chef de l'hôpital et de l'école médicale à Kobé (Japon), "Sur le rôle des microbes," etc.

IIe. Section—(Pathologie et thérapeutique spéciales).

Vendredi 6 et Samedi 7 Septembre à 9½ heures du matin dans l'Auditoire au second.

"Du traitement des maladies exotiques et tropicales dans les climats modérés."

Rapports :

Sir Joseph Fayrer, M.D. Surgeon-General, médecin du Ministère d'Etat pour les Indes etc. à Londres.

Dr. Joseph Ewart, Deputy surgeon-general, etc. à Londres.

Dr. A. le Roy de Méricourt, médecin en chef de la Marine Française, etc. à Paris.

Dr. A. Corre, médecin de Ire Cl. de la Marine Française, Professeur à l'École de médecine navale à Brest.

Communication : Dr. Jac. Baart de la Faille, à Leeuwarden.

Communications en dehors du Programme.

Dr. F. A. Eklund, médecin de Ire Cl. de la Marine Royale suédoise, à Stockholm, "Du diabète sucré."

Dr. E. Waring (late of the Madras medical service) à Londres, "Sur quelques médicaments indigènes des pays tropicaux."

Dr. B. Scheube, Professeur agrégé à l'Université de Leipzig, "Sur le Beri-Beri."

Dr. J. B. Scriven, Brigade-surgeon, à Londres, "Du traitement des fièvres de malaria par les injections souscutanées de quinine."

Dr. Schuster, à Aix-la-Chapelle, "Sur l'élimination du mercure, introduit dans le corps par la peau."

Appendix No. 9.

ROYAUME DES PAYS-BAS—VILLE D'AMSTERDAM.

EXPOSITION INTERNATIONALE COLONIALE ET D'EXPORTATION GÉNÉRALE.—MAI, OCTOBRE, 1883.

V^e SECTION.—CONFÉRENCES ET CONGRÈS SCIENTIFIQUES.

COMITÉ D'ORGANISATION.—BUREAU.

Président.

M. T. M. C. Asser, Conseiller au Ministère des Affaires Etrangères, Avocat, Professeur de droit à l'Université Amsterdam,

Vice-Présidents.

MM. S. C. J. W. Van Musschenbroek, Ancien Résident de Menado... .. Leide.
 C. M. J. Willeumier, Avocat et Conseiller Communal Amsterdam.
 G. A. Van Hamel, Professeur de droit à l'Université
 A. G. C. Van Duijl, Rédacteur en Chef du Journal "Handelsblad" "

Secrétaire Général.

M. D. Josephus Jitta, Avocat "

Secrétaires.

MM. Theod. M. Tromp, Attaché au Ministère des Travaux Publics La Haye.
 J. E. Huydecoper, Avocat, Directeur de la Compagnie Néerlandaise d'Electricité Amsterdam.
 J. Luden, Avocat, Sous-Chef de Division à la Banque Nationale... ..
 A. H. Van Nierop, Avocat "

Dispositions Générales.

Le 1^{er} Mai 1883 a été ouverte à Amsterdam l'Exposition Internationale Coloniale et d'Exportation générale, placée sous le haut patronage de Sa Majesté le Roi des Pays-Bas et du Gouvernement Néerlandais.

Le Comité d'organisation de la Cinquième Section est chargé de diriger les conférences et les congrès scientifiques qui auront lieu à Amsterdam pendant la durée de l'Exposition.

Désirant rattacher les questions à traiter dans ces conférences et ces congrès au programme général de l'Exposition, le Comité les a divisées en trois groupes :

Le premier groupe comprend les questions qui se lient à la connaissance des colonies et des régions intertropicales en général,

le deuxième groupe, les questions industrielles et commerciales,

le troisième groupe, les questions artistiques et littéraires.

Quant à la forme des réunions, le Comité a admis les distinctions suivantes :

a. Lectures ou conférences, non suivies de discussion ;

b. Rapports suivis de discussion ;

c. Congrès ayant pour but la discussion de certaines questions spéciales.

Le Comité a admis la langue Française comme langue officielle pour les conférences et les congrès. Cependant l'usage d'une autre langue n'est pas interdit ; pour les lectures, conférences et rapports cet usage est subordonné à l'autorisation du bureau de la Cinquième Section.

Les personnes qui désireraient faire une lecture ou donner une conférence sont priées de s'adresser au Bureau de la Section. Les conférences et les congrès auront lieu dans une des salles de l'Association : *de Vrije Gemeente, Weteringschans* à Amsterdam. Leur date exacte pour autant qu'elle n'est pas contenue dans le programme actuel et le règlement d'ordre à observer, seront annoncés dans le Journal Officiel de l'Exposition. La cotisation des membres de la Section est fixée à fl. 5 P. B.

Toute communication relative aux Conférences et aux Congrès doit être adressée au secrétariat de la cinquième section de l'Exposition Internationale de 1883 à Amsterdam, Palais de l'Industrie.

PROGRAMME DES CONFÉRENCES ET DES CONGRÈS.

1^{er} GROUPE. COLONIES ET RÉGIONS INTERTROPICALES.

A. Lectures ou conférences non suivies de discussion.

Ces lectures ou conférences auront lieu à partir du 7 Juin, 1883, le lundi et le jeudi de chaque semaine de 3 à 5 heures de l'après-midi. Les exceptions à cette règle seront publiées par le moyen du Journal Officiel de l'Exposition.

L'ordre dans lequel les différents sujets seront traités sera réglé par le Bureau de la Cinquième Section de commun accord avec les orateurs et publié de la même manière.

Les lectures ou conférences comprendront en série suivie et autant que possible complète, la géographie, la géologie, la météorologie, la faune et la flore, l'anthropologie des colonies et en général des régions intertropicales et les sujets qui s'y rattachent, l'ethnographie, la philologie de ces contrées, leurs religions, leur degré de culture et de développement, leur histoire.

B.—Rapports, suivis de discussion, du 19 au 24 Septembre, 1883.

1^{re} Question.

Les colonies pénitentiaires (déportation ; travaux forcés dans les colonies ; relégation de récidivistes, etc.)

Questions :

1. La question de la transportation de criminels dans les colonies d'outremer est-elle d'un intérêt majeur pour les états Européens ?

2. Dans quelles conditions une telle transportation est-elle possible ?

3. Quels résultats ont été obtenus à cet égard ?

2^{me} Question.

Les rapports entre les lois des Européens et le droit des Indigènes dans les différentes colonies.

Questions :

1. D'après quels principes faut-il régler ces rapports ?
2. Jusqu'à quel point la solution que le problème a trouvée dans les différents états est-elle d'accord avec ces principes ?
3. Une solution universelle est-elle possible ?

3^{me} Question.

Les rapports politiques entre la mère-patrie et ses colonies.

Questions :

1. D'après quels principes faut-il faire participer la mère-patrie à la législation et au gouvernement des colonies ?
2. Peut-on accorder à quelques-unes des colonies une part dans la représentation générale du pays ?

4^{me} Question.

Les différentes manières dont on se procure dans les colonies des forces ouvrières pour l'exploitation du sol.

Questions :

1. Quels sont les différents systèmes qu'on a suivis en cette matière ?
2. Quels en sont, par rapport à la productivité du travail, les avantages et les inconvénients ?
3. Quelle est leur influence sur la population ?

5^{me} Question.

La propriété foncière dans les colonies.

Questions :

1. Quels sont les systèmes de propriété foncière dans les différentes colonies ?
2. Quelle est leur influence inévitable sur les conditions économiques de la population ?

6^{me} question.

Les impôts dans les colonies des tropiques.

Questions :

1. De quelles manières les Indigènes dans les colonies des tropiques peuvent-ils être soumis aux impôts ?
2. Quelle est l'influence des différents systèmes d'impôts qu'on a appliqués, sur l'état moral et économique de la population ?

2^e GROUPE.—QUESTIONS COMMERCIALES ET INDUSTRIELLES.

Congrès du 11 au 18 Septembre 1883.

I. Mesures législatives ou gouvernementales pour la protection de l'industrie et du commerce nationaux.

- a. Le système de tarifs conventionnels, garantissant la réciprocité en cette matière, doit-il être approuvé ?
- b. Tarifs Coloniaux. Avantages et inconvénients du système de droits différentiels.
- c. Subsidés de l'Etat accordés dans le but de favoriser des lignes régulières de bateaux à vapeur et autres moyens de communication internationaux.

II. Droit international de la faillite.

- a. Faut-il poser comme principe fondamental du droit international de la faillite "l'unité de la faillite" en ce sens que tous les biens du failli, quel que soit le lieu de leur situation, forment le gage commun de tous les créanciers—sans distinction de nationalité ou de domicile—et que le partage de la masse de la faillite se fasse par une procédure unique devant le juge considéré comme compétent d'après des règles internationales de compétence ?
- b. En cas d'affirmative, faut-il limiter le principe posé plus haut :
 1. en exigeant un "exequatur" formel ou matériel à délivrer par l'autorité judiciaire étrangère lorsque le jugement déclaratif de la faillite est invoqué à l'étranger ;
 2. par une distinction entre les meubles et les immeubles situés à l'étranger ;
 3. par une distinction entre la faillite des commerçants et celle des non-commerçants dans les pays où cette dernière existe sous une dénomination quelconque ?

III. Question monétaire internationale.

Dans les dernières années les cours de change entre l'Asie et l'Europe ont subi des perturbations importantes. Quelles sont les mesures législatives et internationales à prendre, par rapport au système monétaire, dans le but de remédier à cet inconvénient ?

IV. Examen du projet de convention de Berne (1881) sur le transport des marchandises par chemins de fer ; spécialement en ce qui concerne ;

- a. l'obligation de transport direct international.
- b. la lettre de voiture.
- c. la responsabilité des compagnies en cas de perte et d'avarie.

V. Mesures internationales pour prévenir les abordages et autres sinistres maritimes et en rendre les suites moins désastreuses. Sanction législative.

- a. Utilité d'une révision complète ces règlements internationaux actuellement en vigueur par rapport aux signaux et à la direction à suivre par les navires.
- b. Obligations des capitaines après qu'un abordage a eu lieu.
- c. Modifications à apporter à la construction et à l'armement des navires dans le but d'éviter les abordages ou d'en rendre les suites moins désastreuses.
- d. Sanction pénale. Juridiction internationale.
- e. Urgence de régler par une entente internationale l'établissement de phares, le balisage etc., sur les côtes des pays inhabités ou non-civilisés, à l'égard desquels une telle entente n'existe pas encore.

VI. Législation uniforme concernant les obligations (titres) au porteur, émises par les Etats, Provinces, Communes, Sociétés, etc., notamment par rapport à.

- a. le droit et la forme de l'émission avec ou sans conditions de publicité ;
- b. le droit d'hypothèque ou de privilège à accorder au porteur ;
- c. le droit de revendication ;
- d. l'amortissement de titres égarés.

VII. Brevets d'invention. Protection des marques de fabrique et de commerce et des dessins industriels.

- a. Les droits de l'inventeur doivent-ils être protégés par le système de brevets d'invention ?
- b. En cas d'affirmative, par quelles dispositions une telle loi pourra-t-elle concilier la protection du droit de l'inventeur avec les intérêts du public et la liberté du travail et du commerce ?
- c. La protection des marques de fabrique et de commerce et des dessins industriels peut-elle remplacer d'une manière efficace le système des brevets d'invention dans les pays où ce système n'est pas adopté ?
- d. Examen du projet de la convention internationale de Paris pour la protection de la propriété industrielle.

VIII. Uniformité internationale du droit d'affrètement. Principes fondamentaux d'une telle uniformité concernant :

- a. La responsabilité du frêteur :
 - 1^o. Quant à la baraterie, faute, négligence ou impéritie des capitaines ou des gens de l'équipage.
 - 2^o. Quant aux accidents causés par un vice de construction du navire ou de la machine.
 - 3^o. Quant aux dommages survenus aux objets précieux non déclarés comme tels.
- b. Le paiement du fret (en entier ou pro rata) lorsque la cargaison n'est pas délivrée au port de destination par le navire affrété.
- c. Les droits que le capitaine peut exercer pour le paiement due fret si le consignataire refuse la merchandise.

IX. Législation internationale sur les lettres de change.

- a. Avantages d'une législation internationale à ce sujet.
- b. Cette législation doit-elle avoir pour base le système du "contrat de change" ou celui de "l'obligation formelle" ?
- c. Quelles doivent être les règles principales d'une loi internationale sur les lettres de change. Des Conférences seront données par MM. :
 - CH. LUCAS, Architecte de la Ville de Paris, sur *l'Enseignement Professionnel et les Ecoles d'Apprentissage*.
 - CH. VAREY, Membre de la Commission Français pour l'Exposition, sur *l'Association pour la protection des enfants dans les Manufactures*.
 - J. ZURCHER, La peinture Néerlandaise au XIX^e siècle.

3^e GROUPE.—QUESTIONS ARTISTIQUES ET LITTÉRAIRES.

Congrès le 25 Septembre, 1883, et les jours suivants.

Questions à traiter :

1. Influence de la possession des colonies sur la littérature des pays de l'Europe.
2. Sur le développement de l'art en Europe au point de vue de l'influence des relations de l'Europe avec l'Orient et avec les pays Arabes.
3. Influence des littératures étrangères sur la littérature Hollandaise.
4. L'école artistique des Pays-Bas : son rôle dans le mouvement artistique Européen.
5. La part qui revient à la musique Néerlandaise dans les progrès réalisés par la musique à l'étranger
6. Influence de l'étude des populations indigènes des Colonies sur la philologie comparée.

Appendix No. 10.

**LE SIXIEME CONGRES DE
L'ASSOCIATION LITTÉRAIRE INTERNATIONALE**

AURA LIEU À AMSTERDAM, EN SEPTEMBRE 1883,

Les séances se tiendront alternativement avec celles du Congrès Littéraire, organisé par la Ve Section de l'Exposition.

Président d'Honneur—M. VICTOR HUGO.

Membres du Comité :

Allemagne... ..	MM. PAUL HEIJSE.	Etats-Unis	MM. GEORGES WALKER, Consul-Général.
Angleterre	DR. W. LÖWENTHAL.	Italie	PAOLI FERRARI.
Amérique Latine	BLANCHARD JERROLD.	Norvège	FRED. BAETZMANN.
	TORRES CAICEDO, Min- istre du Salvador à Paris	Pologne	IGNACE KRASZEWSKI.
Autriche	Comte DE BEUST.	Roumanie	E. DJUVARA.
Espagne	AD. COLZADO.	Suisse	ED. TALLICHET.
France	LOUIS ULBACH.	Pays-Bas.....	T. M. C. ASSER.
	EMILE AUGIER.		A. G. C. VAN DUIJL.
			C. M. J. WILLEUMIER.

Secrétaire Général.—M. JULES LERMINA.

PROGRAMMA DES TRAVAUX.

Rapport sur le Congrès de Rome (1881).	} La Hollande et la liberté de penser et d'écrire au 17 ^e et au 18 ^e siècle. (Cette question fait l'objet d'un concours dont le programme sera adressé à toute personne qui en fera la demande : des prix seront décernés.)
Etude d'un Projet de convention littéraire universelle.	
Des droits des héritiers et du domaine public en matière de propriété littéraire.	
	De la littérature de romans dans les divers pays et de ses rapports avec les mœurs.

Appendix No. 11.

NEW SOUTH WALES.

AMSTERDAM EXHIBITION, 1883.

ALPHABETICAL LIST of the Members of the International Jury, whose services were secured on behalf of the Colony of New South Wales; and of the joint other British Colonies represented at the Amsterdam Exhibition, 1883.

(Nota.)

The total number of Jurymen appointed for the First or Colonial section, amounted to 214—of which, 107 were selected by the Netherlands, and 107 by the several Foreign Countries included in that section.

New South Wales and the other joint British Colonies agreed together upon the number and the names of the members to act on their behalf, excepted in class 20, group 3, in which New South Wales and Victoria appointed each 6 distinct members; the whole number of British Jurors being 34, including *Jurés Suppléants*.

France, for its colonies, nominated 27 members; Spain, 30; and 16 were chosen by the following States acting jointly, viz. :—Brazil, Uruguay, Haiti, Transvaal, Siam, Tunis, Egypt, and Persia.

Messrs. Aubert, Representative of the Paris Society of Geography at Amsterdam.

Binger, junr., tobacco broker, Amsterdam.

Ch. Benoit, wine-grower, Rheims, France.

H. Bonnard, Executive Secretary for New South Wales.

V. H. Brandts, merchant, Amsterdam.

J. Colinet, Director of School of Architecture, Amsterdam.

Captain de Cambefort, Member of French Commission, Amsterdam.

Dr. de Nozeilles, Director Colonial Museum, Paris.

Elsen, wool manufacturer, Antwerp.

H. W. Grein, Merchant, Consul for Paraguay, Amsterdam.

H. Hoeylaert, " " Haiti, Brussels.

W. Huender, cattle dealer, Amsterdam.

V. Ketwick, Director of Sailors' Home, Amsterdam.

Dr. Koster, General Hospital, Amsterdam.

P. Lamal, commercial agent, Brussels.

H. B. LeFébure, wine broker, Amsterdam.

Rev. Dr. Reiner, Church of England Minister, Amsterdam.

Redeker Bisdom, architect, Amsterdam.

W. Robinson, merchant, H.B.M. Consul, Amsterdam.

J. Royle, British India Commissioner.

E. Roullé, wine merchant, Bordeaux.

H. Rueff, merchant, Brussels, Antwerp.

P. L. Simmonds, Agent of British section, Amsterdam.

M. Schwobb, Civil engineer, Amsterdam.

G. S. Tueninbroek, produce merchant, Amsterdam.

Van Oostwen, general merchant, Vice-Consul for Belgium, Amsterdam.

Captain Wytisma, Nautical School, Amsterdam.

Appendix No. 12.

LIST OF AWARDS granted to the New South Wales Exhibitors by the International Jury of the Amsterdam Exhibition, 1883.

WOOLS.

One Diploma of Honour:

To G. H. Cox, Esq., of Mudgee.

Two Gold Medals:

To H. C. White, Esq., Havilah, Mudgee; Jas. B. Bettington, Esq., Merriwa.

Eleven Silver Medals:

To Messrs. Thos. Brown, Tupal, Deniliquin; Australian Agricultural Co., Warrah; Collaroy Co., Merriwa; Theoph. Cooper, Inverell; Vincent Dowling, Luc., Mudgee; Gray and Neill, Corowa; Lackey Wallace, and Mills, Nubba; Hon. F. Lord, Burrawang, Molong; Peel River Land Co., Goonoo; F. B. Suttor, Bradwardine, Bathurst; F. R. White, Harben, Blandford.

Nine Bronze Medals:

To Messrs. J. T. Beaumont, Marengo; E. A. Bowman, Rotherwood, Cassilis; Clark Bros., Liverpool Plains; Collingwood Wool-scouring Works, Liverpool; H. C. Douglas, North Yanco, Narrandera; Andrew Loder, Colley Creek, Willowtree; J. MacDonald, Wallabadah; Carlo Marino, Moppity, Young; Wills Allen, Gumble, Gunnedah.

Two Honorable Mentions:

To Messrs. E. K. Cox, Fernhill, Penrith; Henry Walker, Tong Bong, Rylstone.

MINING

MINING AND METALLURGY.

One Diploma of Honour :

To the Minister for Mines, for collection of Minerals and Fossils, Maps and Reports.

One Gold Medal to :

Mr. Martin Isaacsohn, for a general collection of Minerals.

Five Silver Medals to :

1. The Sydney Commission, for copper from the Nymagee Copper Mines, and for Tin Ingots.
2. Professor Liversidge, for description of Minerals.
3. The Glen Smelting Company, collection of stream Tin, grain Tin, &c.
4. C. Wilkinson, Esq., for notes on Geology.
5. J. MacKenzie, Esq., diagram of New South Wales Coal Mines.

Six Bronze Medals :

1. The Coal Cliff Colliery, Coal exhibits.
2. Australian Kerosene Oil Co. } Shale exhibits.
3. New South Wales Shale Co. }
4. R. Saunders, Pymont Stones.
5. Th. Daley, Albury Bricks.
6. Guigni Friedman Kessler for Antimony.

Five Honorable Mentions to :

1. Australian Agricultural Coal Co., Coal exhibits.
2. Greta Colliery, block of Coal.
3. J. D. Lankaster, Albury Stones.
4. J. Pritchard, Maitland building Stones.
5. A. M'Callum, Copper Ore.

FINE ARTS AND EDUCATION.

One Diploma of Honor to :

H. C. Russell, Esq., Government Astronomer in Sydney for scientific Works.

Gold Medals to :

1. The New South Wales Commission, for stuffed Birds, Fishes, and other Australian Animals.
2. The New South Wales Commission, for photographs of Australian Aborigines.
3. Department of Public Instruction, for Drawings and Plans of Public Schools.
4. Government Printer, for collection of printed Volumes and Bookbinding.
5. Allaster E. Cox, Esq., for his Ethnological Collection.
6. FitzGerald, Esq., Book on Australian Orchids.
7. Tenison-Woods, Esq. Fishes and Fisheries of N. S. Wales.
8. The N. S. Wales Government, for a collection of books upon the Laws and Politics of the Colony.
9. Combes, Esq. Report on the School Buildings of Europe. America.
10. The Royal Society of N. S. Wales. Reports of its transactions from 1872 to 1881. Edited by Prof. A. Liversidge.
11. C. Goodchap, Esq. Report on the N. S. Wales Railways, Maps and Photographic views of Railway Buildings, &c.

Silver Medals to :

1. P. P. Adams, Esq., Surveyor-General, for Maps and Plans.
2. Miss Mary E. Bundock, for collection of Ethnological Exhibits.
3. Krefft, Esq. "The Snakes of Australia."
4. Rev. Ridley. "Kamilaroi," and other Australian Languages.
5. Professor A. Liversidge. Report on Museums and Technological Schools of Europe.
6. Ward, Esq., Registrar-General of New South Wales, Statistical Reports.
7. N. S. Wales Government Printer. Collection of Photographic views of the Colony.
8. B. O. Holterman, Esq. Panoramic View of Sydney.
9. Paine, Esq. Views of Port Jackson.
10. J. Barnet, Esq., Colonial Architect. Architecture of Sydney and other Colonial Public Buildings.
11. E. Moriarty, Esq., Chief Engineer of Harbours and Rivers Department. Harbour works of Sydney, Newcastle, and Kiama.
12. W. Clarke, Esq., C.E. Reports upon the Sydney Drainage and Water Supply.
13. Messrs. Tuttle & Co. Photographic Portraits.
14. Mrs. Annie Bennett. Collection of Natural Grasses and Fodder Plants.
15. H. H. Judge Wilkinson. Law Book, "Australian Magistrate."
16. Oliver, Esq. Law Book, N.S.W. Statutes.
17. MacNevin, Esq. Manual for Clerks of Petty Sessions.

Bronze Medals to :

1. J. S. Bray, Esq., of Sydney. Collection of Australian Birds.
2. Rudph. Caspers, Esq. Photographic Views of Goulburn.
3. Messrs. Gibbs, Shallard, & Co., of Sydney. Specimen of Colour Printing.
4. Honniker Heaton, Esq., of Sydney. "Australian Dictionary of Dates."
5. E. G. W. Palmer, Esq., of Sydney. Collection of Aboriginal Weapons.

Honourable Mentions to :

1. Hon. J. Bowie Wilson. Report upon Lord Howe Island.
2. Gust. Herfort. Photographic views of Yassdown.

MANUFACTURES.

Gold Medals to :

1. The Colonial Sugar Company of Sydney, for samples of Refined Sugar.
2. Messrs. Dalton Bros., of Orange, for sample of Silk-dressed Flour.

Silver

Silver Medals to :

1. Messrs. Begg & Son, of Sydney, } for Sole Leather.
2. Messrs. Forsyth & Son, of Sydney, }
3. Mr. Ed. Dadd, of Sydney, for Horseshoes.
4. J. C. Read, Esq., of Darlinghurst Gaol, for samples of Mats and Matting.
5. And. Brown, of Bowenfels, for Tweeds and Woollens.
6. R. Sim, Esq., of Parkes, for Flour.
7. — Munn, Esq., of Sydney, for Maizena.

Bronze Medals to :

1. Messrs. C. W. Craven, of Sydney, } for samples of Millet Brooms.
2. Messrs. Mitchell, of Raymond Terrace, }
3. Mr. E. Hodgson, of Sydney, for samples of Kangaroo Whip-thongs.
4. Mr. J. B. Lancashire, of Sydney, for a Portmanteau.
5. Gus. Fitté, Esq., of Wellington, for a Garden Chair.
6. E. Howard, Esq., of Yass, for samples of Tanned Skins—Platypus and Native Cat.
7. John Wyndham, Esq., of Dalwood, for an exhibit of Colonial-made Showcase of Australian cedar.

Honourable Mentions to :

1. Messrs. Barrett & Co., of Sydney, } for samples of Vinegar.
2. Mr. D. J. Monk, of Sydney, }
3. Messrs. Biddell Bros., of Sydney, for Confectionery.
4. Mrs. A. McInnes, of Goulburn, for Hosiery made of opossum fur.
5. Messrs. Nelson Bros., of Orange, for Flour.
6. Messrs. Hogg & Co., of Sydney, for Baking Powder.
7. Messrs. Wearne & Hack, of Sydney, for Packing Paper.
8. Mr. John E. M. Russell, of Sydney, for Bullion Bank.

ANIMAL PRODUCTS.

Gold Medal to :—

1. The Sydney Meat Preserving Company, for samples of Preserved Soups and Meats from New South Wales.

Silver Medals to :

1. Jane A. Bowman, of Jerry's Plains, for sample of Silk.
2. Geo. Thorne, Esq., of Castle Hill, for samples of Cocoons and Silk.

Bronze Medals to :

1. The Collingwood Wool-scouring Works of Liverpool, for samples of Glue.
2. P. J. Barker, Esq., of Bathurst, for samples of Glue.

VEGETABLE PRODUCTS.

Gold Medals to :

1. The N. S. W. Commission, in the name of John Taylor and Co., Sydney, for samples of Colonial Timbers.
2. Dav. Jack, Esq., of Inverell, Cereals.
3. Geo. E. Mackay, Esq., Albury P.A.H. Society, for Wheat and Oats.

Silver Medals to :

1. Dav. Broadhead, Esq., of Bungonia, for samples of Wheat and Barley.
2. Jam. Connell, Esq., of Yass, Cereals.
3. Spring Hill Farmers' Association of Orange, for samples of Cereals.

Bronze Medals to :

1. J. S. Bray, Esq., of Sydney, for a small collection of Colonial Timbers.
2. F. B. Sutton, Esq., J.P., of Sydney. Samples of Colonial grown Tobacco leaves.
3. W. W. Wren, Esq., of Bega, for samples of Cereals.

Honorable Mentions to :

1. T. W. Craven, Esq., of Sydney, for Oats.
2. G. Faint, Esq., of Armidale. Cereals.
3. D. Gowing, Esq., of Bega, for Cereals.
4. Messrs. Tate, Bros., of Sydney, for Cereals.
5. W. Somerville, Esq., of Sydney, for Gum Accroides.
6. J. Blockhuis, Esq., of Antwerp, for Gum Accroides.
7. J. Watson, Esq., of Adelong, for Cereals.

WINES.

Diploma of Honor to :

1. John Wyndham, Esq., of Dalwood, near Branxton, for his collection of Red Wines of Hermitage and Verdot.

Gold Medals to :

1. Alex. Munro, Esq., of Bebeah, near Singleton, for the good vinification of most of his Red Wines.
2. Fallon, Esq., of Albury, for Red Wine of 1882, bottled in Bordeaux.
3. Holmes, Esq., of Wilderness, Hunter River, for his Red Wine of 1881, good type of Malaga.
4. Messrs. Bouffier Bros. F. J., and Ansoul, of Marcobrunner, Hunter River, for Red Verdot of 1882, and White Pineau of 1878.

Silver Medals to :

1. A. E. Davies, Esq., of Mount Huntley, Lochinvar, for Red Wine of 1881, bottled in Bordeaux.
2. G. Francis, Esq., of Douglas Vale, Pt. Macquarie, for Liqueur Wine, of Isabella, 1880.
3. Carl Brecht, Esq., I. Rosemount, Hunter River, for his Hermitage of 1879.
4. F. Doyle, Esq., of Kaludah, Lochinvar, for Red Wine of 1879.
5. Messrs. Harbottle, Biddulph, and Alsop, of Sydney and Albury, for Muscat of 1881.
6. Lindeman, Esq., of Cawarra, Hunter River, for his White Wine of 1876.

Bronze

Bronze Medals to :

1. Mather, Esq., of Roslyn, Inverell, for Verdelho Wine of 1880.
2. Messrs. Steven & Co., of Ivanhoe, Hunter, for White Wine of 1881.
3. Carmichael, Esq., of Porphyry, Patterson River, for White Wine of 1880.
4. Flemming, Esq., of Albury, for his Red Wines of 1879.
5. Parnell, Esq., of West Maitland, for his White Wine of 1880.
6. Wilkinson, Esq., of Coolalta, Hunter, for White Wine of 1876.

Honorable Mentions to :

1. Th. Cooper, of Oswald, Inverell, for samples of Burgundy of 1879.
2. J. Drinan, of Maryvale, Maitland, for his White Wine of 1881.
3. Dav. Jack, Esq., of Inverell, for sample of Red Wine, 1882.
4. A. Murray, Esq., of Baunockburn, Inverell, for samples of Madeira Wine, 1882.
5. G. Campbell, Esq., of Daisy Hill, Rothbury, samples of Red and White Wines of 1881.

I certify the above to be a full and correct list of the awards granted to N. S. Wales exhibitors by the International Jury of the Amsterdam Exhibition, 1883, as approved of by the Superior Council of the said International Jury.

HENRY BONNARD,

Executive Secretary for the Colony of New South Wales at the Amsterdam Exhibition.

Appendix No. 13.

LETTER OF THANKS TO JURYMEN.

Monsieur,

Londres, ce 1883.

Je suis officiellement informé que vous avez bien voulu, dans les intérêts des Exposants de la Nouvelle Galles du Sud (Australie), accepter à titre gratuit, les fonctions de membre du Jury International des Recompenses, de l'Exposition d'Amsterdam.

En ma qualité d'Agent-Général et comme Commissaire Représentatif de la Colonie, à cette Exposition, il m'est particulièrement agréable d'avoir à vous transmettre par la présente, la haute expression des sentiments de reconnaissance du Gouvernement et des Exposants de la Nouvelle Galles du Sud pour le zèle et le désintéressement avec lesquels vous avez bien voulu mettre votre concours à leur disposition.

J'ai l'honneur etc.,

SAUL SAMUEL,
Agent-Général.

Le Délégué Exécutif du Govt.
de la Nouvelle Galles du Sud,
Henry Bonnard.

Appendix No. 14.

STATEMENT of expenditure in Amsterdam for the New South Wales Court, by the Executive Secretary for the Colony, from March 1st to December 8th, 1883.

Recapitulation : (Full particulars and vouchers have been previously remitted to the Hon. the Agent-General in London, and passed after audit by Bank of New South Wales) :—

1. Receiving, repacking, forwarding, exhibits, and storage of empty cases..	2272-03	Gulden.
2. Insurance, fire and Marine	1106-65	"
3. Building of the Court, unpacking	5799-50	"
4. Decoration of Court	4270-00	"
5. Sundry furnitures and fittings	911-97	"
6. Revision of accounts, surveys, &c	488-15	"
7. Stationery and printing...	3263-80	"
8. Attendance, clerical assistance	1508-88	"
9. Petty cash disbursements	688-05	"
10. Purchase of exhibition ground	7896-00	"
11. Executive Secretary	4670-00	"
Total Gulden	32875-03	"
Or in £ at, exchange of 12-05 per £, £2,739 12s.		
To be deducted for sale of fittings from N. S. Wales Court	381-03	
For value of fittings sent to Agent-General in London (?)	381-03	"
Total expenditure, gulden	32494-00	
Or in £ (round number) £2,707.		

HENRY BONNARD,
Executive Secretary for N. S. Wales, at Amsterdam.

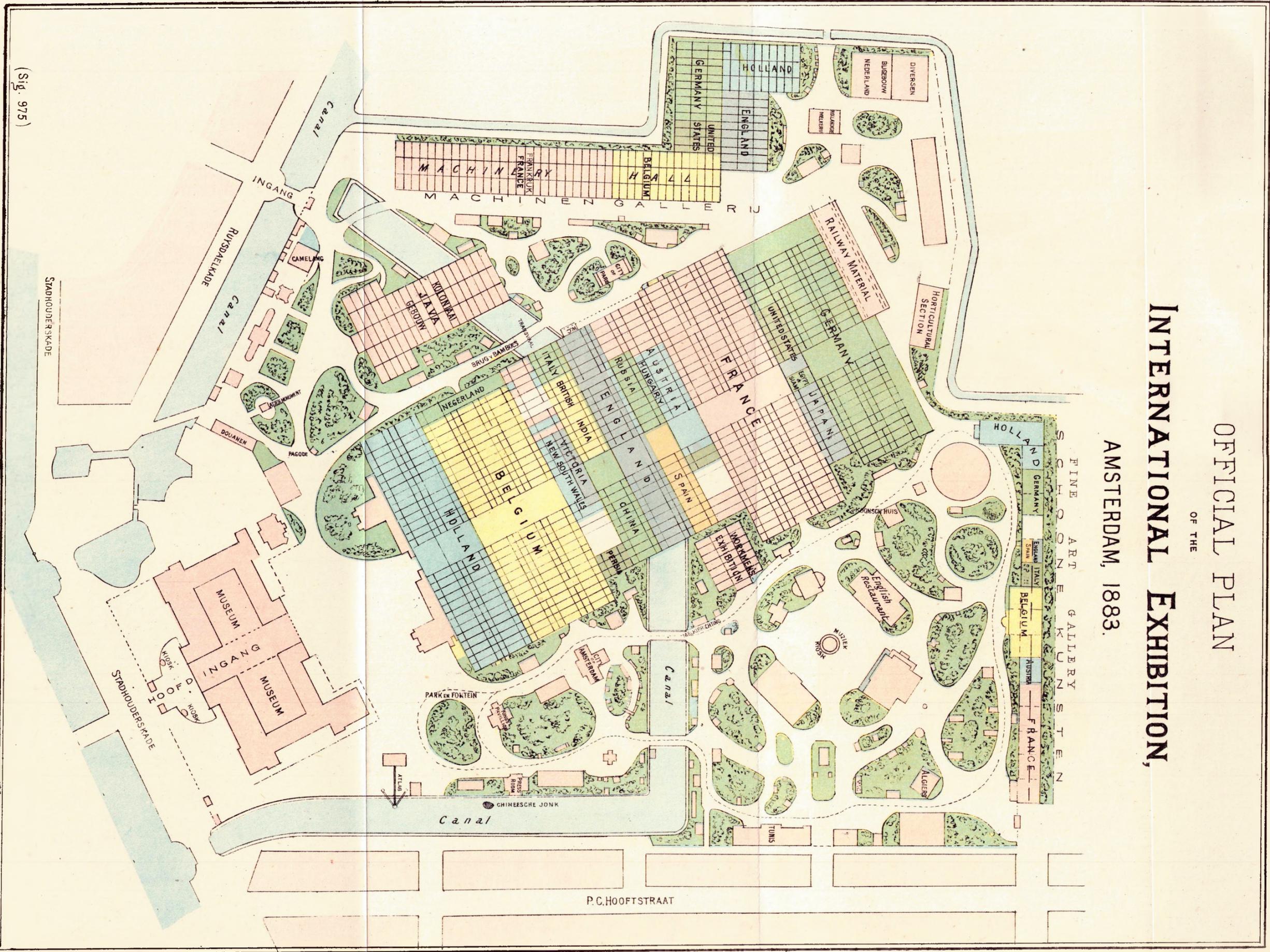








OFFICIAL PLAN
OF THE
INTERNATIONAL EXHIBITION,
AMSTERDAM, 1883.



(Sig. 975)

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT

OF THE

EXECUTIVE COMMISSIONER

ON THE

CALCUTTA INTERNATIONAL EXHIBITION,

1883-84.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
1 *July*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

NEW SOUTH WALES COMMISSION, CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.

The Executive Commissioner to The Colonial Secretary.

Sir,

Sydney, 20 June, 1884.

I have the honor to submit for your information and approval a detailed report on the completion of the duties entrusted me as Executive Commissioner for this Colony at the Calcutta International Exhibition of 1883-84.

I must premise by testifying to the good services rendered this Colony by J. N. Stuart, Esq., the Representative Commissioner in Calcutta. That gentleman's experience as a merchant in the commercial circles of India, and his intimate knowledge of the port regulations of Calcutta, mainly contributed to our successful establishment as exhibitors in a short space of time, and to the wide diffusion of information concerning our products throughout the country. Mr. Stuart will be willing at all times to furnish further information on the various subjects hereinafter detailed.

The Colonies generally are to be congratulated upon the occasion that led to the opportunity of participating with the Empire of India in bringing together for the first time a vast collection of manufactures from all parts of the civilized world, and thus affording the representatives attending the Exhibition an opportunity of becoming intimately acquainted with the existing trade between India and other countries, and the general requirements of so vast a population of mixed races. His Excellency the Viceroy took great interest in our exhibits, and was good enough to appoint a Military Commission to examine the nature of our products with the view of applying them, as far as practicable, to the requirements of the Service.

The Exhibition afforded means to ascertain the barrier to direct communication between the two countries, and for devising some means of improvement in the future.

The Calcutta Exhibition has also been the means of bringing together a complete collection of the industries and products of the whole of India, and for the first time in the history of the Empire it has been possible to study in collective form the economic manufactures and the beautiful and novel art wares which give employment to the teeming thousands of artisans in the numerous districts of India, and at the same time it has been the means of educating the natives more than it would be possible by any other agency. Among the better class it has caused a departure from what has hitherto been a rigid rule, the seclusion of their ladies, and has induced them to permit these poor creatures to leave their prison homes to mingle with the crowd of sight-seers, and unrestrained to admire the beautiful manufactures of the universe. To these ladies it has been a new light let into their existence, and to those who have been thus permitted to get a glimpse of the beauties of the outside world it will be difficult in future to deny the same privilege. To the old Anglo-Indian it has renewed his acquaintance with home associations, recalling to his memory the Exhibitions of 1851 and 1862, and to bygone days and friends banished from his sight. The Exhibition has brought Australia into a thorough and beneficial acquaintanceship with India, removed prejudices, and, it is to be hoped, will mark the time when both countries were more closely united with each other. But it is chiefly as an educating medium of the people of the countries represented in trade concerns that the Exhibition of Calcutta will be remembered in the history of commercial advancement.

For the first time in the annals of India the native capitalist has been brought face to face with the great producers of the western world. He has learned to an extent which has never hitherto been possible the growing importance of that branch of manufacture produced in Europe adapted for the social requirements of the Orient, and the result must ere long be felt in the import trade of India.

The merchants who by their industry have established a highly important position in Calcutta, Bombay, and Madras will unquestionably benefit by the impulse to trade which has been given by the Exhibition, arising from the desire of the population of India to take advantage of the inventive genius and productive industry of Europe. Australia, while making no pretence to compete with Great Britain, or the older countries of Europe, in manufactures, made a demonstration of wealth, energy, and progress that was admitted on all sides as surprising for so young a country. The Colonies of New South Wales, Victoria, South Australia, and Tasmania vied with each other in friendly competition, but all were actuated by a singleness of purpose in spreading information about the several Colonies as widely as possible.

There can be no doubt that a large and growing trade will be established between the two countries as an outcome of the Exhibition, but transshipment of cargoes must be avoided, and the most direct communication established. Another important factor will be the reduction of the cost of passage to and from
India

India and the Colonies by giving means of travel direct from Calcutta, Bombay, and Madras. Officers on short furlough would readily avail themselves of this privilege, and those retiring from the service will, it is believed, adopt Australia as their future home.

It is of the greatest importance that the transit of our products to India should be direct, and the goods carried at the lowest possible rates to compete favourably with other parts of the world. And in order to give the Colonies a fair trial, it seems absolutely necessary that central depôts or agencies should be established in Calcutta, Bombay, and Madras, and such agencies should, if possible, represent several of the producing Colonies, and be placed under one system of direction and control. Until the trade develops to an extensive scale, as is anticipated, several firms may be found in those cities willing to conduct the business. But as it will be difficult to push a comparatively new trade with adequate force in the present established mercantile groove, it is believed that later on the opening of fixed depôts, with a salaried staff, placed under the direction of an honorary Board of local merchants, would tend to a mutual trade on a sound basis. That the possibility of opening an immediate trade exists is practically proved by the fact that the s.s. "Newcomen" has been running continually between the ports of Melbourne, Sydney, and Calcutta since September last, and that this regular service is to be supplemented by another steamer of larger tonnage, which is reported at this time to be on her way to India to take up her first cargo for Australian ports. I have already pointed out by quotations from the Bengal Customs Report that the present trade has materially improved in the past two years, independent of any impetus given to it by the Exhibition. The last year's return of imports gave an increase over that of the former year of £205,000, while the increase on exports for the same period amounted to £255,000. The total imports in India during that time were £552,500, and the exports to the Colonies were £1,040,000. The great increase in imports was mainly due to the direct supply of Australian copper, which amounted to £290,000, as compared with £50,000 the previous year. The total year's import of this commodity amounted to £1,902,693. I submit this is clear evidence that a profitable and growing trade is at present existing, and requires only enterprise and energy to place it to the full limits of India's demand or our ability to supply. It must be remembered that our trade hitherto has consisted principally of raw products, the principal item being metals which are almost universally used in the manufacture of domestic utensils by the 200,500,000 natives of India. But it may reasonably be hoped that many articles of produce hereafter enumerated will be introduced for the use of the European community, which, though comparatively small in point of numbers, are all consumers, and that the efforts now being made to introduce light woollen fabrics for cold weather to take the place of cotton so generally in use by the natives will not only establish a demand for our wool, but, in the belief of the medical profession of India, will greatly reduce the mortality amongst the population during that trying season. If this desirable end can be obtained it will open another large and profitable channel for our principal product.

India has shown us that little can be done in the way of manufactures to compete with the cheap labour and wonderful skill of her artisans when placed under European supervision. The Calcutta Court, which occupied one-half the area of the Indian section, contained marvels of local workmanship, nearly all of artistic taste, but plainly showing that India alone is best acquainted with and able to produce articles suited to Eastern requirements. It is affirmed that, prior to the Exhibition, some of the handicrafts were dying out, but many of the languishing trades have now received fresh impetus, and those which were in a healthy condition have been much improved, and a better system of supply and export to Europe has been established.

Returning to our immediate connection with the Exhibition, I beg to notice, *seriatim*, the several items of exhibits which claimed most particular attention, and which may, in future, form the basis of increased trade with India. New South Wales, although occupying but a limited area, succeeded in obtaining the greatest number of awards amongst Colonies, and, as will be shown, initiated some new branches of trade. I have already placed on record the action taken in the various matters in connection with the desirable object.

The problem is to discover some means by which a large reciprocal Indo-Australian trade may be established. It is quite evident that if sufficient trade can be developed, one or other of the great ship companies will supply, without delay, the tonnage and accommodation required for direct communication. Hitherto the products of Australia have been sent by steamers bound for Europe direct, or *via* Bombay, dropped at Colombo, where they remained until picked up by coasting vessels and carried to their destination at Calcutta. The delay and cost of this transshipment have been the cause of much inconvenience and loss to shippers. The present return trade consists of tea, castor-oil, rice, gunny-bags, drugs, spices, &c., in gradually increasing quantities. But the nature of certain return cargoes has yet to be determined. I therefore submit the following remarks in connection with products which offered opportunity to calculate our chance of extended trade.

Wine.—

Wine.—The exhibit of this product was very comprehensive and varied, and the lighter descriptions found much favour with the European population, and, as a matter of fact, firms in Calcutta are now pressing for a supply of such wines as assimilate with claret, Chablis, hocks, &c. In addition to this there may be expected a demand in and around Bombay for wines of a sweeter character. The total import of wine into India last year amounted to £135,088, showing somewhat of a decrease on former years by reason of an increased taste for light beers. The prices obtained for best wines left with Messrs. Balmer & Lawrie were 35s. per dozen, and, for inferior wines, 26s. per dozen. All wines should be bottled carefully, tastefully labelled, and well packed. I would impress upon exporters of wine the necessity for giving very clear and distinct names to their wines on neat labels. The name of the Colony which produces the wine should have special prominence on the label. This is highly necessary as a means to enable distant consumers to furnish orders in an intelligent manner. If possible a blend should be established which may be steadfastly adhered to after the taste is once created. The export of inferior wines should be avoided. Wines in bulk have not sold readily, the highest price realised being 7s. per gallon. Till the time of the Exhibition very few Europeans or wine-consuming natives of India had tasted Colonial wines, but a general opinion now exists that there is a good opening for the trade.

Copper.—In the matter of this product much time and attention were devoted in order to ascertain the quantity imported, the channels of supply, and the nature of the market. The result of the inquiry has led to the discovery that large quantities of Australian copper enter India, and firms are desirous of increasing the direct supply from Australia, instead of importing as hitherto through Great Britain. Tenders are frequently invited in Calcutta for supply of Wallaroo or Burra copper. Upon inquiry of Mint Master Major R. V. Riddell, R.E., I ascertained that Cobar is unsuitable, as specially shaped tiles are required for coining purposes. I have already furnished full details on this subject. Hong Kong and Japan furnish a considerable quantity of the metal of an excellent quality, and the supply is steadily on the increase, the total import trade for last year being £1,902,693. This branch of the trade is almost entirely in the hands of Parsee and Chinese merchants. I have already placed on record the terms on which well-established Parsee merchants are willing to deal direct for this commodity. At the same time I pointed out some defects in the quality of Australian copper, and gave suggestions for the alteration of the shape of the ingots to admit of shippers tendering for Mint supplies. Australia at present stands fifth on the list of importance as a supplier, but, with direct communication between the two countries, she will steadily rise in the scale. It is anticipated there will shortly be an increased demand in consequence of a growing trade in Europe for Indian metal art ware, and because of the abolition of import duties. Thousands of up-country natives are employed in manufacturing these Eastern objects of art, and they are all purchasers of the metal.

Wool.—The samples of wool, and some few bales of greasy, forwarded to Calcutta, comprised the first direct shipment of the article. They aroused great interest among the natives who are employed in hand weaving. The quantities sent could have been disposed of in several places, and they were finally sold at a fair price for the purpose of testing the adaptability of the wool for the fabrics in constant demand. It is hoped the result will be the opening up of a trade in this staple, and that the material will be found suitable for the manufacture of light cheap woollen fabrics for native use in the cold season. As I have already stated, the adoption of this material for native clothing is strongly urged by the medical profession, who hope thereby to reduce the sickness and mortality which prevail in the trying months of winter. Only small test shipments should be made at the outset. Colonial manufactured woollen goods received much attention, and had a supply been to hand it could have been readily disposed of.

Leather.—There is a large consumption of thick sole leather, which is principally used in the manufacture of ammunition boots for the military service. The thinner kinds find a ready sale at from 10d. to 1s. per pound, but as the country abounds in tanneries the demand seems to be greater for hides. Cow-hides for harness-work are in constant requisition under the following conditions: They must be about 50 lbs. in weight, dry salted, and free from cuts, blemishes, or brands. The annual consumption is 25,000 for the harness purposes of the Service. Ox-hides for country tanning are used in large numbers, and are collected and supplied by army contractors. The conditions are that they shall be the thickest sole butts, as free from cuts and blemishes as possible, well salted and bone dry. Samples are in demand, but they should be furnished of the best description for Government use only. That the wants of the strictly native trade are already well supplied may be learned from the fact that hides and skins represent 6 per cent. of the exports, but they are of a very poor character.

Tin.—The sample of tin forwarded to Calcutta which comprised the trophy in the Court obtained a price slightly above market rates in England. The principal supply is at present obtained from the Straits Settlements, the increased import last year being £62,500, during which period marked progress
took

took place in tin-mining. Many extensive deposits of tin oxides producing high percentage of tin ore said to have been discovered in Perak. It is at present impossible to compete at the present high rates of freight, and with our means of transport.

Coal.—The native trade is very active, and a considerable quantity of English coal arrives at Indian ports at almost nominal rates of freight, and sells at from 25s. to 30s. per ton, but Australian coal is held in high esteem by some ship companies. The Calcutta Superintendent of the P. and O.S.N. Co. would gladly take more than at present offers. The Bengal Customs Report says:—"It is, however, noteworthy that the imports of coal from Australia have advanced from 502 tons in 1881-2 to nearly 6,000 tons in 1882-3."

Grain.—The export of this item from Calcutta alone is 11½ per cent., but a reasonable quantity of maize may be forwarded for seed purposes. The samples sent by the Colony were infinitely superior to the native product, and were in constant demand. Gram is now being largely introduced into Victoria to arrive in times of scarcity of maize, the export from India to that Colony for last year being 24,288 lbs., an increase of 19,542 lbs. over former years.

Hay.—Compressed lucerne would find a ready market during the dry season, but it should not be forwarded except under advice.

Timber.—With direct communication only a very large trade can be done in hardwood timber of scantling, suitable for door and window frames, doors, styles, and rails, quartering for framing and roofing purposes. In fact coast timber of any merchantable dimensions will realize from 30s. to 40s. per 100 superficial feet, but it should only be shipped under advice as to season and quantity. Squared logs from 12 x 12 to 14 x 14 are in frequent request at 5s. per cubic foot. If timber can be taken at a minimum rate as dead load there will be at all times a margin for fluctuation in the market. At times of overstocking here with pine boards there may generally be found an outlet in Calcutta with a good margin of profit over freight and charges. The best classes of timber suitable for gun-carriages and arsenal purposes are in demand. So also are sleepers, but these are gradually falling out of use in consequence of reform in the system of permanent way, but a demand still exists on the eastern Bengal lines.

Horses and Live Stock.—The main supply of horses to India is from Australia, but at present almost entirely from Victoria. On carefully examining the brands, however, of those in the Government Remount Establishment at Calcutta I found many from the studs of this Colony. The universal name "Waler" is derived from New South Wales, from whence formerly the stock was almost exclusively furnished. The trade having evidently fallen off through some misunderstanding as to the true nature of the requirements of the Indian Government, I beg to submit the following remarks:—At the time of my visit the animals in depôt were described as an inferior lot, and not up to the standard of department requirements. The number imported in 1880-81 was 1,370; in 1881-82, 2,140; and in 1882-83, only 1,644; total, 5,154. Taking the average price at, approximately, £45 each, the total trade for 3 years was £234,507. At present this trade is purely speculative. The requirements for the service are ascertained by Australian dealers, and shipments are made to Calcutta at their risk. The horses are landed at a depôt a few miles below the city, and are stabled and fed for a short time until selection up to the standard is made. Then the owners remove the rejected animals, and as soon as possible dispose of them in the open market. In order to improve this trade, and to re-establish a better understanding Colonel B. Williams is now on a visit to these Colonies on a tour of inspection. Should direct communication be opened up *via* Torres Straits much inland driving in this Colony would be avoided. The voyage to India being made through a comparatively tranquil sea the horses would arrive in much better condition than is possible under the present system. Cattle should not be forwarded except to express order.

Frozen Meats.—It is thought that a trade may be established in meat, but at present there does not exist a storing depôt in Calcutta. The meat now being consumed is of inferior quality, and, with one exception only, is supplied by natives in the general market. Any reform in the present system of supply would require careful consideration as the natives are slow to adopt new ideas. Should such a trade be contemplated Singapore ought to prove a good market, as at present it depends entirely on Calcutta for supplies of mutton, which is described in a recent report as execrable. The trade is valuable though it is confined in one or two hands. Tiring of their monopoly they are looking elsewhere for supplies, remarking that Java obtains splendid Australian meat, which is shipped in a frozen condition, and sold at a large profit. The meat is described as infinitely better and cheaper than the article received from Calcutta. Some further information on this subject may be expected, as a movement is now on foot to establish a freezing chamber in Calcutta.

Farm Produce: Butter.—So far as the bulk of our exhibits was concerned this item was, unfortunately, not a success. The time consumed in transit, the detention in Colombo, rough usage in transshipment and landing, and the consequent damage and disfigurement of labels, &c., militated against a fair

fair chance of testing a market which is peculiar and fastidious in the extreme. A discouraging average price was the result of these mischances. But if sound fresh butter can be forwarded, packed in ornamental lacquered or japanned 1-lb. tins, with a neat design on the cover of a pastoral character, paper labels being totally discarded, there is every chance of competing with the Danish and French article at present greatly in use, and which sells freely at 2s. 6d. per 1-lb. tin retail. The imports for the year ending 31st March, 1882, were 156,265 lbs. for Calcutta, but the requirements of Bombay should be much higher as there are so many native consumers on that side. In any case it must be remembered that the European population in India is small and widely scattered, and large shipments for chance trade should be avoided.

Bacon and Hams, and Cheese.—There is a large and constant demand for these, and they obtain fair prices, but in their case also attention as to get up and packing is imperative. The bulk of these imports is for up-country consumption, and each article should be treated for transit over long distances under a burning sun, in a climate where dust penetrates everything not well secured. Most of our exhibits in these classes were at once ordered for dispatch to Simla, for the use of the Viceroy's establishment during the hot season, but they were permitted to remain in the court for general inspection as long as was considered prudent.

Biscuits.—There should be a good demand for ornamental and plain biscuits. It was unfortunate we did not exhibit in this class, as I was unable to answer many inquiries put to me, and, as an immediate consequence, any advantage in this particular has been obtained by other Colonies.

Jams and Preserves.—As our exhibits in these classes were not extensive, and those displayed were much disfigured in their labels through contact with moisture, they had not a fair chance to compete with the excellent and well-preserved examples shown by other Colonies. For well packed and attractive goods a large trade is to be done in 1 lb. tins, at from 7s. 6d. to 12s. 6d. per dozen wholesale. English and French makers vie with each other in making their goods attractive. The most recent improvement is the adoption of hermetically-sealed lids, which can be easily removed, and thoroughly exclude ants, which are very troublesome in India.

Preserved Meat.—The only exhibit in this class was from the Sydney Meat Preserving Company. By the excellent display and varied assortment furnished I was enabled to give much valuable information and many practical illustrations of the value of this industry to India. As a result this Company and kindred Companies may look for future business in the Army Department. For general public use there must be some discrimination in shipping. The people's taste must first be ascertained, so that no dead stock may be left on the market. Ox tongues, sheep tongues, ox cheek, corned beef, spiced beef, and compressed meats will find ready acceptance. These meats are largely consumed by the Commissariat Department, who are now using them, but under an English disguise. It is therefore desirable we should receive direct credit as soon as practicable. Paper labels should be avoided as much as possible, but, if used, they should be well varnished. The Government occasionally advertise for tenders for the supply of Australian preserved meats, but in consequence of brief notice and the want of an established agency it is impossible to comply with the conditions. The Australian meats are now landed in Calcutta from England at 6½d. per lb. wholesale, and if a steady supply can be kept up at that rate, and the public made to know where it can be obtained, a large business can be done. In many parts of India, amongst planters and others, it is impossible to obtain fresh beef and mutton. Our provisions should therefore find great favour in competing with the high prices now charged in the shops of India. The award of three gold medals is, I think, sufficient verification of my statement, besides the fact that the Sydney Meat Preserving Company obtained three medals.

Ghee.—This is clarified butter made from fresh milk, and universally used by the natives of India for cooking and in the manufacture of confectionery and sweetmeats. The best kind is made from the milk of the buffalo cow, which is said to produce one-sixth more milk than the English breeds. The milk contains a larger proportion of butter, and the animals will thrive on the coarsest of herbage, are very docile, and much used in field work. The quantity of ghee annually consumed is 1,500,000 tons, and the minimum price at Calcutta and Bombay is 6d. per lb. It is never made when a fair price can be obtained for butter, and if its manufacture be undertaken here it will be under the conditions of an over supplied market, or the stocking of coarse northern country with buffalo cows for this industry alone. It would be necessary, too, to find an outlet for the produce via Torres Straits. Should the trade be attempted on any magnitude it will be imperative to strictly follow the instructions laid down in the minutes of the Agricultural Department of India.

Manufactures and Miscellaneous.—Viewing the abundance of cheap labour in all parts of India, and the wonderful skill displayed by native artisans in adopting Western designs, and in executing work under European direction, there is but little room for trade with the Colonies in manufactured goods.

But

But as an exception to this rule there was found a great taste for Colonial saddlery, which obtained good prices. Rugs made from the furs of small animals were acceptable, emu eggs were considered cheap at 10s. each, and many other direct products, of which no samples accompanied our exhibits, sold in the other Colonial courts at high prices. There is a very large demand for chests for tea, indigo, and ammunition. Details as to sizes and kind of wood I have already furnished, but one important caution I must here repeat, that all the parts of each description of tea-chest, namely, tops, bottoms, and sides must be interchangeable and require nothing more than the simple nailing, which is performed by the unskilled coolie on the plantation.

In the foregoing remarks I have dealt with the various items of trade between Australia and India in the order of their importance, and have given information gathered from the best and most trustworthy sources. It is possible I may have omitted reference to articles which form portions of our trade connections with India, but if our operations are commenced on the lines laid down there seems every prospect of a satisfactory re-establishment of our commercial relations. It must be borne in mind that the import duties have been abolished in Calcutta, and the port dues reduced by one-half, while at the same time the trouble to importers in clearing goods through the Customs has been lessened.

Supplies from India.—The export trade from India to the Colonies has already been shown to be extensive. It consists principally of jute, gunny-bags, wool bales, gunny cloth, castor-oil, drugs, baiks, tea, rice, grain, gums and resins, raw jute, and silk goods. To the above may be added many things of great importance, at present unknown, which can only be developed in the ordinary way of business.

Following up my remarks as to what the Exhibition taught us by its vast collection of industries and art wares of India, which are now finding an outlet to the western world, I take this opportunity of giving a short detailed description of the products of each District and State. The growing taste in Australia for such objects for home decoration will justify me in making known their existence.

Jute, Gunny-bags, and Wool Bale Trade.—It is thought by mill-owners that many more kinds of bale-cloth and wrappers could be supplied to this market if patterns or suggestions were furnished to them. The trade with Australia is already very large, and is growing in importance. The increase in exports last year was £130,000.

Tea.—The Tea Syndicate of Bengal provided excellent means of testing their superior teas, and there can be no doubt that, if the same chance of forming an opinion of their goods be extended to the general public of this Colony, a taste would soon be established and a large demand arise. The increase in trade with Australia last year was 1,750,000 lbs., but so sudden a jump seemed rather in excess of the demand.

Stoneware, Pottery, Porcelain, and Earthenware.—The manufacture of ornamental work in soapstone is carried on largely in Agra, and the delicacy of the carving and beauty of the patterns exhibited in Calcutta have been the means of creating a large demand. The same workmen prepare the beautiful inlaid marble work which is so striking a feature in the celebrated Tag. From Banda comes the agate from which are made handles of dinner-knives, book-marks, and paper-weights. All these are beautifully finished and reasonable in price. The Aligargh black pottery is very attractive, modern in design, and very cheap. It consists of flower vases, goblets, bowls, plates, and tea-sets. It is made from kanku (carbonate of lime), smoke-coloured in an oven. The ornamentation is in relief, and of European character. The Moradabad pottery is thin and brittle. It is made from a tenacious black clay, and the articles are coloured white and ornamented in gold and colour. That manufactured in Rampin is very effective and cheap. It is glazed in white, dark-blue, and claret colours. The designs are very handsome, and the clay is well suited for pottery work. From Agra can be obtained pine-apple-shaped flower-pots. These being a new industry the price is comparatively high, but novelty insures a ready sale. Azdmjungh produces a polished black ware, artistically ornamented with patterns in silver leaf. This is a secret art known only to three men, who are cultivators as well as potters. The potters' art has much improved under European supervision, the Raneegunge works of Messrs. Binn and Co. producing every kind of earthenware, terra cotta, and tiles.

Metal Ware.—In this section there is an endless variety. The natives of India employ metal almost universally in their drinking and cooking utensils. The trade is carried on at Ghazipur and Sitapur, where lotas, or water vessels, are principally made. Benares is famous for the manufacture of important brass ware articles, from the useful to the extremely ornamental, the industry alone engrossing seven-tenths of the total amount of tin and copper imported. The quality of the ware varies very much, and judgment is required in selecting. There appears to be a great local demand, but the makers do not understand the execution of a large indent, personal selection being necessary. Lucknow has a large trade in brass-ware, excellently executed, but the articles are mostly for native use. The principal feature of Jhansi metal ware is in the manufacture of country pattern chandeliers. Some have fourteen branches, and

and are much valued by the natives. The brass mountings for native vehicles, &c., are all made here of bell metal. Sultanpur is also famous for its metal ware, which is sharp, well-defined, and artistic in outline. It consists of cups with covers, jugs, basins, and trays. The material sansabais is a much prized alloy, and the articles are valued by weight, 14 a seer, or 3s. 4d. per lb.

Basket-ware.—This is made in many districts. The designs are most varied, and the work is in most cases excellent. When European ideas are worked out the articles produced are faithful copies and very cheap, such as lunch-baskets, chairs, &c. Much of this industry is performed by prison labour, but the bulk by villagers in Oudh and Rampur.

Decorative Work, Carving, &c.—The elaborate wood carving of Bulandshai is suitable for doors, panels, reading-desks, and drawing-room tables. It is marvellous how the examples were produced at the prices affixed to them. The Manipuri art consists in in-laying dark wood with brass wire in designs extremely complex and artistic. There is a large demand for this work in Europe. The articles produced range over every variety of household ornaments, but are rather expensive. The work of Bijnor consists of cases for clocks, watches, and envelopes, glove and handkerchief boxes, book-cases, letter-boxes, &c., &c. The designs are carved in relief in flowers and foliage, and the work is applied to a great variety of articles for domestic use, some mounted in silver and inlaid with mother-of-pearl. The products of this district are so much in demand that the operatives are kept busy. Very excellent papier-maché is also made here. At Saharinpore much carving is done in a soft white wood, as book-rests, plates, bread platters, picture frames, wardrobes, and many other useful and elegant articles, principally to suit European taste. Carving can be executed in this district to any European design at small cost. Faruckabad is also noted for its excellent wood carvings.

The Agra lacquer work is very attractive to European visitors, and eagerly bought up. The designs are first worked in mango wood and dyed with shellac, then engraved in very ornate patterns. The principal articles made are toilet-boxes, looking-glass frames, stools, baskets, &c. Up to the time of the Exhibition there had been no export trade. The ivory work of Benares is principally used in elephant houdahs, couches, chairs, &c., for native princes, and it is wonderful in design and execution.

Carpets, Hangings, and Tapestry.—Much of this work in the Barully, Meerut, and Allahabad districts is produced by gaol labour, but the industry is pretty generally spread throughout India. The carpets are, as a rule, of striking and beautiful patterns and excellently blended colours, the work being in cotton, and the woof and pile in wool, the wool hitherto used having been of the common country sort. The carpets are made up to very large sizes, beginning from dimensions of the hearth-rug and door-mat. The better class of carpet is made from the soft fine wool of Lahore, but this cannot in any way compare with Australian wool. Carpets of every design are made to order at any of the places above mentioned. The floor cloths or durees are principally made in cotton, the blending of colours making them attractive and useful as bedroom carpets. The prices for large sizes are very moderate. This kind of work extends over a wide range of articles, such as table-covers, crumb-cloths, stair-carpets, hangings, bed-covers, &c., and the prices are suitable for Colonial use. The principal districts for carpets and durees are Bhandshai, Alijail, Inlami, Mirzapore, and Jhansi. In addition to the above described industries are fine examples of matting in native reeds and grasses, and also made from a great variety of fibres. The exhibits in this class at Calcutta covered an enormous area of wall space, and were far too numerous to admit of more than the foregoing description.

Marble and Alabaster.—Agra, with its beautiful Taj, is a fitting place for the industries in these materials. The inlaid marble-work of this place is known over the whole world. To make it applicable to Western ideas and requirements it is designed as table-tops, flower-vases, boxes, plates, and an endless variety of articles for use or ornament. The price is rather prohibitive to its general use as an article of export, but local sales to visitors are large.

Bronzes, ornamental work in gold, silver, and other metals.

Benares is the principal seat of this industry as already described, the greater number of exhibits in this class having been contributed by that city and adjacent towns. Moradabad comes next with its beautiful engraved metal-ware, which is daily increasing in demand. The industry employs 1,500 men, and the present production is estimated at £30,000 per annum. Much of this work is exported to Europe, and is held in great favour by the European residents of India. The articles, which are infinite in design, are made of brass, tinned over, and the pattern is engraved through to the brass surface, some portion of the design being filled in with black or green lacquer, leaving the remainder bright. The effect is excellent. The principal articles suited to Western taste are trays, shields, flowerpots, vases, ewers, tumblers, jars, boxes, and water vessels. Some of the silver work is in imitation of English patterns, but wanting in finish. The Lucknow silver work is excellent in design and workmanship, and ranges over a great variety of articles for native and European use, the greatest skill in detail being used in hookah bottoms and other purely native articles.

Toys.—

Toys.—The silver toys of Muttra are made at Gokul, and take the form of almost every known animal, faithfully imitated. They are sold by the rupee weight or tola at 4 annas, or 6d. per each rupee weight for labour. This system is adopted in valuing silver work in many parts of India. Benares toys are excellent in make and varied in description. They are reasonable in price, are made up in what are called sets, containing from two to three dozen pieces, and the lacquer used in colouring them is fast. These facts should commend them as a desirable import for Australia. The baskets, containing from 24 to 36 pieces, are from 1s. to 2s. each, local price. The variety to choose from is too great to enumerate in this report. The Lucknow toys are to some extent known in the Colonies. They consist principally of characteristic models in clay of the natives of India, faithfully executed, representing the various handicrafts and the peculiar appliances of the country. As an educating medium a complete set should be obtained for the Colony. In some sets the operations of the life of an entire village are depicted.

Rope and Upholsterers' Cord.—Muttra, in the Agra district, produces a variety of parti-coloured ropes and cords in cotton and silk for hangings and upholstery, but in limited quantity, as they are a prison industry.

Cotton Fabrics.—The native productions in piece goods, muslins, tablecloths, sheets, handkerchiefs, and bed coverings are manufactured in Oudh, Aligarh, Jhansi, Azamgarh, Meerut, and Allahabad, some of the finer sorts being superior to English goods, and reasonable in price. The Rumpur embroidery is not surpassed by any handicraft in India. It is done on cotton, is durable and soft, is proof against water, and will stand any degree of deterioration through washing. Furuckabad and Lucknow are the principal seats of the hand-printing calico chintzes. The dyes used are all native and fast, and are stamped on the cloth. Very few of the patterns are wanting in taste, and the bulk are most pleasing and artistic. The trade holds its own against European work and is fast increasing. The wages paid to workmen in most of the above industries is from two to three annas (3d. to 4½d.) per day.

Wool Fabrics.—There were but few examples in Calcutta. The principal blankets are hand-made and expensive. It is hoped that this industry will undergo a change now that Australian wool has been introduced. If light inexpensive chudders or native dress cloth can be made it will be a great boon to India.

Mixed Fabrics.—The list of these goods is endless. Besides taking the lead for quality and variety in dresses, puffin, waist-bands, &c., Agra comes next with parti-coloured striped goods. The trade in mixed stuff is much larger than that in pure silk, and is in the hands of Muhammadans. It is on the increase.

Fancy Work and Embroidery.—These industries are carried on extensively in Agra, Benares, and Lucknow. The natives in these districts produce every variety of gold and silk, principally for wearing apparel, such as shawls, and cushion covers, &c. Lucknow is noted for its gold embroidery, which is transported to every part of India. Silver is used, either plain or gilt, and is drawn out by primitive means with extraordinary skill. Gota is a braid in great request, formed of silver threads interwoven with silk. Lucknow materials for embroidery find great favour in Europe where church purposes absorb the material. The Chikan work is also mainly produced in the Lucknow District. This is embroidery on muslin and is performed by women and children in their own homes. The work is suitable for many European articles of dress, is beautiful in design, and cheap in price.

In apparel Agra produces an endless variety of work in gold embroidery on caps, boots, and lace, the industry giving employment to about 6,000 persons. Most of the material is obtained in the local markets, the silk only being imported from Peshawar and Rampur Baulia. There is a large wholesale export trade.

The manufactures of cotton, wool, jute, &c., were largely exhibited, but they were principally of gaol production.

Building materials, which consisted of tiles, and bricks of every conceivable shape, had a place. Masonry was represented by perforated screens. The manufacture of these screens is one of the principal trades of Agra, some 2,000 men of all creeds being engaged in it. They are carved in stone obtained from Tantpur, Ruphas, and Dholpur quarries, the excellent white stone of the latter being admirably adapted for this work though its hardness prevents its general use. The variety of patterns is very great, but the most favoured designs are those used in the screens of the Taj and Etimad-ud-daula. These screen carvings are well adapted for ventilating panels in buildings, and cost from 2s. 6d. to 5s. per superficial foot, according to the pattern. The wages paid run from 8d. to 10d. per day.

In addition to the foregoing were numerous exhibits of objects not specified, such as models, smith-work, electro-plating, weapons and implements of the chase, all of which displayed great skill.

MADRAS.

The most striking exhibits in the Madras section were the carvings in ivory and wood, fret-work in ivory, ebony, sandal, and other woods. The collection consisted of objects, in many cases of great beauty, such as jewel-boxes, the tracing of which in ivory rivalled the most delicate lace. This character of work is done in Vizapatam. There was a moderate show of gold and silver work from Travancore. At Tirupati a peculiar kind of brass-ware is made, richly inlaid with copper and silver, but as the designs hitherto have generally been mythological the effect is rather barbaric. The Tangore metal-work is of a much higher type of art, the system of inlaying being the same, but the designs are much more tasteful; the effect is excellent. The encrusting of copper-ware with silver in the same style is a modern improvement, and greater care is taken in the finish. As a result this ware is in great favour with Europeans.

The collection was rich in painted cottons and muslin, muslin embroidered in cotton, silk, gold and silver, the latter inlaid with beetles' wings of a brilliant emerald colour. The printed cottons called palumpores were a remarkable feature, the patterns being stencilled and the outlines filled in by hand. They are really hand-painted pictures on cloth, the designs being a mythological scene or landscape excellently drawn. The best of these were from Masulipatam. Bellary sent bright coloured silks in scarves and handkerchiefs. Madura and Tanjore produced beautiful gold-bordered cloth, interspersed with tastefully blended colours of silk. The articles consisted of table-covers, bracket and mantelpiece fringes, cosies, &c. The ticket, "sold," appeared on all these examples very soon after the opening. Another permanent industry of this Presidency was the white and black lace embroidered in gold by native girls in the Mission schools. This is an established industry and the demand is growing.

In carpets Madras does not come out strong. The colours are generally dull, except in those made of cotton, which are somewhat too pronounced for Western taste. Mats and fans were in great variety.

The Hyderabad Court was entered through a typical gateway of three pointed arches, handsomely moulded and profusely ornamented with gilt carvings. The roof and walls were draped with handsome carpets, and the walls adorned with ancient arms and shields. Here were also many articles in black and white damascened in large pattern, such as plates, goblets, boxes, lacquered goods, useful and ornamental, without end, and all novel and interesting. The display of jewelled swords and spears, daggers with gold and agate handles, encrusted gold scabbards, formed in fanciful design, gave a truly Oriental appearance to the Court. The Mysore Court contained a collection of exhibits much in advance of any other territory, having an economic and geological section. A pair of ebony doors, inlaid with ivory in Western design, were very elaborate and well finished. Had the labour necessary to produce these been expended on a suite of furniture it would have been turned to good account and been eagerly availed of. The same skill was apparent in hundreds of articles of a domestic nature, some being of ivory, ebony, sandalwood, gold and silver for the natives. Carpets were very fine. One marked 3,000 rupees, made of silk, was worthy of a palace. Some life-sized draped figures of natives were excellently modelled and posed. The economic section contained a great many specimens of seeds of all kinds, fibres, indigenous woods, and geological specimens.

My apology for troubling you with the above tedious description is that hitherto it has been impossible to ascertain the locality of the several seats of manufacture without travelling great distances and obtaining some intimacy with bazaars, but, in future, any details I have omitted may be readily obtained on referring to the Museum authorities of Calcutta. Whatever system of trade agency may be adopted will afford the means of securing these particulars.

Before concluding, I wish specially to acknowledge the constant courtesy and assistance rendered to the Colony by the Hon. Colonel L. T. Trevor, R.E., Vice-President of the Calcutta Committee, upon whom, in the absence of the President, His Honor the Lieutenant-Governor, through severe illness, the most responsible duties rested. I have also to bear testimony to the efficiency of the staff under the direction of the Committee, who were ever ready to afford assistance and information.

It is impossible to calculate the amount of benefit likely to accrue to India and the Colonies from the late Exhibition, but that it has done a great deal of good in making both countries better acquainted with each other is admitted. A vast number of natives in the country have been taught through the English and vernacular press that besides Great Britain the Queen Empress rules over a country at the antipodes as vast as India, and peopled by British-born subjects as loyal as any in her dominions. And those who visited the Exhibition from abroad have carried home to their friends in all parts of the Empire an account of the wonders they witnessed. It may therefore be fairly anticipated that great good will result from the Calcutta Exhibition of 1883-84.

I have, &c.,

F. A. FRANKLIN,

Executive Commissioner.

The

The Representative Commissioner to The Executive Commissioner.

New South Wales Court—Calcutta International Exhibition, 1883–84.

Dear Sir,

Calcutta, 21 January, 1884.

I beg to hand you a few notes, regarding articles in which business is being or may be done between India and Australia, and to offer a few suggestions as to opening up a market for Australian products generally.

Wines.—From enquiries I have made, it seems that more business was done in these a few years back than is now the case; four or five firms imported them pretty regularly, but have gradually dropped the business, and it is only since the Melbourne Exhibition that attention has been much directed to them; even now nine out of every ten Europeans in India have never tasted Australian wines, so that there is plenty of room for pushing the trade.

I am informed that the sorts that formerly sold here, were Rudeshemier, at R20 per dozen; Hockhemier at R16; Geisenhemier at R14, and Nobelhemier at R12; the price, however, now quoted for Rudeshemier, is only R12 to R14.

I am of opinion that in light clarets and hocks a large business may be done, while the better kinds will meet with a more limited enquiry. It is very essential, however, that there should be some means of enabling the public to get an uniform quality of each kind; there has been an immense amount of damage done to the trade already, by several parcels of inferior quality being sold here, which have disgusted consumers, and have led the public to think that they cannot rely on getting a second or third parcel equal to the first. It is needless for me to point out what harm this must do, especially in introducing a new article.

Butter.—There is a large quantity of this imported into India, but the business is confined to English or Danish produce. The imports for the year ending 31st March, 1882 (the last I happen to have by me), were 156,265lbs. The wholesale price ranges from R5 to R12 per dozen, 1lb. tins, but the general price may be taken as R8 to R10; 2lb. tins are practically unsaleable; indeed it may be accepted as a general rule of this market for perishable goods, that the smaller the packages the more saleable the commodity.

It is very essential to bear in mind that this market is most sensitive in everything relating to the get up and style of the packages and labels, not only of such articles as butter, preserved meats, and so on, but even of cotton and cloth fabrics. Attention to small details in the appearance of the tins will go a long way in rapidly establishing a market, while care in manufacturing the article contained will be successful in maintaining it. Take for instance the butter you sent me the other day (the South Coast and West Camden Co., Limited); the tins are quite plain and rough, with the exception of a label, which is generally discoloured with rust, and the dealers argue from their appearance that the butter has been packed in Calcutta. The tins should be decorated as in the case of the Candelo Butter Co's. tins, or painted and covered with neat labels. As an instance of how particular the dealers are, I may mention that there is a great prejudice against any butter that has not a label representing a cow on it.

The best season for the sale of butter, as well as of all perishable articles, is from August to February. I would direct the attention of your supplies to the necessity of manufacturing their produce in such a manner as will ensure its keeping as long a time as possible, for it strikes me that English made butter keeps much longer than that made in the Colonies, some of the former being a year and more lying in warehouses here.

Cheese, Bacon, and Hams.—There is a good field for the sale of these, but I am unable to give particulars just now.

Copper.—The trade in this article is being yearly more firmly established, and it requires only direct steam communication to make a much larger business in it. In the year ending 31st March, 1882, 5,275 tons were imported into India, of which 782 tons only were Australian, so that there is ample room for extension. It is right to add that two or three copper-mines have been discovered, and are being worked, in Bengal, but it will be some time before the output will be large enough to make it worth while to erect smelting furnaces in this country. I would suggest your seeing the Master of the Mint, and sending him a sample of Cobar copper. In his advertisement for tenders for Australian he usually stipulates for Wallaroo and Burra Burra only. It would be well to get him to include Cobar or any other good brand.

Tin.—There is a fair quantity imported from the Straits Settlements—about 1,325 tons per annum. Whether Australia can compete with the Straits I cannot say.

Coal.—Shipments constantly come up from New South Wales, and realize an average of R9 per ton, whereas Cardiff coal sells at R15 to R18. I fancy there is not much margin for profit, if any, in the price I have named, but you will perhaps know.

Preserved Meats and Fruits.—There is a large consumption of English and American packed goods coming under this heading, while so far the direct business with Australia has been of a very small and desultory description. I understand that a good deal of Australian preserved meat actually comes here from London. The Commissariat advertise for tenders for the supply of Australian meat occasionally, but the notice is always very short, and unless stocks are held here it is impossible to submit them. A dealer informs me that he can get Australian meat landed here from England at 4s. 9p. If a steady supply can be landed here at that rate wholesale, and the public know where it can be got of reliable quality, a large business can be done, I feel sure. In many parts of India fresh beef and mutton are not procurable, and planters and others have to live solely on fowls. To such the Australian preserved meat would be invaluable, for the high price charged by the shops here puts it out of their power to purchase at present.

Jams.—There is a large consumption of English made jams here; they are retailed from R4 8s. to R6 12s. per dozen 1 lb. tins, and I think R4 all round may be got wholesale, which I fancy would leave a margin to your manufacturers. The get-up of the tins must be very good, for the English makers excel in this point.

Leather.—I have no particulars of the imports of leather, but I believe some quantity of dressed leather is brought from England. Australia should compete successfully with England in this, but no large business will be done, I think, as the roughly-dressed hides of this country seem suited to the requirements of the people.

Frozen

Frozen Meats.—I am of opinion that the supply of frozen meat of the excellent quality produced in Australia would supply a want, for the meat we get here, though cheap, is of a very poor description; but when you know that the number of head of all sorts killed in the Calcutta abattoirs is only 300 daily, as I was informed was the case by the Municipal Engineer, you will see that there is at present not much field for the sales of imported meats. If a regular line of steamers was established it might pay to have a small machine fitted up, and to bring up small quantities of frozen meat and fresh fruit; but of course warehouses must be fitted here also with machines for receiving and storing them.

Wool.—Small quantities are used, and it may be confidently expected that the demand will increase. The imports of raw wool into the country are about 3,000,000 lbs., but, not being acquainted with the trade, I do not know what quality is most largely imported.

Ghee.—I will send you a report which I have obtained from the Secretary to Government in the Revenue and Agricultural Department, which will furnish you with full information regarding this important article of Indian consumption. If the matter were only taken up on your side, and the ghee properly manufactured, the sale would be unlimited.

I have now reviewed in detail the principal articles of import to India from Australia; the question of exports I will go into later on.

I wish now to place before you my views as to the best means of increasing the trade between the two countries:—

1. In the first place it is absolutely necessary that there should be regular steam communication between us; but as this question has already been taken up by the Commission in Sydney, I need not dwell upon it at length. I assume, therefore, this as taken for granted.

2. I am of opinion that as the trade at the outset will not be very large, and probably not remunerative, it will be necessary to keep down the expenses as much as possible. With this object, and seeing that all the Australian Colonies are trying to do the same thing as yourselves, namely, open a market for their goods, which are similar to those your Colony produces, I strongly recommend that all the Colonies combine together, and laying aside whatever jealousy may exist, establish a trade between India and Australia as a whole, and not seek to cut each other out in inundating a new market with their products, while each is expending three or four times more than they need in granting concessions to rival steam lines, and keeping up agencies. This latter course would disgust your manufacturers, and would not, I think, extend the trade faster than an united effort. People here do not understand the feelings that exist between the different Colonies, and look on them all as one; as such I think you should work up a trade with India, and not as rivals.

3. To open the trade on this side I think it essential that there should be in Calcutta a central depôt where Australian products of all kinds can be obtained, and where the public may be confident of getting a good article. I would not propose that this should be a permanent arrangement, but only until such time as a regular demand for Australian goods is firmly established.

There are many firms here who would gladly take up such an agency, but I think it would be more for the interests of the Colonies that they should have an agent not connected with any particular firm, even though the Colonies pay the expenses of his salary and the necessary establishment for working the depôt. It is possible that a firm might work the business better, but the jealousy of other firms would be sure to put difficulties in the way. I would therefore suggest that the Colonies have a paid agent and a regular depôt for both wholesale and retail business, there being also a Board of direction or supervision, which might consist of members of such firms as are interested in establishing a trade between the two countries. I have no doubt that such gentlemen would gladly give their services free, seeing that they will have the opportunity of watching the trade.

I would suggest that the Commissioners of the other Colonies be consulted, as well as any firms that do business with Australia, and that whatever scheme be approved of be submitted to the Governments of the different Colonies.

There are one or two other articles of trade which I have omitted, such as timber for instance, but which I hope to refer to on another occasion.

I have, &c.,
J. N. STUART,
Representative Commissioner.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE UNEMPLOYED.

(PETITION AGAINST IMMIGRATION—CHAIRMAN OF A MEETING OF UNEMPLOYED WORKMEN.)

Received by the Legislative Assembly, 25 April, 1884.

The humble Petition of the unemployed workmen of Sydney.

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

YOUR PETITIONERS HUMBLY SHOWETH:—

That we have no employment, and there is not apparently the slightest probability of our obtaining anything to do; many of us at the present time are on the verge of starvation, and we ask your Honorable House in its wisdom to adopt some means whereby our necessities may be relieved and our wives and children provided for.

We further humbly pray your Honorable House to discontinue assisted Immigration, as it has been the primary cause of the present depression, as there is no justice in placing additional labour upon a market which cannot absorb half of that which is at present available.

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

Signed, on behalf of the unemployed,—

GEORGE ARTHUR GILLIVER GEE,

Chairman of the Meeting held April 23rd, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE UNEMPLOYED.

(PETITION OF CHAIRMAN OF PUBLIC MEETING AT MASONIC HALL.)

Received by the Legislative Assembly, 8 July, 1884.

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

WHEREAS at a public and mass meeting of the unemployed, held pursuant to advertisement, at the Masonic Hall, York-street, Sydney, on the 26th day of June, 1884, the following resolutions were unanimously arrived at:—

- (1.) That, in the opinion of this meeting, the Government should open up public works both for the married and single men, apart from the labour agency which had been established, that work may be found at prices which will not reduce the current rate of wages.
- (2.) That, whilst acknowledging and appreciating the steps that the Government has already taken, in response to numerous deputations and solicitations, this meeting is of opinion that it has not shown sufficient interest in the present crisis, and that it has failed to meet the real necessities of the case.
- (3.) That whereas, by the misfortunes and possible mistakes of the Governments of this Colony, a widespread distress has been brought amongst us, throwing men out of employment, this meeting considers it the duty of the present Government to exhaust every means at its disposal, not only to stop the deepening misery but also to relieve that already existing.
- (4.) That the foregoing resolutions be embodied in a Petition to be signed by the Chairman and presented to Parliament.

And in pursuance of such last-mentioned resolution, your Petitioner, as Chairman of the meeting, for himself and on behalf of the meeting aforesaid, prays the consideration of the Speaker and the Members of the Legislative Assembly to such resolutions, and that your Honorable House will give the matters therein contained full consideration and such relief as you may deem necessary and fitting in the premises.

And your Petitioner, as the Chairman of such meeting, will ever pray, &c.

JOHN SUTHERLAND,
Chairman of the largest and most orderly Public Meeting
ever held in the Masonic Hall, York-street, Sydney.

June 26th, 1884.

ROADS AND BRIDGES DEPARTMENT.

(1.) What is the total amount of money voted for public works during the past five years in the present Electorate of the Macleay and the Electorate of the Macleay and Hastings before their subdivision?

		Electorate of Hastings (old) :—	
1879	...	...	£19,364
1880	...	...	18,013
		Electorate of Macleay (present) :—	
1881	...	...	£11,310
1882	...	...	20,539
1883	...	...	15,986
		Electorate of Hastings and Manning (present) :—	
1881	...	...	£ 9,981
1882	...	...	9,574
1883	...	...	16,596

(2.) What were the works for which such moneys were voted, and what was the amount voted for each work?

Votes of 1879 and 1880 for Electorate of the Hastings before its subdivision :—

Description of Vote.	Amount	Amount
	for 1879.	for 1880.
	£	£
Road, Walcha to Port Macquarie (part of Vote)	2,500	2,500
" Port Macquarie to Kempsey...	875	875
" Kempsey to Armidale and Grafton Road	4,250	4,250
" Kempsey to Bellinger	900	900
" Kempsey to Frederickton	250	250
" Frederickton to Macleay Heads	375	.....
" Oakes Plains to Macleay Heads	126	180
" East Kempsey Ferry via Gladstone and Boggy Creek to Trial Bay	375	270
" East Kempsey to Euroka Village	60	.....
" East Kempsey via Dungay Bridge to Sherwood	.....	180
" Green Hills to Yarrowell Falls	50	50
" Warneton to New England Road	90	90
" Belgrave to Kempsey and New England Road	60	60
" Rolland's Plains to Port Macquarie and Kempsey Road	180	180
" Rolland's Plains to Yarrowell Falls...	.....	140
" Fernmount via Never Never to Grafton and Armidale Road	1,250	1,250
" Missibotti to Nambuccra Heads	126	126
" Bourville to Lumley Argents	180	180
" Wilson River via Bar Scrub to Port Macquarie and Walcha Road	160	160
" Cundle to Port Port Macquarie	1,250	1,250
" Cundle via Lansdowne to Jones' Island Road	240	240
" Tinonee to Cundle	200	200
" Tinonee and Gloucester Road to Clarkin's Crossing, Wollomba River	119	119
" Tinonee to Bohnock	84	84
" Tinonee to Wingham Ferry	90	90
" Tinonee and Bohnock Road to South Channel, Manning River	30	30
" Tinonee and Cundle Road to Wingham	200	200
" Wingham to Wherrol Flat, Dingo Creek	110	.....
" Wingham via Wherrol Flat and Dingo Creek to Kelven Grove	.....	140
" Burril Creek to Wingham and Black Flat...	70	70
" Wingham and Wherrol Flat Road, up east branch, Dingo Creek, to Bobbin Flat...	77	110
" Oxley Island	70	80
" Dumaresq Island	35	35
" Belgrave-street, Kempsey	.....	750
<i>Grants from Unclassified Vote :—</i>		
" Wherrol Flat to Kelven Grove	30	.....
" Bourville to Brokers, on South Arm, Nambucca	300	.....
" Camden Haven to Lauriston	56	.....
" Picket Hill Creek to Fernmount	20	.....
" Wingham and Novendoc Road to Karaak Flat	100	.....
" D. M'Leod's to Old Punt, Port Macquarie Road, Camden Haven	.....	150
" Yarrabandinin to Long Point	.....	50
" Dumaresq Island Road	.....	160
" Oxley Island	.....	50
" Congarini	.....	50
" Yarrowell and Belgrave Road to Nelson's Wharf	.....	50

Votes for 1879 and 1880—continued.

Description of Vote.	Amount for 1879.	Amount for 1880.
	£	£
<i>Grants from Contingent Vote:—</i>		
Road, Yarrabandinin to Long Point	60	.....
„ Spencer's Creek to Trial Bay	350	.....
„ Mitchell's Island Cemetery	70	.....
„ Trial Bay to Navigable Waters, Macleay	56	.....
<i>Grants from Repair to Bridges Vote:—</i>		
Culverts, Port Macquarie to Cundle Road	.....	15
<i>Grants from Expenses of Punts Vote:—</i>		
Punt, Taree	256	.....
„ Camden Haven	87	88
„ Tinonee	158	2
„ Bellinger	124	50
„ Blackman's Point	140	.....
„ Kempsey	324	21
„ Ennis	82	3
„ Scott's Creek	98	8
„ Kinchela	93	.....
„ Dumaresq	123	16
„ Gladstone	159	4
„ Wingham	123	3
„ Oxley Island	125	.....
„ Ghinni Ghinni	96	18
„ Nambuccera	151	.....
„ Congarini	115	30
„ Lansdowne	135	3
„ Wilson River	79	.....
„ Mitchell's Island	24	.....
<i>Bridges:—</i>		
Bridge, Frenchman's Creek, Macleay River	250	.....
„ Dingo Creek, Blanche's Crossing	.....	800
„ and Culverts, Tinonee to Cundle	.....	300
<i>Punts:—</i>		
Punt, Lower Macleay	400	.....
„ Camden Haven	.....	450
<i>Votes under Trustees:—</i>		
Road, Wingham, on left bank Manning River, via Black Flat to Nowendoc (Part of Vote)	430	430
„ Moreton's Creek to Pappenborough	60	60
„ Rolland's Plains to Glen Esk Upper Plains	140	140
„ Rolland's Plains to Ballingarra Wharf	28	28
„ Rolland's Plains to Yarrowell Falls	140	.....
	£19,364	18,013

RETURN of Votes under the Roads and Bridges Department for works in Macleay Electorate, for years 1881, 1882, and 1883.

Description of Vote.	Amount for 1881.	Amount for 1882.	Amount for 1883.
	£	£	£
Road, Kempsey to Armidale and Grafton Road	2,125	4,250	4,250
„ Kempsey to Fernmount	1,900	1,900	1,900
„ Kempsey to Trial Bay	750	750	750
„ Oakes' Plains to Macleay Heads... ..	500	500	500
„ Bouraville to Brokers	200	200	200
„ East Kempsey Ferry to Boggy Creek	300	200	200
„ East Kempsey to Sherwood	200	200	200
„ Green Hills to Nelson's, Warneton, Yarrowell to New England Road	300	200	200
„ Kinchela Creek to Spencer's Creek ... ..	.....	.....	70
„ Bouraville to Congarini	150	500	500
„ Rolland's Plains to Yarrowell Plains (part of Vote)	100	100	100
„ Fernmount <i>via</i> Never Never to Grafton and Armidale Road... ..	1,125	1,125	1,125
„ Fernmount to Grafton (part of Vote)	500	500	500
„ Missibotti to Nambuccera Heads	200	200	500
„ Boat Harbour, Bellinger River, to South Arm	90	250	250
„ Bouraville to Lumly Argents	200	300	450
„ Grafton and Armidale Road to Bellinger ... ..	.....	.....	800
„ Belmore River to Forest Land	1,000	550	.....
„ Ferry to M'Guire's, along east bank, Belmore River ... ..	.....	.....	250
<i>Grants from Unclassified Vote:—</i>			
Bridge over cutting, Belmore River	160	.....	.....
Road, Raleigh Post Office to Fernmount	200	.....	.....
„ Belgrave Road towards Macleay River	43	.....	.....
„ Kinchela Creek School ... ..	.....	100	.....
„ Dondingalong to Sydenham Point, Macleay River ... ..	.....	100	.....
„ Myers' selection to Never Never Plains... ..	.....	.....	150
„ Bourke's Crossing to Marx Hill ... ..	.....	.....	200
„ Bowra to Buckra Bendinni ... ..	.....	.....	100
Punt, Frederickton approaches ... ..	.....	.....	250
<i>Grants from Contingent Vote:—</i>			
Road, North Bank, Bellinger River, between Boat Harbour and Waddell's selection ... ..	.....	100	.....
„ Boat Harbour, on Bellinger, to Raleigh Mill ... ..	.....	.....	120
<i>Grants from Expenses, Punts Votes:—</i>			
Punt, Summer Island ... ..	.....	.....	29
„ Bellinger ... ..	.....	21	3
„ Frederickton	73	30	295
„ Greenhills	59	76	151
„ South Arm, Bellinger ... ..	.....	.....	28
„ Kempsey	19	80	3
„ Pelican Island	15	32	77
„ Kinchela Creek	26	.....	4
„ Gladstone	32	.....	12
„ Darkwater ... ..	.....	.....	163
„ Nambuccera ... ..	.....	25	.....
„ Congarini	43	.....	.....
<i>Bridges:—</i>			
Bridges, Kempsey to Armidale Road	1,000	.....	.....
„ Unghi Creek, Kempsey to Fernmount ... ..	.....	400	.....
„ South Arm, Nambuccera, near Bowra ... ..	.....	850	.....
„ Macleay River, Kempsey ... ..	.....	6,000	.....
„ Belmore River ... ..	.....	.....	600
Punts, South Arm, Bellinger ... ..	.....	400	.....
„ Kinchela Creek ... ..	.....	300	.....
„ Congarini ... ..	.....	300	.....
„ Gladstone ... ..	.....	.....	300
„ Fernmount ... ..	.....	.....	400
„ Summer Island ... ..	.....	.....	350
Total	£ 11,310	20,539	15,986

RETURN of Votes under the Roads and Bridges Department for the Electorate of Hastings and Manning, for the years 1881, 1882, and 1883.

Description of Vote.	Amount for 1881.	Amount for 1882.	Amount for 1883.
	£	£	£
Road, Walcha to Port Macquarie (part of Vote)	2,500	2,500	2,500
„ Port Macquarie to Kempsey	875	875	875
„ Rolland's Plains to Yarrowell Falls, Macleay River (part of Vote)	100	100	100
„ Wilson's River to Port Macquarie and Walcha Road	160	160	160
„ Camden Haven to Laurieton ... ..	.....	.....	63
„ Cundle to Port Macquarie	1,250	1,250	1,250
„ Cundle to Junction Jones' Island Road	240	240	240
„ Tinonee to Cundle	200	200	400
„ Tinonee and Gloucester Road to Clarkin's Crossing, Wollomba River	119	119	119
„ Tinonee to Bohnock	84	84	.....
„ Tinonee to Farquhar's Inlet ... ..	.....	.....	98
„ Tinonee to Wingham Ferry	90	90	90
„ Tinonee and Bohnock Road to South Channel, Manning River	30	30	.....
„ Tinonee and Cundle Road to Wingham	200	200	200
„ Wingham up Cedar Party Creek ... ..	.....	.....	70
„ Wingham, <i>via</i> Wherrol Flat, to Kelven Grove	140	140	140
„ Burrit Creek to Wingham and Black Flat	70	70	70
„ Wingham and Wherrol Flat, up east branch, Dingo Creek, to Bobin Flat	110	110	110
„ Wingham and Nowendoc Road to Karaak Flat ... ..	.....	.....	45
„ Oxley Island	80	80	90
„ Dumaresq Island	35	35	35
„ Wingham, &c., to Nowendoc ... ..	.....	.....	430
„ Taree Ferry to Bohnock Road	50	50	50
„ Port Macquarie to Jones' Island ... ..	.....	.....	1,500
„ Wauchop to Port Macquarie and New England Road ... ..	.....	.....	600
„ Rolland's Plains to Glen Esk, Upper Plains ... ..	.....	.....	200
„ Rolland's Plains to Ballingara Wharf ... ..	.....	.....	28
<i>Grants from Unclassified Vote :—</i>			
Road, Rawdon Island, Hastings River	30	.....	.....
„ Ford at Moreton's Creek	30	.....	.....
„ Ennis to Blackman's Point	75	.....	.....
„ Cedar Party Creek	100	.....	.....
„ Korie Island to Moreton's Creek ... ..	.....	60	.....
„ Killawarra to Wingham and Nowendoc Road ... ..	.....	50	.....
„ Taree to North Foster ... ..	.....	250	.....
„ New England Road to Wharf Reserve, Wauchop ... ..	.....	100	.....
„ Taree Streets ... ..	.....	.....	175
„ Upper Camden Haven ... ..	.....	.....	63
„ Port Macquarie to Tacking Point ... ..	.....	.....	50
„ Wingham and Nowendoc Road, to Karaak Flat ... ..	.....	.....	80
„ Crossing Manning River, Wyoming ... ..	.....	.....	50
„ Upper Hastings to Upper Manning, across Jackies Plains ... ..	.....	.....	200
„ Moreton's Creek to New England Road ... ..	.....	.....	150
„ Camden Haven Ferry Crossing, at Upper Camden Haven ... ..	.....	.....	50
„ Little Dingo ... ..	.....	.....	50
„ Port Macquarie to Jones Island ... ..	.....	.....	100
„ River-street, Cundletown	15	.....	.....
„ Wingham and Nowendoc Road to Upper Manning ... ..	.....	100	.....
„ Wingham Wharf to Junction of the Cedar Party Road and Dingo-street ... ..	.....	65	.....
<i>Grants from Contingent Vote :—</i>			
Road, Cedar Party Creek Bridge to Missibotti Road	26	.....	.....
„ Taree, <i>via</i> Mambo Island, to Harrington ... ..	.....	350	.....
„ Rainbow Reach ... ..	.....	300	.....
„ Camden Haven to Laurieton ... ..	.....	40	.....
„ Port Macquarie and Cundle Road to Dickenson's Creek ... ..	.....	40	.....
„ Gloucester and Tinonee Road, at Bow Bow, to Wingham, <i>via</i> Bungay ... ..	.....	130	.....
„ Wingham and Wherrol Flat Road, up Dingo Creek, to Bobbin Flat ... ..	.....	.....	165
„ Wingham to Bungay ... ..	.....	.....	25
„ Killawarra to Bungay ... ..	.....	.....	50
„ Cedar Party Creek to Wingham ... ..	.....	.....	200
„ Ennis to Blackman's Point ... ..	.....	.....	100

RETURN of Votes under the Roads and Bridges Department—*continued.*

Description of Vote.	Amount for 1881.	Amount for 1882.	Amount for 1883.
	£	£	£
<i>Grants from Repair to Bridges:—</i>			
Bridge, Dingo Creek	460	.....	.....
Culverts, Old Lake Road... ..	.....	100	.....
Bridge, Albion Creek, Tinonee and Bohnock Road, to Redbank ... ..	.....	.....	216
<i>Grants from Expenses of Punts Vote:—</i>			
Punt, Taree	27	80	113
„ Camden Haven	9	36	47
„ Tinonee	6	12	256
„ Blackman's Point	15	159	68
„ Ennis ... ..	.....	62	18
„ Scott's Creck	7	47	65
„ Dumaresq Island	220	19	4
„ Manning River ... ..	.....	.....	27
„ Wingham	1	6	1
„ Oxley Island	32	.....	102
„ Coopernook ... ..	.....	65	124
„ Cundle ... ..	.....	.....	228
„ Telegraph Point ... ..	.....	.....	6
„ Ghinni Ghinni	55	.....	.....
<i>Bridges:—</i>			
Bridge, Ghinni Ghinni Creek	2,000	.....	.....
„ Stony Creek, Port Macquarie to Cundle ... ..	.....	350	.....
„ Coopernook ... ..	.....	.....	3,000
„ Dingo Creek, Tetsells ... ..	.....	.....	700
Punt, Wingham ... ..	.....	300	.....
<i>Under Trustees:—</i>			
Road, Wingham, on left bank Manning River, via Black Flat to Nowendoc (part of Vote)	430	430	430
„ Moreton's Creek to Pappenborough	60	90	90
„ Tinonee and Bohnock Road to South Channel, Manning River ... ..	.....	.....	30
<i>Grants from Contingent Vote to Trustees:—</i>			
Road, Wingham and Nowendoc Road to Upper Manning ... ..	.....	.....	50
„ Woolla Woolla to Taree and Wingham... ..	.....	.....	50
	£9,931	9,574	16,596

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PUBLIC EXPENDITURE IN CITY OF BATHURST.
(FROM DECEMBER, 1875, TO DECEMBER, 1883.)

Ordered by the Legislative Assembly to be printed, 1 November, 1884.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 7th December, 1883, That there be laid upon the Table of this House, a Return showing,—

“The amount of money voted by Parliament for expenditure in the City of Bathurst from the 31st December, 1875, to the present date, giving each item and date of expenditure in detail.”

(*Mr. Dalton.*)

[765 copies—Approximate Cost of Printing (labour and material), £6 9s. 3d.]

PUBLIC EXPENDITURE IN CITY OF BATHURST.

RAILWAY DEPARTMENT.

Date.	Particulars.	Amount.	Total.
		£ s. d.	£ s. d.
1876	Bathurst Station	13,345 0 0	
	Construction of line, 1 mile 2 chains, within the boundaries of the city. The exact cost of this cannot be given, but, taking the average cost per mile, Penrith to Blayney, it is estimated the cost would be about	18,000 0 0	31,345 0 0
1877	Removing coal stage	13 18 4	
	Coal stage	16 5 3	
	Cart weigh-bridge	47 12 4	
	Do. and office	200 6 11	
	Screens, Telegraph Office	3 17 8	
	Refreshment-room	26 4 11	
	Blow-off pit	4 7 2	
	Engine pit	0 17 2	
	Paving cattle-yards... ..	3 0 0	
	Road under Russell-street... ..	13 11 0	
	Drain approach, Bathurst Station... ..		
	Stop block	2 6 6	
	Additional well locomotive... ..	200 15 9	
	Water supply	15 13 9	548 16 9
1878	Additions to refreshment-room and station	737 5 0	
	Water supply	251 0 5	
	New weigh-bridge	117 7 7	
	Gas fittings	34 11 3	
	Coal stage	245 5 0	
	Inspector Hollis' tool-house	28 2 1	
	Lamps platform	4 2 4	
	Coal siding, &c.	461 19 1	
	Fencing and enclosing yard	64 5 11	
	Bell for locomotive	16 12 5	
	Alterations to stockyard	58 0 0	
	Do signals	120 3 1	
	New guard's house	299 16 0	
	Alterations to urinals	14 0 4	
	Fencing gate-house, Russell-street	96 8 4	
	New turntable	7 11 9	
	Extending engine-shed siding	177 7 3	
	Removing and repairing gates	2 14 0	
	Turnstile	3 0 6	
	Stop-block	0 0 6	
	Engine sheds, shops, &c.	355 14 8	3,095 7 6
1879	New siding	15 16 0	
	Fencing gate-house, Russell-street	0 19 0	
	Enclosing yard	82 4 9	
	Draining station-yard	165 10 0	
	Altering stock-yard... ..	8 12 6	
	Removing turntable	22 1 0	
	Altering forge	0 19 2	
	Extending coal-siding	483 17 0	
	Fencing permanent-way store	8 19 2	
	Fencing station	0 12 4	
	Garden	397 8 9	
	Refreshment-room	11 16 6	
	Tank, guard's house	7 6 6	
	Additions to station... ..	1 13 0	
	Lamps and posts	0 7 6	
	Guard's house	8 17 9	

RAILWAY DEPARTMENT—continued.

Date.	Particulars.	Amount.	Total.
		£ s. d.	£ s. d.
1879	Gas fittings	343 18 1	
	New cesspit, guard's house... ..	3 3 3	
	Water-closets, locomotive	14 16 11	
	Removing guard's house	6 9 0	
	Lockers' kitchen	12 19 4	
	Removing booking-office	16 19 1	
	New filter	7 10 5	
			1,622 17 0
1880	Lockers in enginemen's kitchen	1 8 6	
	Addition to enginemen's house	350 2 9	
	Extending coal-siding and through road	116 6 5	
	Additions to permanent-way store	263 2 1	
	Cupboards and shelves in engine-sheds	21 5 8	
	Draining Presbyterian glebe land... ..	178 4 10	
	Do station yard	3 19 0	
	New house for station-master	1,844 2 1	
	New turntable siding	3 10 0	
	Alterations to forges, &c.	3 0 8	
	Do to Traffic Inspector's office	19 16 11	
	New store-room, blacksmith's shop	99 5 4	
	New hay gauge	15 19 4	
	Additions to engine-house... ..	0 2 9	
	New fender in front of goods' shed	6 12 6	
	Additional water supply, locomotive	479 8 1	
	New drinking fountain	22 14 8	
	New lamps on gates, Russell-street	0 16 6	
	Additional name-boards	0 10 10	
	Engine sheds, shops, &c.	838 12 10	
			4,269 1 9
1881	Water supply	488 4 11	
	New house for station-master	107 5 6	
	Loading-stage (forming approach)	85 2 5	
	Kitchen to guard's house	79 11 2	
	Additional name-boards	0 14 1	
	Parcels room	37 13 6	
	Bricking copper for hot water	12 17 1	
	Lengthening turntable road	9 7 3	
	New store for Telegraph Office	1 13 1	
	New lamp and store room	189 7 8	
	Converting lamp-room into waiting-room	2 8 7	
	Distance signals	1 5 0	
	Paling fence, Church land	11 19 8	
	Extending station verandah	52 8 2	
	New office for locomotive	15 16 5	
	10-ton crane... ..	0 6 9	
	New carriage-shed	25 0 0	
	Engine sheds, shops, &c.	1,787 16 10	
			2,908 18 1
1882	New store-room, &c.	560 3 3	
	Improvements, locomotive office	925 13 8	
	New carriage-shed	2,811 6 5	
	Extending verandah	74 11 5	
	Additions to locomotive workshops, &c.	3,087 10 1	
	Fencing land for permanent-way	1,268 13 7	
	Improvements to yard	5,523 7 4	
	New platform	30 5 3	
	District Engineer's office	654 7 5	
	Water-closet and urinals	17 15 6	
	Turntable	392 13 11	
	Plastering guard's house	2 2 4	
	Repairing locomotive well	12 19 5	
	New signals, &c.	63 5 5	
	Altering water-way, glebe land	331 16 3	
	Interlocking apparatus	4 12 11	
	New permanent-way machinery	4 16 4	
	Coal stage... ..	1 11 9	
	Workshops	155 6 6	
	Engine sheds, shops, &c.	553 13 9	
			16,476 12 6

RAILWAY DEPARTMENT—continued.

Date.	Particulars.	Amount.	Total.
1883	Permanent-way workshops... ..	£ 434 18 6	£ s. d.
	Improvements to station, new picket fence	4,391 8 11	
	Additions to locomotive shop, draining new carriage-shed, &c....	8,290 9 2	
	Office for District Engineer, &c.	108 4 10	
	Additional water-way for draining glebe land	9 11 2	
	Two latrines for employes	65 1 2	
	New semaphore	1 2 3	
	Water-closets	103 3 3	
	Erecting temporary ash-pit	1 10 9	
	New siding and through road	146 15 4	
	Laying water-pipes	175 6 8	
	New turntable	30 1 4	
	Fixing drinking fountain	0 10 0	
	Erecting notices	4 18 9	
	New machinery	4 15 8	
	Metalling and enlarging yard	1,794 8 11	
	Interlocking signal-box	179 13 1	
	Pumpin engine locomotive	0 13 6	
	Lamp and store room	124 8 8	
	Fixing copper foot-warmer... ..	0 6 9	
	New office for Locomotive Inspector	20 17 6	
	Alterations and additions to stations	8 16 2	
	Goods-shed office	40 16 3	
	New foundry cupola furnace	111 1 4	
	Timber-drying shed... ..	42 5 5	
	Plumbers' workshop	94 8 0	
	New iron racket	97 17 6	
	Flood opening, Vale Road... ..	20 4 4	
	Additions to locomotive siding	399 0 2	
	Sub-way	7 0 9	
	Converting old lamp-room into gent.'s waiting-room	13 9 4	
	Sand furnace	6 11 9	
	New hay gauge	11 16 4	
	Fixing hydrants	295 5 10	
	Combined fire and locomotive tanks	127 15 7	
	New hay stage	18 9 0	
	New engine-shed	8 17 6	
			17,187 1 5
			77,453 15 0

Summary.

1876	£31,345 0 0
1877	548 16 9
1878	3,095 7 6
1879	1,622 17 0
1880	4,269 1 9
1881	2,908 18 1
1882	16,476 12 6
1883	17,187 1 5
	<u>£77,453 15 0</u>

HARBOURS AND RIVERS DEPARTMENT.

Amount Voted by Parliament.	Head of Expenditure.	Amount Expended.	Remarks.
£ 250,000 0 0	Water supply ...	£ 9,702 13 3	The £250,000 was voted for country towns water supplies generally; the amount expended, £9,702 13s. 3d., on account of Bathurst, was paid from that vote.

RETURN showing the amounts voted for Public Buildings in Bathurst, and the expenditure thereon by the Colonial Architect's Department from the 31st December, 1875, to the present date.

Year.	Building.	Amount Voted.	Expenditure.				Remarks.			
			Erections.		Repairs, Furniture, &c.					
		£	£	s.	d.	£	s.	d.		
1876	Gaol... ..	10,000				63	12	3	Work begun in 1875.	
	Post Office		2,585	0	0					
	Court-house... ..					46	6	0		
	Police Station					8	8	10		
	Telegraph Office		2,591	0	0					Work begun in 1875.
1877	Gaol... ..	10,000				35	1	11		
	Post Office		1,418	0	0					
	Court-house... ..					11	0	0		
	Telegraph Office		1,995	12	3					
1878	Gaol... ..	14,000				203	13	5		
	Post Office			271	7	9	193	4		8
	Court-house... ..		5,780	7	3					
	Police Station		1,027	16	0					
	Telegraph Office					505	14	0		
	Lands Office					47	0	0		
	Lock-up		1,938	17	10					
1879	Gaol... ..					59	18	8		
	Court-house... ..		12,077	15	6					
	Police Station		897	14	9					
	Lock-up					15	11	8		
	Police Officers' quarters					99	0	0		
	Hospital		112	10	0					Moiety of salary of Foreman of Works at Hospital.
1880	Gaol... ..					45	8	1		
	Post Office					126	0	0		
	Court-house... ..		8,381	10	11					
	Police Station					33	15	0		
	Telegraph Office					43	7	0		
	Lands Office					33	5	7		
	Lock-up					7	12	6		
	Police Officers' quarters					357	5	0		
	Hospital		66	13	4					Moiety of salary of Foreman of Works at Hospital.
1881	Gaol... ..					147	2	0		
	Post Office					90	5	0		
	Court-house... ..		3,412			178	8	4		
	Police Station					31	15	11		
	Telegraph Office					51	12	6		
	Lock-up					13	15	5		
	Public buildings		2,579			191	0	0		
1882	Gaol... ..	50,000				168	14	5		
	Post Office					50	0	0		
	Court-house... ..					28	14	4		
	Police Station					16	9	4		
	Public buildings					2,150	0	0		Footpaths, Railing, &c.
1883	Gaol... ..					198	11	7		
	Post Office					109	10	0		
	Court-house... ..					362	5	0		
	Police Station					126	9	0		
	Public buildings					1,774	13	10		Footpaths, Railing, &c.
1884	Court-house... ..				113	4	11			
		£	39,144	5	7	7,737	16	2		

Total Expenditure on Erections, Repairs, Furniture, &c., £46,882 1s. 9d.

Colonial Architect's Office,
Sydney, 7th February, 1884.

JAMES BARNET.

DEPARTMENT—ROADS AND BRIDGE.

RETURN showing the amount of money spent in the City of Bathurst by this Department, from 31st December, 1875, to the present date.

Name of Road or Street.	Description of Work.	Date Work was done.	Amount.	Total.
		1876.	£ s. d.	£ s. d.
Approach to Railway Station, Keppel-street.	Forming road 75 ft. wide, 330 yds., 526½ cub. yds. metal; laying drain-pipes, 74 24".	25 May ...	361 10 0	
Approach to goods' shed, Piper-street.	Forming road 75 ft. wide, ballasting same, and metalling 420 yds.; laying pipes and cutting outlets.	17 July ...	757 16 6	
Maintenance man ...	Attending to above road, filling-in new metal, &c.	30 April...	8 5 0	
Keppel and Piper Streets...	Building retaining walls to pipes ...	31 May ...	10 17 0	
Piper and Keppel Streets...	Carting pipes, metal, &c. ...	30 June...	8 18 0	
Main road through the city	Supplying 2½" metal ...	8 Aug. ...	242 10 0	
Keppel and Piper Streets...	Maintenance man, horse, and cart	31 " ...	7 1 0	
Lambert-street ...	Carting drain-pipes ...	11 Dec. ...	1 14 6	
Do ...	Drain-pipes ...	11 " ...	61 4 0	
Main road through city ...	Maintenance for year ...	.....	11 0 0	
				1,470 16 10
On the 25th May, 1876, the Department formed the road 35 feet wide, and metalled the same from Stewart-street across the Bathurst Common for a distance of 1,694 yards at a cost of ...				1,211 7 8
		1877.		2,682 4 6
Lambert-street ...	Forming, 75 feet wide, 250 yds. ...	30 April...	49 2 0	
William, Lambert, & George Streets.	Supplying, spreading, and blinding 1,048 c. yds. of 3" metal.	31 Oct. ...	449 15 4	
Do do do ...	Building wall at outlets of pipes ...	22 Dec. ...	8 0 0	
Main road through city ...	Attending to metal, culverts, &c. ...	.....	12 0 0	
Do do ...	Maintenance for year ...	.....	9 14 0	518 17 4
		1879.		9 14 0
Vale Creek, Durham-street, Bathurst.	Supplying building stone for retaining wall, 25 c. yds.	30 Sept. ...	10 0 0	
Do do ...	Do do ...	30 " ...	10 0 0	
Do do ...	Supplying lime ...	30 " ...	1 2 6	
Main road through city ...	Maintenance for year ...	.....	20 0 0	
Do do ...	Do ...	.....	14 0 0	41 2 6
		1881.		14 0 0
Do do ...	Supplying 381½ yds. metal ...	31 Aug. ...	169 17 3	
Do do ...	Blinding 625 yds. metal ...	30 Sept. ...	20 16 8	
Do do ...	Maintenance for year ...	.....	9 0 0	199 13 11
		1882.		199 13 11
Near Denison Bridge ...	Supplying 416½ yds. metal ...	31 Dec. ...	196 4 4	
Do do ...	Maintenance for year ...	.....	10 0 0	
Durham-street ...	Supplying drain pipes ...	16 Sept. ...	44 14 0	
Do ...	Supplying 60 yds. gravel ...	14 Feb. ...	6 15 0	250 13 4
Retaining wall, do ...	Masonry work ...	14 " ...	6 1 6	
Durham-street ...	Supplying tar ...	31 Mar. ...	2 15 10	
Main road through city ...	Spreading and blinding 230 yds. metal	18 Sept. ...	12 0 0	
Durham-street ...	150 c. yds. gravel ...	31 May ...	18 15 0	
Do ...	Approaches, Vale Creek Bridge ...	20 Jan. ...	180 0 0	
Do ...	Vale Creek Bridge ...	20 " ...	2,912 3 6	
Do ...	Cutting angle irons and cover plates	20 " ...	10 16 6	
Main road through city ...	Attending to metal, laying pipes, &c.	Jan. to Dec.	51 0 0	
Russell-street ...	Bridge over Vale Creek ...	20 Jan. ...	1,159 19 1	
Do ...	Retaining wall above bridge ...	.....	44 14 0	4,405 0 5

Summary.

1876 ...	£2,682 4 6
1877 ...	518 17 4
1878 ...	9 14 0
1879 ...	41 2 6
1880 ...	14 0 0
1881 ...	199 13 11
1882 ...	250 13 4
1883 ...	4,405 0 5
	<u>£8,121 11 0</u>

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND TAKEN FROM HENRY HALLORAN, ESQ., C.M.G.

(FURTHER CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 11 October, 1883.

RETURN to a Question asked by Edward Combes, Esq., C.M.G.

NO.	SCHEDULE.	PAGE.
1.	Henry Halloran, Esq., C.M.G., to the Under-Secretary for Public Works, <i>re</i> further encroachments on the Great Western or Parramatta Road. 18 October, 1882.....	1
2.	Minute of the Commissioner and Engineer for Roads, with respect to above. 26 October, 1882.....	1
3.	The Under-Secretary for Mines to the Under-Secretary of Justice, asking for a copy of the evidence taken at the Police Court, Newtown, on 24th February and 3rd March, 1881, in the case <i>Municipality of Ashfield versus Henry Halloran, Esq., C.M.G.</i> 3 November, 1882.....	2
4.	The Under-Secretary of Justice to the Under-Secretary for Mines, in reply to above, and forwarding a copy of the evidence. 7 November, 1882.....	2
5.	Motion by Mr. Combes, M.P., in the Legislative Assembly. 8 November, 1882.....	3
6.	Henry Halloran, Esq., C.M.G., to the Under-Secretary for Lands—renewed application for compensation for land taken. 24 January, 1883.....	3
7.	Minute of the Surveyor-General with respect to Mr. Halloran's claim for compensation. (Minutes thereon.) 7 February, 1883.....	3
8.	The Under-Secretary for Mines to Henry Halloran, Esq., C.M.G., in reply to No. 6. 9 March, 1883.....	4
9.	Henry Halloran, Esq., C.M.G., to the Under-Secretary for Mines, in reply to No. 8. (Minute thereon.) 15 March, 1883.....	4
10.	The Under-Secretary for Mines to Henry Halloran, Esq., C.M.G. 27 April, 1883.....	4

No. 1.

H. Halloran, Esq., C.M.G., to The Under-Secretary for Public Works.

Sir,

2, Wentworth Court, Sydney, 18 October, 1882.

I have the honor again to represent that further encroachments on the Great Western or Parramatta Road as existing, not less by immemorial user than by statute, appear to me about to be made, in front of the property of Mr. Bayly, of the Borough of Five Dock, in the shape of a foot-path, under a certain illegal alignment, and to repeat my assertion that such diversion of any portion of a public high or main road, under any authority less than specific legislation, to any other purpose whatever, and under any other authority whatever, whether departmental or executive, is an infraction of law, and an infringement of a public right; and to urge that the question which I, as a freeholder and a colonist, raise in the matter, may be duly considered, and redress afforded.

I have, &c.,

HENRY HALLORAN.

No. 2.

Minute of Commissioner and Engineer for Roads.

Encroachment on Main Western Road by Municipal Council of Five Dock.

Sydney, 26 October, 1882.

Mr. Halloran having again brought under my notice a case of encroachment by the Municipal Council of Five Dock on the Great Western Road, I should be glad if the previous papers on this subject—sent to Survey Department on 26th March, 1881, through Works—could be now returned for any action to be taken by this Department, if the matter has not been dealt with by the Surveyor-General.

Under-Secretary, B.C.—W.C.B., 27/10/82.

Under-Secretary for Mines, B.C., 31/10/82.—J.R.

No. 3.

The Under-Secretary for Mines to The Under-Secretary of Justice.

Sir,

Department of Mines, Sydney, 3 November, 1882.

I am directed by the Secretary for Mines to request that you will be good enough to obtain for this Department, with the least possible delay, a copy of the evidence taken at the Police Court, Newtown, on the 24th February and 3rd March, 1881, in the case of the Municipality of Ashfield *versus* H. Halloran, Esq., C.M.G., as it is required by Dr. Renwick before the 7th instant.

I have, &c.,

HARRIE WOOD,

Under-Secretary.

No. 4.

The Under-Secretary of Justice to The Under-Secretary for Mines.

Sir,

Department of Justice, Sydney, 7 November, 1882.

In compliance with request contained in your letter of the 3rd instant, I am directed by the Minister of Justice to forward herewith a copy of the evidence taken at the Police Court, Newtown, on the 24th February and 3rd March, 1881, in the case of the Municipality of Ashfield *versus* H. Halloran, Esq., C.M.G.

I have, &c.,

W. E. PLUNKETT,

Under-Secretary.

See No 3.

[Enclosure.]

Information (general purposes).

New South Wales, Newtown, }
to wit.

Be it remembered, that on this nineteenth day of February, in the year of our Lord one thousand eight hundred and eighty-one, at Newtown, in the Colony of New South Wales, Edwin Tyrrell Sayers, Council Clerk of the Borough of Ashfield, of Ashfield, appears before me, the undersigned, one of Her Majesty's Justices duly assigned to keep the peace of our Lady the Queen in and for the Colony of New South Wales, and informs me that within the space of six months now last past, to wit, on the eighth day of December last past, at Ashfield aforesaid, one Henry Halloran, of Ashfield aforesaid, gentleman, did encroach on a certain street or public thoroughfare situated within the Municipality of Ashfield, and known as the Parramatta Road, by making or causing to be made a certain fence on the said street or public thoroughfare, contrary to the form of the statute in such case made and provided, whereby and by force of the said statute the said Henry Halloran hath forfeited a sum of money not exceeding five pounds (£5) for the said offence, to be paid and applied according to law; and thereupon the said Edwin Tyrrell Sayers prayeth judgment in the premises, and that the said Henry Halloran may be caused to appear before the Justice aforesaid to answer the said information and make his defence thereto.

Exhibited at Newtown, in the said Colony, on the }
day first above written, before me,—

E. T. SAYERS.

FRANK S. FIELDER, Justice of the Peace.

Henry Halloran—Breach of Municipalities Act.

Mr. Lawrence for prosecution, Mr. Roberts, sen., for defence. Not guilty.

William Henry Binsted, on oath, states:—I am a licensed surveyor; I know Mr. Halloran's property—it faces the Parramatta Road; Mr. Halloran's property is situated within the limits of Ashfield; I produce a plan, or rather tracing of a plan in the Survey Office; I made a survey of the land; I made a tracing from the survey, I produce it, F; there was a paling fence newly erected; the present fence has been re-erected, it encroaches as much as 14 feet, taking in the foot-way and part of the carriage-way; the Parramatta Road is a public thoroughfare.

Mr. Roberts: I did not align the road; the width of the Parramatta Road there is 66 feet (42 feet carriage-way and 12 feet foot-way on each side); the width was less than 66 feet before the alignment, 12 feet less from fence to fence, independently of the alignment survey; I could not say on which side the encroachment would be; I could not say that Mr. Halloran's fence is not in its proper place; Parramatta Road is one of the main roads of the Colony, under the Schedule to the Act 4 William IV; the plan E shows what the Parramatta Road is, and settles the matter accurately; inside the encroaching fence there are ornamental shrubs; it is an old plantation, has been there for many years in the occupation of Mr. Halloran; the removal of that fence would take some 12 feet of the land occupied by Mr. Halloran; I am not aware of anything more being done in the erection of the new fence than inserting the posts in the old post-holes; the encroachment remains the same.

Mr. Lawrence: When the alignment is made pegs are put down; in making the plan E I followed those pegs.

Bench: I do not know the boundaries of Mr. Halloran's land, and I cannot say whether by the deeds it is an encroachment or not, as it is a subdivision.

Sworn at Newtown, 24th February, 1881, before,—

W. H. BINSTED.

J. ALEXANDER, J.P.

R. COOPER MURRAY, J.P.

John Goodwin, on oath, states:—I am overseer to the Borough of Ashfield; in December last I went to inspect a fence of Mr. Halloran's on the Parramatta Road; the 8th December last I took the alignment, the fence encroached on the road from 8 to over 12 feet; there was an old fence there; the present fence is a new one, it was finished on the 18th November last; I served a notice on Mr. Halloran; I produce a copy of that notice; I served it personally on defendant, on his own verandah; defendant told me to tell the Mayor he defendant knew nothing about it; he said it was his land, he knew what he was doing, and that he had erected the fence in the proper place.

Mr. Roberts: I believe the Municipality of Five Dock has control over the other half of the Parramatta Road; of my own knowledge I know who erected that fence; I told the parties who put it up to stop; the posts are not in the same holes as the old ones, but in the same line; the alignment pegs were in when the men were digging the holes; I went to live there last September, and know nothing prior to that of the land; I had two conversations with Mr. Halloran; he said he was justified in what he had done, he was erecting the fence on his own ground; I saw the materials lying on the ground; I made an objection when it was half made or put up; it takes in a considerable portion of the land as occupied by Mr. Halloran; the old fence was apparently Mr. Halloran's northern boundary, and this new fence is put up as near as practicable in the same line; there are more encroachments than that of Mr. Halloran's—some are not on the road—some have been put back to their proper alignment; the encroachment varies from 8 feet to more than 12 feet; I can tell by the Government alignment; there are three alignment pegs near defendant's fence; one is about a foot from the fence; they are 3 or 4 inches above the ground; no alignment posts are upon that road.

Sworn at Newtown, 24th February, 1881, before,—

JOHN GOODWIN.

J. ALEXANDER, J.P.

R. COOPER MURRAY, J.P.

Edwin

Edwin Tyrrell Sayers, on oath, states:—I am Council Clerk for the Borough of Ashfield; defendant before the Court is the person referred to in the information read; I know defendant's signature; I swear that the signature at foot of letter produced is defendant's signature; instructions were then given to the Council's solicitors.

The letter I is copy of letter sent to defendant by Messrs. Holden and Lawrence. The letter J is copy of letter sent to defendant by the Council's solicitors.

Letter from defendant put in.

Copy of letter in Council's letter book put in. These I swear to.

Sworn at Newtown, 24th February, 1881, before,—

R. COOPER MURRAY, J.P.

E. T. SAYERS.

I
J
K
L

Newtown, 24 February, 1881.—Postponed till Thursday, 3rd March, 1881.

Newtown, 3 March, 1881.—Defendant withdraws his plea, and pleads guilty.

5/ + 5/6 + £3 3s. levy and distress, or fourteen days gaol.

R. COOPER MURRAY, J.P.

No. 5.

Motion by Mr. Combes, M.P., in the Legislative Assembly.

WEDNESDAY, 8 NOVEMBER, 1882.

COMPENSATION TO HENRY HALLORAN, ESQ., C.M.G.:—Mr. Combes moved, pursuant to Notice, That this House will on Friday next resolve itself into a Committee of the Whole, to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1882 a sum of £200, as compensation to Henry Halloran, Esq., C.M.G., for land taken from him by the Ashfield Municipality.

Debate ensued.

Question put.

The House divided.

Ayes, 25.

Noes, 37.

And so it passed in the negative.

No. 6.

H. Halloran, Esq., C.M.G., to The Under-Secretary for Lands.

Sir,

2, Wentworth Court, Sydney, 24 January, 1883.

The Government being now fairly established, I have the honor to request that you will bring under the review of the Secretary for Lands, my renewed application for compensation for land at Mowbray, taken from me, under alignment by the Surveyor-General, in defiance of law, as I contend, and to my very great loss and injury.

The printed correspondence, recently laid before the late Parliament (158 A), you will probably place with this communication; as also the debate of the 7th November last, in *Hansard*, and my letters in the *Sydney Morning Herald* of the 8th and 18th December last, correcting the erroneous statements of the late Minister for Mines in the Legislative Assembly,—statements which no doubt, in a large measure, proved injurious to my interests.

The position which I have assumed, and which I still maintain, is, that the land claimed by me as part of Eade's grant of 25 acres, dated December, 1794, having been out of the Crown for eighty-six years, the Crown was debarred from taking any portion of it, there being no reservation for roads in the deed; and that as the Act 4 William IV, No. 11, section No. 2, in the concluding provisoes, expressly prohibits land within two hundred yards of a main dwelling, or forming part of an orchard, shrubbery, or improved land, being taken for widening or improving roads, without the consent of the owner, the alignment by which a valuable portion of trenched land, containing fifty-four ornamental trees and shrubs, within 80 yards of my residence, was taken from me, was illegal and without warrant.

I beg also to urge that the notices under which the alignment was carried out having been informal and misleading, as I have already explained, my claim to the moderate (£200) compensation sought is a just claim, notwithstanding that my application was not made within forty days, required by law.

I trust that this long delayed matter may have early attention,—no fewer than twenty-five Members of Parliament, including four Members of the present Administration, having seen good grounds for supporting it.

I have, &c.,

HENRY HALLORAN.

No. 7.

Minute of Surveyor-General.

Mr. Halloran, *re* Main Western Road.

THE position assigned by the Land Titles Office to the grants in the neighbourhood of the land in question appears to place Mr. Halloran's land in Townson's and not Eade's grant.

The Main Western Road was reserved within Townson's grant, while it formed a boundary of Eade's.

Reports of the Surveyor-General, already with the papers, show that Mr. Halloran's fences encroached upon land which should have formed part of the road.

Mr. Halloran's statement that the notices of alignment were informal and misleading appears to mean that, in the Gazette Notices the road was referred to as the "Main Western Road" (the proper designation), and not as the "Parramatta Road," by which latter name only he appears to recognize it. It is however pointed out that both names were applied to the road; firstly, in the Book of Reference required to be lodged at the nearest Police Office, under 4 William IV, No. 11; and secondly, the Gazette Notice of alignment, under 2 Victoria, No. 2, referred to the Main Western Road as being also known as the Parramatta Road.

A departure from previous decisions cannot be recommended.

ROBT. D. FITZGERALD,

For Surveyor-General.

7 February, 1883.

The

The Under-Secretary for Lands,—Referred to the Under-Secretary for Mines, B.C., 20 Feb./83.—C.O. Mr. Halloran informed that the matter has been referred to the Secretary for Mines. Submitted.—H.W., 3/3/83. I am not disposed to reopen this question. It has been decided by previous Governments and by Parliament that Mr. Halloran is not entitled to compensation; and under these circumstances, and being of the same opinion myself, I cannot interfere further in the matter.—J. P. ABBOTT, 8/3/83.

No. 8.

The Under-Secretary for Mines to H. Halloran, Esq., C.M.G.

Sir,

Department of Mines, Sydney, 9 March, 1883.

With reference to your letter of the 24th January last, addressed to the Secretary for Lands, further respecting compensation in connection with the alignment of the Parramatta Road, in the municipality of Ashfield, I am directed by the Secretary for Mines to inform you that, as the matter has been decided by previous Governments and Parliament, viz., that you are not entitled to compensation, he is not disposed to interfere with such decision.

I have, &c.,

HARRIE WOOD,
Under-Secretary.

See No. 6

No. 9.

H. Halloran, Esq., C.M.G., to The Under-Secretary for Mines.

Sir,

2, Wentworth Court, 15 March, 1883.

I have the honor to acknowledge the receipt of your letter of the 9th instant, wherein you inform me that the Minister for Mines has directed you to state that, as my claim for compensation for land taken from me on the Parramatta Road has been decided by a previous Government and Parliament, that I am not entitled to compensation, he declines to interfere with such decision.

I should wish the Minister for Mines to know that I feel deeply aggrieved by his so summary a disposal of my appeal, when four Members of the present Administration, including the Premier, supported that claim in the late Parliament among twenty-five Members, who, in a thin House, argued in its favour; the late Minister for Mines, in error, misstating that claim in several particulars, as I immediately made clear in my letter of the 10th November, published in the *Sydney Morning Herald*.

If Administrations or Parliaments were infallible in their judgments, or if the public were ever satisfied with their decisions, there would be no displacement of Administrations and no dissolutions of Parliament. I cannot believe that, had this just claim been considered in Cabinet, it would have been so summarily disposed of, and I do hope that Mr. Abbott may even now accord me such further consideration as this for which I respectfully ask.

It is not from any belief in the force of importunity that I write. My motive is simply that, knowing I have been unjustly and illegally dealt with by the Departments, I seek redress in the way which I think most respectful to the Government and most becoming my character and position; and it grieves me to have to add that I shall continue to do so to all succeeding Governments while I live, until the fair play which I believe to be the basis of all free Governments secures me what I claim.

I have, &c.,

HENRY HALLORAN.

Submitted.—H.W., 26/4/83. Inform Mr. Halloran that I am unable to interfere in this matter.—J. P. ABBOTT, 26/6/83.

See No. 8.

No. 10.

The Under-Secretary for Mines to H. Halloran, Esq., C.M.G.

Sir,

Department of Mines, Sydney, 27 April, 1883.

With reference to your letter of the 15th ultimo, further respecting your claim for compensation for land taken for Parramatta Road, I am directed by the Secretary for Mines to inform you that he is unable to interfere in the matter.

I have, &c.,

HARRIE WOOD,
Under-Secretary.

See No. 9.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUPPLY OF COAL.
(TO GOVERNMENT DEPARTMENTS.)

Ordered by the Legislative Assembly to be printed, 25 January, 1884.

SUPPLY OF COAL

Great Northern Railway.			Dredges, Hunter River.			Great Western and Southern Railways.			Harbours and Rivers Department.			Departments other than Works Department.		
Name of Contractor.	Colliery.	Price.	From whom purchased.	Colliery.	Price.	Name of Contractor.	Colliery.	Price.	Name of Contractor.	Colliery.	Price.	Name of Contractor.	Colliery.	Price.
C. J. Stevens	Hartley	per ton. s. d. 9 7	A. Brown	New Lambton	per ton. small. large. s. d. s. d. 5 8 11 0	T. Wilton	1883. Vale of Clwydd, Eskbank, Lithgow, and Wallerawang.	per ton. s. d. 8 6	J. & A. Brown	Duckenfield.	Fitzroy Dock. large. small. 16/9 11/3 per ton.	PUBLIC DEPARTMENTS, EXCLUSIVE OF WORKS DEPARTMENT. A. B. Black..... Coal Cliff, Bulli... 3% off schedule prices attached.		
T. Longworth	do	11 10	Ferndale Coal Co. ...	Ferndale	5 6 11 0	W. Davies	Berrima	11 6	Other Dredges and Tugs. large. small. 16/3 10/9 per ton.	Waratah Coal Co. Waratah				
													Waratah Coal Co. ...	Waratah
There are no contractors for the supply of coal at Newcastle, it having been found more advantageous to purchase in the open market at the current rates.			Waratah Coal Co. ...	Waratah	14 0	PUBLIC DEPARTMENTS, EXCLUSIVE OF WORKS DEPARTMENT. A. B. Black..... Coal Cliff, Bulli... Schedule prices attached.								
Waratah Coal Co. ...	Waratah	11 0							Same as in 1883.			F. W. Binney	Wallsend	14 9
			R. Read.....	(To be delivered at Singleton.)	11 9	E. A. Baker	Erith	12 0	E. A. Baker	Erith	12 0			
T. Longworth	do	11 9										J. Watkin	Wallerawang	5 0
			T. Longworth	do	11 9	J. B. North.....	Katoomba	8 0	J. B. North.....	Katoomba	8 0			

TENDER FOR COAL FOR THE PUBLIC SERVICE, 1883.

Amount of Security, £250.

Tenders to be opened on Monday, the 9th October, 1882.

TERMS and Conditions of the Contract proposed to be entered into by A. B. Black, for the supply of coal in such quantities as may be ordered for the Public Service, &c., from time to time during the year 1883. (*Vide Treasury Notice in the Government Gazette, dated 27th September, 1882.*)

- I. The Contract to be for one year, from the 1st January, 1883.
- II. Tenderers must state the description of coal they intend to supply (that is to say, whether Newcastle or otherwise), and the quality of the coal must be the best of its kind.
- III. In the event of a difference of opinion between the Contractor and the party receiving the supplies, as to the quality, the same is to be decided by a Board of Survey. The party objecting shall name one person as Arbitrator, the Contractor or his Agent, another; and these two will (previously to any other proceeding on their part) concur in naming a third as Umpire, who in the event of the Arbitrators not agreeing in opinion, will be called upon for his decision, which shall be final. If the Board, Arbitrators, or Umpire shall decide that the article is not of proper quality, it must be immediately replaced by the Contractor, failing which it will be procured by the Department requiring it, and the expenses charged to the Contractor.
- IV. Coal required for heating Public Offices will be required to be delivered in bags, in quantities not exceeding a month's consumption at a time; such deliveries to be in conformity with a Schedule of allowances of fuel to be furnished for the Contractor's guidance, and be made a calendar month in advance.
- V. All other issues of coal to be made only upon special order from time to time as circumstances may call for.
- VI. Should the Contractor either neglect or refuse to supply the coal ordered from him within a reasonable time, a supply will be purchased to meet the deficiency, and the Contractor will be charged with the excess of price (if there be any) that may have been paid over and above the price fixed in the Contract; such excess to be stopped from any money payable to the Contractor under this or any other Contract, or it may be demanded of him to be paid within fourteen days, and in default of payment shall be recoverable with costs of suit.
- VII. Supplies of coal required for any single service, in quantities of fifty tons and upwards, to be exempt from the operation of this Contract, and may be dealt with in such a manner as the Government may consider most advisable for the public interests.
- VIII. Payment on account of coal delivered under this Contract will be made either monthly or quarterly, at the option of the Government, the Contractor being held bound previously to render invoices supported by receipts for the coal delivered.
- IX. The Contractor, with two approved sureties, will be required to enter into a Bond in the sum of £250 for the due performance of the Contract.
- X. The Contract to be declared void at the option of the Government, should the Contractor, or any person employed by him, pay or offer to pay a gratuity or reward to any person in the employ of the Government, for anything to be done by such person concerning the execution of the Contract.
- XI. It will be in the power of either party to limit the duration of the Contract, by giving in writing a notice of one month to the opposite party of his intention to terminate the Contract at the expiration of that period.

SCHEDULE OF PRICES FOR COAL FOR THE PUBLIC SERVICE, 1883.

	Screened Coal per ton.	Smith's Coal per ton.
Delivered to any of the Public Establishments within the City of Sydney ...	0 15 6	0 10 6
Delivered to Biloela, Spectacle Island, Goat Island, or to any other islands in the Harbour, and to any Public Establishments not specially mentioned, outside the city, but within the Police District of Sydney ...	1 0 0	0 15 0
Delivered at Light-houses and Batteries at South Head, and to the Shaftesbury Reformatory at South Head ...	1 1 0	0 16 0
Delivered at Batteries, &c., on North Shore or north side of the Harbour, and the Quarantine Station ...	1 3 0	0 18 0
Delivered at the Battery at Bare Island, Botany Bay ...	1 5 6	1 0 6
Delivered at any of the Wharfs in Sydney ...	0 13 0	0 8 0
*Delivered at the Coast Hospital, Little Bay ...	1 3 6	0 18 6

NOTE.—In the case of Public Departments for which coal is only needed for warming the apartments, a monthly delivery of 28lbs. of wood for lighting fires for each fireplace is to be made, and the cost of this supply is to be blended with the price of household coal.

No alteration whatever to be made in the printed prices; the percentage to be at one rate on the whole Schedule.

* This portion of the Contract will not commence until 1st April, 1883.

TENDER.

I, the undersigned, do hereby tender to provide and deliver at the various places mentioned the coal described in the above Schedule, at three per cent. (3%) off the prices affixed to each item; and should this Tender be accepted by the Colonial Treasurer, I do hereby agree and bind myself to abide by and fulfil all the terms and conditions mentioned on the other side, and numbered one to eleven.

The Coal I propose to supply is "Coalcliff."

Dated the 9th day of October, 1882.

A. B. BLACK,
247, George-street.

TENDER FOR COAL FOR THE PUBLIC SERVICE, 1884

Amount of Security, £250.

TERMS and Conditions of the Contract proposed to be entered into by A. B. Black, for the supply of coal in such quantities as may be ordered for the Public Service, &c., from time to time during the year 1884. (*Vide* Treasury Notice in the Government Gazette, dated 29th June, 1883.)

- I. The Contract to be for one year, from the 1st January, 1884.
- II. Tenderers must state the description of coal they intend to supply (that is to say, whether Newcastle or otherwise), and the quality of the coal must be the best of its kind.
- III. In the event of a difference of opinion between the Contractor and the party receiving the supplies, as to the quality, the same is to be decided by a Board of Survey. The party objecting shall name one person as Arbitrator, the Contractor or his Agent, another; and these two will (previously to any other proceeding on their part) concur in naming a third as Umpire, who, in the event of the Arbitrators not agreeing in opinion, will be called upon for his decision, which shall be final. If the Board, Arbitrators, or Umpire shall decide that the article is not of proper quality, it must be immediately replaced by the Contractor, failing which it will be procured by the Department requiring it, and the expenses charged to the Contractor.
- IV. Coal required for heating Public Offices will be required to be delivered in bags, in quantities not exceeding a month's consumption at a time—such deliveries to be in conformity with a Schedule of allowances of fuel to be furnished for the Contractor's guidance, and be made a calendar month in advance.
- V. All other issues of coal to be made only upon special order from time to time as circumstances may call for.
- VI. Should the Contractor either neglect or refuse to supply the coal ordered from him within a reasonable time, a supply will be purchased to meet the deficiency, and the Contractor will be charged with the excess of price (if there be any), that may have been paid over and above the price fixed in the Contract; such excess to be stopped from any money payable to the Contractor under this or any other Contract, or it may be demanded of him to be paid within fourteen days, and in default of payment shall be recoverable with costs of suit.
- VII. Supplies of coal required for any single service, in quantities of fifty tons and upwards at a time, may be exempt from the operation of this Contract, and may be dealt with in such a manner as the Government may consider most advisable for the public interests.
- VIII. Payment on account of coal delivered under this Contract will be made either monthly or quarterly, at the option of the Government, the Contractor being held bound previously to render invoices supported by receipts, for the coal delivered.
- IX. The Contractor, with two approved sureties, will be required to enter into a Bond in the sum of £250, for the due performance of the Contract.
- X. The Contract to be declared void at the option of the Government, should the Contractor, or any person employed by him, pay or offer to pay a gratuity or reward to any person in the employ of the Government, for anything to be done by such person concerning the execution of the Contract.
- XI. It will be in the power of either party to limit the duration of the Contract, by giving in writing a notice of one month to the opposite party of his intention to terminate the Contract at the expiration of that period.

COAL FOR THE PUBLIC SERVICE, 1884.

	Screened Coal per ton.			Smith's Coal per ton.		
	£	s.	d.	£	s.	d.
Delivered to any of the Public Establishments within the City of Sydney...	0	15	6	0	10	6
Delivered to Biloea, Spectacle Island, Goat Island, or to any other Islands in the Harbour, and to any Public Establishments not specially mentioned, outside the city, but within the Police District of Sydney ...	1	0	0	0	15	6
Delivered at Light-houses and Batteries at South Head, and to the Shaftesbury Reformatory at South Head ...	1	2	0	0	16	6
Delivered at Batteries, &c., on North Shore or north side of the Harbour, and the Quarantine Station ...	1	5	0	0	17	0
Delivered at the Battery at Bare Island, Botany Bay ...	1	15	0	0	17	0
Delivered at any of the Wharfs in Sydney ...	0	12	0	0	7	6
Delivered at the Coast Hospital, Little Bay ...	1	14	0	0	18	0

NOTE.—In the case of Public Departments for which coal is only needed for warming the apartments, a monthly delivery of 28 lbs. of wood for lighting fires for each fireplace is to be made, and the cost of this supply is to be blended with the price of household coal.

TENDER

I, the undersigned, do hereby tender to provide and deliver at the various places mentioned the coal described in the foregoing Schedule, at the prices affixed to each item; and should this Tender be accepted by the Colonial Treasurer, I do hereby agree and bind myself to abide by and fulfil the terms and conditions on page 1, and numbered one to eleven.

The coal I propose to supply is "Coalecliff."

Dated the 18th day of July, 1883.

A. B. BLACK,
247, George-street.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GOVERNMENT PAYMENTS TO NEWSPAPER PROPRIETORS.
(FOR ALL PURPOSES DURING THE YEAR 1883.)

Ordered by the Legislative Assembly to be printed, 27 February, 1884.

[Laid upon the Table of the House in accordance with the promise made by the Colonial Treasurer to Mr. McElhone. See Question 8, Votes 52, of 7th February, 1884.]

RETURN showing the amounts paid by the Government to the proprietors of the *Sydney Morning Herald*, the *Echo*, the *Sydney Mail*, the *Evening News*, the *Town and Country Journal*, the *Daily Telegraph*, and the *Tribune*, for all purposes, for the year 1883 (as far as can be ascertained from the accounts received up to the 12th February, 1884).

STATEMENT showing amounts paid to the undermentioned newspaper proprietors, for all purposes, for the year 1883, so far as can be readily ascertained from the accounts received to this date:—

	£	s.	d.
<i>Sydney Morning Herald</i>	1,028	13	8
<i>Echo</i>	17	10	8
<i>Sydney Mail</i>	40	14	10
<i>Evening News</i>	945	18	11
<i>Town and Country Journal</i>	93	11	6
<i>Daily Telegraph</i>	554	10	4
<i>Tribune</i>	11	10	0
Total	£2,692	9	11

Department of Audit, Sydney,
February 12, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CHINESE CAMPS.
(REPORTS UPON.)

Ordered by the Legislative Assembly to be printed, 15 January, 1884.

Mr. Sub-Inspector Brennan to Mr. Superintendent Battye.

Report *re* Chinese Camps Inquiry.

Sir,

Wagga Wagga Police, 15 November, 1883.

Having been appointed by the Inspector-General of Police, with the approval of the Honorable the Colonial Secretary, to visit the various large Chinese Camps in the Colony in company with Mr. Quong Tart, to make inquiry and report under the following headings, viz. :—

- 1st. The population of each camp ; conditions of occupancy ; distinguishing Chinese, Europeans, children, and sexes ;
- 2nd. Whether the children receive any education, and by what means ;
- 3rd. The sanitary condition of the camps, and if sleeping accommodation decent and sufficient ;
- 4th. How the Chinese obtain a livelihood ;
- 5th. What number of European women are married to Chinese ;
- 6th. How many are living in a state of common prostitution ;
- 7th. How many indulge in opium smoking ;
- 8th. To what extent gambling is carried on ; and if European men and boys frequent the camp for that purpose ;—

and having inspected the camps at Wagga Wagga, Narrandera, Hay, Deniliquin, and Albury, in virtue of that appointment with Mr. Tart, and carefully inquired into all matters appertaining to the various headings, I now do myself the honor to submit the result of that investigation, which I trust will be found sufficiently comprehensive and lucid to answer the purposes required.

I.—The establishment of Chinese camps is not only unavoidable but indispensably necessary wherever large numbers of Chinese are located ; the camps are the homes of the Chinese, most of whom are unable to speak our language. These camps comprise houses of accommodation where Chinese out of employment may be found, and where all information concerning Chinese labour may be ascertained. The houses of accommodation are, through the generous impulses characteristic of the race, made hospices for helpless or pauper Chinese, who under other circumstances would fall into the hands of the police and become a burden on the State ; thus it is that the camps furnish in an inverse ratio to Chinese in common all the elements peculiar to their national aspirations. The five Chinese camps mentioned contain a total population of 942—that is, 800 Chinese, thirty-six European women married to Chinese, one Chinese woman married, sixty-eight children (forty males and twenty-eight females). (See Appendix "A.")

The most important camp is that situated at Narrandera, on the banks of the Murrumbidgee, and nearly a mile from the township ; it has its streets and lanes, and contains stores, joss-house, a very large cookshop, two lottery-houses, and several fan-tan rooms. Two of the Chinese hold the land under lease from European owners for eight years (four of which have expired), and those Chinese sublet the land to their countrymen who erect buildings, and those buildings are let and sublet to Chinese and prostitutes.

This camp has a total population of 340—that is, 303 Chinese, nine married women, ten children, and seventeen prostitutes. At some periods the population is much larger, when the Chinese employed by the squatters and surrounding land proprietors return after having performed some ringbarking or other contract. The Chinese gave their occupations as fourteen storekeepers' assistants, twenty in opium shops, ten in cook-shops, twelve gardeners, twenty in gaming-houses, 124 labourers, and fifty-eight to whom no occupation was assigned. The camp at Wagga is next in importance ; it occupies a position on each side of Fitzmaurice-street, on the banks of the Murrumbidgee ; the land and houses are leased and let similarly to those at the Narrandera camp ; it contains two lottery-houses, fan-tan rooms, ticket-sellers' houses, stores, cook-shop, &c. The total population of the camp is 223, that is, 194 Chinese, six European married women, one Chinese married woman, sixteen children, and seven prostitutes. The Chinese gave their calling as twelve in stores, thirteen in opium-shop, thirty gardeners, six proprietors of lottery-rooms, six fruit dealers, and 124 labourers and ticket-sellers. The Deniliquin camp comes next in importance ; it is situate near the banks of the Edwards River ; a portion of the camp belongs to a couple of naturalized Chinamen, the remainder leased ; it contains stores, opium and cook-shop, and has sleeping accommodation for

for three times the number found there on inspection; the population of the camp is 145, which number includes 113 Chinese, eleven married women, seventeen children, and four prostitutes. The Chinese at the camp gave their occupations as six in stores, twenty in cook-shop, one watchmaker, sixty-five labourers, and eleven others to whom no occupation was assigned. The camp at Hay is situated near the banks of the Murrumbidgee, irregularly laid out, and has a total population of 124, namely, 100 Chinese, five married women, fourteen children, and five prostitutes; the land held under lease and the buildings comprise the usual opium-shops, stores, cook-shop, &c.; the Chinese gave their occupation as twelve gardeners, five storekeepers, ten fruiterers, one doctor, six employed in cook-shop, and sixty-six labourers. The camp at Albury is situated near the banks of the Murray, and the land is leased from Messrs. Wyse and M'Phillamy; it contains three stores, twelve fan-tan tables, joss-house, cook-shop, &c.; its total population is 110, that is, ninety Chinese, five married women, eleven children, and four prostitutes; the Chinese gave their occupations as sixteen employed in stores, thirty-six labourers, thirteen gardeners, and twenty-five to whom no occupation was assigned.

II.—The Chinese appear to manifest great interest in the education of their children, and at the camps visited all of suitable age were attending school. Of the sixteen at the Wagga Wagga camp five are going to the public school, two have received a fair education, and nine not of school age. At Deniliquin seven are going to the public school and ten not of school age. At Hay four are going to the public school, four to the Roman Catholic school, and six not of school age. At Albury one goes to the public school, nine not of school age, and one male child, seven years old, named Jah Kec Govey, not going to school. The reason assigned by the boy's father, Ah Govey, an industrious gardener, is that the school-master refused to admit him to the public school because the child was wearing his hair in the queue, characteristic of Chinese customs.

As I am not aware of any law being in force in New South Wales which prohibits the Chinese from wearing their hair in the style of their ancestors, and according to the fashion of their race, I am impressed with the conviction that the objection for the exclusion of this child, cleanly and intelligent in appearance, whose mother is a native-born British subject, from a public school, is not in itself a valid one, any more than it would if it were sought to be applied to European children going to school and wearing their hair in any one of the numerous and extraordinary styles which European custom sanctions. I am therefore convinced that the Honorable the Minister for Education will not uphold a rule, if such should be in existence, which would deprive a child, and a British subject, of the blessings of education, because he should happen to wear his hair in some particular style.

All the camps visited are situated on the banks or near to the banks of the rivers mentioned, on flats; no natural drainage and no artificial means appear to have been employed to carry off stagnant waters or putrid substances which accumulate around all camps and which are so well calculated to generate fevers. The wonder therefore is that more sickness does not prevail in hot weather amongst persons residing in the camps.

The camps at Wagga, Albury, Hay, and Deniliquin, are situated within the municipality in the respective townships, yet their surroundings do not present any noticeable features which would indicate that the Chinese themselves, the owners of the property, or the municipal authorities had taken any steps to improve in a sanitary point of view the condition of those places.

The sanitary condition of the Wagga camp is extremely bad, as in addition to the absence of drainage the water-closets are allowed to become neglected, and as a consequence in hot weather the effluvia which those places give forth is sickening—the houses for the most part are good and the sleeping accommodation fairly decent and sufficient—some of the rooms attached to the cookshop are divided into tiers of shelves, with a passage of about 3 feet between, and when an influx of Chinese takes place from the country all the shelves are used as beds, and consequently the air space necessary for five men would be occupied by at least twenty; the same may be said in general terms of all the camps visited: no drainage of consequence, rooms too small, and maze-like in arrangement, ventilation defective, and neglect of water-closets. The buildings at the Albury camp are decayed and dilapidated, and their interior displays the least comfort and the worst accommodation of all the camps inspected. There are in each of the camps however a few nicely furnished rooms occupied by some well to do Chinese or some married Chinese, but they are few compared with the many tenements which in hot weather must breathe pestilence because of the neglect of all hygienic laws.

IV.—That the Chinese are the most industrious race in the world is a proposition which no one who knows them thoroughly would question, and the Chinese of this Colony, with few exceptions, stand in the estimation of discriminating men as deserving that character; as gardeners they have no equals, and Europeans are indebted to them for a thorough knowledge in the raising of vegetables, &c. Many Chinese at the camps inspected are labourers and obtain their living by carrying out contracts of ring-barking, dunsinking, clearing, &c., with the surrounding land proprietors; others are employed as gardeners, selling vegetables, fruit, jewellery, in stores as cooks, &c., and many too get their living by systematic gambling.

V.—There are thirty-seven European women married to Chinese at the five camps inspected; some of these women appear respectable, to study the interests of their husbands and children, and to keep aloof altogether from the bad characters, who make the camps hideous by their vile conduct; their residences too are clean and comfortable, and display the combined taste of the Chinese and the European. Others of them make the lives of their unfortunate Chinese husbands miserable; they conduct themselves regardless of consequences, and set their husbands at defiance as far as conducting themselves improperly with Europeans is concerned. When not at war with their husbands they fight with one another, seek redress in the Police Courts, and the Chinese husbands have to pay the penalties incurred by their European wives, and consider themselves fortunate that they too have not been included in the litigation; most of those women have been prostitutes for years before they get married to the Chinese, and an alliance under such unfavourable auspices seldom produces any reformation in the moral character of the women, as where impossibilities are apparent it would be indiscretion to nourish hope.

VI.—There were thirty-seven prostitutes residing in the five camps, when inspected, whose ages were all between 19 and 30 (see Appendix B), but on some occasions the camps contain double that number. It is those females and most of the disreputable married women already alluded to who are the principal cause of all the disturbance, robberies and crimes, which have transformed the Chinese camps into dens of immorality.

rality. The Chinese themselves are comparatively powerless, and many of them have at times sought the assistance of the police to compel these females to leave their camps and to protect them from their violence, yet the Chinese are charged as being the instigators of keeping them in the camps.

The assertion too frequently made use of by persons not accurately informed on the subject that the Chinese have seduced those females, or girls as they are called, and that they have been the fountain and source of all the obliquities of character which distinguish those frequenters of Chinese camps, is a fallacy and has nothing in truth to support it, as I have not been able to elicit one case during the inquiry, or in my Chinese experience of twenty-four years, where a female resorting Chinese camps, owed her seduction to a Chinaman. All the females themselves deny the allegation emphatically and smile at the credulity of any person believing such; some of those women living with Chinese at the camps are married women, who have left their husbands on account of some alleged cruelty, which may or may not be true; others again have been prostitutes for years in Victoria, and many of them find pleasure in recounting a history of criminal experience and of their youthful precociousness, which reach the *ne plus ultra* of female depravity. All those females prefer the nomadic life of the camp with its licentiousness to the quiet repose of settled habitation. The Chinese allow them full liberty of action, make them in most cases the repositories of all their earnings and treat them with the greatest kindness, and it is for these considerations alone that the women show a preference, and not for any love or even respect which they entertain for the Chinese themselves.

VII.—An infatuation for opium has sunk those females to a "lower depth" of social degradation. Of the seventy-three females in the camps visited, fifty at least are confirmed opium-smokers; some few are endeavouring to wean themselves from this abominable habit, and are, they say, taking medicine with that end in view; others however not only indulge in the practice but add the additional luxury of smoking tobacco and cigars. Opium acts as a narcotic, and answers the purpose of a stimulant; hence it is there is scarcely a Chinese house that does not contain all the requisites for opium-smoking. All the Chinese smoke opium, and many of them are poor, owing to the purchase of this expensive drug to satiate their longings which an excessive use of it engenders.

Yet at the camps visited Mr. Quong Tart, in addressing his countrymen on the terrible evils resulting from opium smoking, elicited from them in emphatic terms that they would be glad if the Government could stop the importation of opium altogether, and that they intend petitioning the Government on the subject. At present there is a law in force regulating the sale and use of poison, 40 Victoria, No. 9, which renders any person selling opium, who is not a chemist or druggist, or registered by the Board of Pharmacy, liable to a penalty of £20 [? £50], yet strange to say no provision is made for the registration of Chinese, and no Chinese name, that I am aware of, is to be found on the annual lists published by the Board of Pharmacy. The Chinese storekeepers and almost all the Chinese dealers sell opium and can do so with impunity to their countrymen. Opium is a dutiable article of commerce; the Chinese are the principal consumers, and they possess a greater knowledge of its properties and of the preparation it is absolutely necessary to undergo, before being used with safety, than any chemist in this Colony can claim to have, yet they are not allowed by law to sell it—they are frequently prosecuted for selling it, and fined severely. In the matter of opium the Chinese are entitled to every consideration, as it is an historical fact that it has been the misfortune of the Chinese, more than their fault, that opium has become a curse of their country. The introduction of opium into their country was not of their seeking; it was forced upon them by the East India Company up to 1834, despite their protestations; was the outcome of the Chinese war in 1840, and loss of their important island of Hongkong in 1842. Petitions had been sent in vain in 1839 by the Chinese Government to the British Government to stop the terrible drug which was degrading the Chinese subjects, but, as it was not stopped, it worked its pernicious effects on those who indulged in it; yet the Chinese of to-day are disesteemed and reprobated for their indulgence in a vice which was primarily the inheritance of circumstances beyond their control. (*Vide* "Howitt's Journal," 1855, and "Commercial intercourse with China," in "Knight's Store of Knowledge.") I respectfully submit, therefore, that the Chinese in this Colony should be entitled by law to a recognition in the sale of opium. The registration of some respectable and competent Chinese in each camp to sell opium under proper restrictions would, I feel sure, check many of the abuses arising from opium-smoking, as the registered party would have an interest in preventing the sale by unauthorized persons, and would, no doubt, assist the police in prosecuting to that end, whereas at present all Chinese have an interest in evading the law.

VIII.—Persons who have not studied the Chinese camp difficulty sufficiently would probably attribute the existence of such a deplorable state of things to police inactivity, and might exclaim, "Why do they not enforce the law and put a stop to the thousand and one undesirable elements which spring from Chinese gambling and their other objectionable practices?"

If a law were in existence which would meet the exigencies of such, and the police failed in applying it, then they would be deserving of censure. The police have had no ordinary difficulty to contend with in prosecuting offences committed in Chinese camps, because of the exceptional nature of the offences which the establishment of Chinese camps, as now existing, has given rise to. The Chinese camps have been the source of much trouble and anxiety to the Police Department for the last few years, and Mr. Fosbery, the Inspector-General of Police, alive to the growing seriousness of the matter, has, times out of number, directed and exhorted the police to give their best attention to the preservation of law and order in the Chinese quarters; and I am convinced that the police have responded, as far as they were able, to these instructions. I attach hereto Appendix C, showing police prosecutions at Wagga Wagga, Hay, Narrandera, Deniliquin, and Albury, against Chinese delinquents or persons habitually frequenting Chinese camps at those places for the two years ending the 31st of October, 1883, from which it will be seen that during that time no less than 321 prosecutions have taken place—that is, 192 at Wagga, 51 at Narrandera, 34 at Deniliquin, 23 at Albury, and 21 at Hay. The persons prosecuted represented—

At Wagga.....	44	Europeans;	108	European females;	40	Chinese
Narrandera	1	European;	40	do	10	do
Deniliquin	4	Europeans;	20	do	10	do
Albury.....			16	do	7	do
Hay.....			14	do	7	do

or 49 European males, 196 European females, and 74 Chinese. From this it will be seen that the European men and women have committed more than three offences to every Chinese one, and they have been instrumental in most of the cases for which the Chinese have been prosecuted. It is thus evident that the police have not been slow in those localities in their efforts to promote a more desirable state of things, and, if not

as successful as could be desired the fault does not rest with them but in the fact that they have not the means to apply to the causes which produce the disorders in the Chinese camps, and until the causes are removed the disorders will continue.

The Chinese have discontinued gambling, for the present at least, at Deniliquin and Hay; the gaming at fan-tan is carried on extensively at Albury, where there are twelve or more tables erected for that purpose. On our visit to the Albury camp on Saturday we found twenty-five men engaged in the game, and a considerable sum of money placed on the table. At Wagga Wagga the games of fan-tan and the lottery, in two houses, are carried on with vigour at all hours; and on our visit to the Narrandera camp, on the 6th instant, we found at least fifty Chinese engaged in a row over the game of fan-tan, which would probably have led to a serious disturbance had it not been for our opportune arrival.

Gaming in its entirety is carried out at the Narrandera camp at present to a much greater extent than it has ever been known before; and I was informed that the Chinese carried their lottery tickets about the streets and houses for sale, and even sold them to children. Many of the Chinese live by gambling. The principal game, and that which most persons—European and Chinese—indulge in, is called pak ah pu, or my pow chong, but it is commonly known as the “Chinese lottery.” Very few Europeans take part in the fan-tan games.

The police had been, up to September, 1881, fairly successful in checking the evils arising from Chinese gambling, by prosecutions under 13 Vic. No. 8, and at common law. In July last eight Chinamen were prosecuted at Wagga, at common law, for keeping and maintaining a *common gaming-house* in the Chinese camp, where the games of my pow chong and fan-tan were nightly played; all the elements to support the charge were proved in the case. The defendants were ably defended by Mr. Solicitor Fitzhardinge, who raised the point that “my pow chong” was identical with pak ah pu, which was held not to be gaming by Sir James Martin and Judge Windeyer (Sir William Manning dissenting) on prohibition in the case of Li Chi and others, 2 September, 1881. The Police Magistrate, after having gone carefully through the judgment in the case, found that, in face of the ruling of the Judges, he had no alternative but to dismiss the information, and accordingly did so; and there is no doubt Mr. Baylis was right, notwithstanding that the information contained the additional ingredient of playing fan-tan, as in the case of Regina v. Rogier, quoted in Li Chi’s case. Best (Chief Justice) says “that no game is unlawful in itself, but every game may be made so by playing it for an excessive stake, for it is the amount played for and not the name or nature of the game that constitutes it an offence in the eye of the law”; and, further, that “an offence is only unlawful when prohibited by statute.” The game of my pow chong, or pak ah pu, is, however, one of the most ingenious games and huge swindles known in gambling, as, according to permutation, the eighty symbols or figures are capable of billions of changes, and it is those changes which can be manipulated upon that constitutes its gross unfairness. Then, it may be said, if the game partakes of the nature of a lottery why not prosecute for a breach of the Lotteries Act, 16 Victoria No. 2? Chinese gaming does not appear to have been thought of when the Lotteries Act was being considered, as the latter only contemplates *goods, wares, and merchandise*, and money prizes obtained at a Chinese lottery cannot be ranked under any of those headings.

As the decision at Wagga Wagga governed gaming at Narrandera also it was but reasonable to expect that, on the dismissal of the case becoming known, gambling would commence with renewed vigour at both camps. At the Narrandera head quarters benches were erected in the streets for ticket sellers. The games are now frequented by Chinese camp females, and occasionally European men; boys sometimes manifest a strong disposition to be present, but this propensity is checked by the police, who order them away. The 458th section of the Criminal Law Amendment Act provides for the prosecution of persons keeping *common gaming houses*, but that section in no wise applies to Chinese gaming. It will thus be seen that the Chinese are permitted to carry on their gaming, not through any apathy on the part of the police to prosecute, but because there is no law under which their ingenious games can be stopped since the decision in Li Chi’s case.

Having dwelt on the various headings which required elucidation I shall now advert to other causes which form the *bases* of all Chinese camp troubles. It would be easy to say why do not the police prosecute the females at Chinese camps under the Vagrant Act? This would not be difficult in theory, but in most cases impossible in practice. All the females at the various camps, excepting four, are natives of Victoria; each one lives ostensibly with a Chinese storekeeper, or one in well to do circumstances; they dress expensively in velvets and silks, jewellery in abundance, have plenty, and when in the streets conduct themselves for the most part with propriety; their appearance under such circumstances could not fail to create a favourable impression upon strangers; hence the Vagrant Act or any other Act in force in the Colony will not reach them any more than it would Europeans living in a similar state, as there is no law by which adultery or fornication can be punished as an offence in New South Wales. (See judgment of Sir Alfred Stephen, late Chief Justice, in *ex parte* Heywood, 28th May, 1859.) The females occupy one or two rooms each in the camp, where they are visited by Chinese and Europeans, men *and sometimes boys*, for immoral purposes. The police have on some occasions hunted as many as ten young men from off a Chinese bed, where the central figure would be one of the females already mentioned, and as soon as the police left the camp those fellows returned again. Most of the females at the camp sell spirits to their votaries, Chinese and Europeans, and this is done almost with impunity, as in almost all the prosecutions against them for selling spirits preponderating evidence in favour of defendants would be certain to be forthcoming, and as a consequence the cases would fall through. A few months ago seven or eight of the Narrandera camp females were severally prosecuted for selling spirits without a license in the Chinese camp; the witnesses for the prosecution were two informers who had an interest in the cases, and whose services had been secured by the police. On the day of the trial one of the witnesses swore positively he purchased and paid for the spirits in each case; the other witness at the last moment displayed marked symptoms of defection and swore diametrically opposite to that of his companion; this evidence supplemented as it was in each case by the defendant’s led to the dismissal of the whole. The fact was witness No. 2 had been bought over and received on the dismissal of the cases the bland smiles of those whose turn he had served. There is a like difficulty in bringing home conviction in cases of robbery committed at the camps. Young men go to the camp, remain all night, get robbed, or bilked as it is called; they report the matter to the police, who are not slow to arrest the offenders, but if a day’s remand takes place the prosecutor cannot be found, or if present finds it convenient to forget all about the robbery. The cases fall through, and the offenders return to the camp (sometimes accompanied

accompanied by the prosecutor) strengthened and emboldened to commit other crimes by the success of their previous immunity. The same may be said of disorderly houses. The Chinese do not regard them as a nuisance, except in rare instances, and respectable residents will have nothing to do with Chinese camp affairs. Thus it is the police are baffled and comparatively powerless to bring conviction home to those offenders, and it is only in cases where disturbances take place between the Chinese and those females, or the females themselves, which are more frequent, that there is a certainty of punishment reaching them.

In the shearing season the camps, particularly those at Wagga Wagga and Narrandera, are thronged with shearers and others; they indulge in drink and contribute largely to the disquieting elements observable at that period. The women too find their harvest set in, assume a recklessness—previously unnoticeable—to get money, when “sly grog” selling, prostitution, gambling, and robbery are resorted to for that purpose. On those occasions most of the married women act more defiantly towards the police because of the greater security which they think they enjoy from being made amenable to the Vagrant Act—in having husbands. The Vagrant Act, however, cannot be applied to any appreciable extent to this state of circumstances, because a specific charge would have to be formulated for a breach of some particular section of the Act, each case would have its own particular surroundings, and if the charge were not proved beyond a large margin of doubt, would fall to the ground, as no Magistrate, that I know of, would convict a woman for “not having sufficient lawful means of support,” if she were found to be living with a Chinaman who had sufficient means, which she could apply to her own use notwithstanding the degradation of her situation. The Chinese camps at Wagga Wagga, Narrandera, and Hay, are situated on the banks of the Murrumbidgee, and those of Albury and Deniliquin, near the banks of the Murray and Edwards Rivers respectively, and this fact in itself, apart from other objectionable features, is very significant as showing the great facilities at the disposal of desperate characters, male and female, who frequent the camps in getting rid of unfortunate victims whom they might have robbed or murdered. This aspect of the case I know is a serious one, and I mention it because I have noticed that at a recent inquest, held at Narrandera on the body of a man found in the Murrumbidgee, several miles from the township, the verdict returned was to the effect “that the body was found in the Murrumbidgee River, but how the deceased came by his death there is no evidence to show.” In that case there were no marks of violence on the body, or any circumstance whatever that would indicate that the deceased met his death otherwise than by drowning.

I spoke to the foreman of the jury on the subject and he informed me that the verdict was framed purposely in that way because of the misgivings which they entertain of the Chinese camp doings. The question which now presents itself is a very difficult one, and that is, how are the Chinese camp nuisances and perils to be abated, if not entirely extinguished; the only effective remedy, therefore, to meet such an exceptional state of things, is special legislation. An Act for the suppression of Chinese gambling, and the enforcement of good order and sanitary measures at Chinese camps in New South Wales, is urgently demanded. Chinese gaming, whether pak ah pu, my pow chong lottery, fan-tan, &c., ought to be swept away because of the evils which it has given rise to, not only amongst the Chinese themselves but also many of the growing-up population, European men and boys. Mr. Quong Tart has agreed with me in recommending that the following (amongst any other provisions thought necessary) should form a part of any remedial measures relating to Chinese camps, &c.:—

1. That the owner or occupier of any house, room, shop, stall, or place whatsoever suffering Chinese games to be played, should be liable to a penalty.
2. That every person found playing at any Chinese game, or being present at the playing of any Chinese game (without lawful excuse), should be liable to a penalty.
3. That every European female found in any house in a Chinese camp, not being the wife of the owner of such house (without lawful excuse), should be regarded as an idle and disorderly person.
4. That every European female whatsoever found smoking opium in a Chinese camp should be regarded as an idle and disorderly person.
5. That every Chinese or other person selling, giving, or causing to be sold or given, opium or other soporific drug to any female for the purpose of smoking or inhaling, or affording accommodation for such smoking or inhaling, should be liable to a penalty.
6. That every male European found in a Chinese camp by day or night (without lawful excuse), should be regarded as an idle and disorderly person.
7. That one competent and suitable Chinese at least in each camp should be registered to sell opium under proper restrictions.
8. That the proprietor of every cookshop in Chinese camps should be licensed, and that the rooms attached to such cookshop should contain proper sleeping accommodation, and be otherwise well ventilated.
9. That the system of shelf beds now in use at cookshops be done away with as being opposed to all sanitary law, and a proper system substituted.
10. That the proprietors, or owners of houses in the Chinese camps, should be compelled to effect the necessary drainage about their premises, and to keep water-closets and surroundings clean, &c.
11. That some suitable person be appointed to visit the Chinese camps periodically for the purpose of enforcing sanitary regulations, and to report on the conditions of Chinese living, &c.

If a measure were in existence embodying the foregoing, the police would be in a position to grapple vigorously, and I doubt not successfully, with the causes from which Chinese camp disturbances flow; Magistrates would then see their way clear to deal with Chinese camp cases brought before them and to act with uniformity, which is not the case at present; the expert Chinese gambler would then have to turn his attention to some legitimate employment; prostitutes would have to clear out to fresh scenes and abandon their calling as sly “grog-sellers,” &c., as far as the camps were concerned; shearers, shepherds, and disreputable characters would find it to their interest to keep clear of Chinese camps, and the present misgivings regarding these standing sources of peril to life itself would be removed, and replaced by a feeling of security which could not fail to be productive of the best possible results.

For

For myself and Mr. Quong Tart I beg to thank Mr. Superintendent Brown, Deniliquin, Mr. Sub-Inspector Baker, Hay, and yourself (Captain Battye), of Albury, for the kind consideration you have shown us and the information you have furnished regarding the camps at your respective townships.

In conclusion I beg to say that Mr. Quong Tart has discharged his duty in a manner that could not be excelled, and whatever may be the result of this report I am quite certain Mr. Tart's visit to the various camps will be productive of much good to the occupants of those places.

I have, &c.,
MARTIN BRENNAN,
 Sub-Inspector of Police.

APPENDIX A.

RETURN of all persons residing in the Chinese Camps at Narrandera, Wagga Wagga, Deniliquin, Hay, and Albury, in October, 1883, distinguishing Sexes, &c.

Name of Chinese Camp.	No of European women married to Chinese.	No. of Chinese.	No. of Chinese women.	Children.		No. of prostitutes in each camp.	Total population of each camp.
				Male.	Female.		
Narrandera	9	303	.....	6	4	18	340
Wagga Wagga	6	194	1	9	7	6	223
Deniliquin	11	113	.....	11	6	4	145
Hay	5	100	.....	8	6	5	124
Albury	5	90	.....	6	5	4	110
Totals	36	800	1	40	28	37	942

Wagga Wagga, 15 November, 1883.

MARTIN BRENNAN,
 Sub-Inspector of Police.

APPENDIX B.

RETURN of Prostitutes at Chinese Camps, Narrandera, Wagga Wagga, Deniliquin, Hay, and Albury, with their Ages and Native Place.

Name of Camp.	No. of Prostitutes.	Ages.	Native place.
Narrandera	18	4—24 years	Victoria.
		3—23 "	
		3—21 "	
		2—30 "	
		2—20 "	
		2—27 "	
		1—22 "	
		1—25 "	
Wagga Wagga	6	1—26 "	Victoria.
		1—27 "	
		1—24 "	
		1—22 "	
Deniliquin	4	1—21 "	London. Mauritius.
		1—19 "	
		1—32 "	
		1—24 "	
Hay	5	1—27 "	Victoria.
		1—23 "	
		2—30 "	
		1—25 "	
Albury	4	1—20 "	Victoria.
		1—24 "	
		2—28 "	
		1—24 "	
		1—21 "	

Wagga Wagga, 15 November, 1883.

MARTIN BRENNAN,
 Sub-Inspector.

APPENDIX C.

APPENDIX C.

OFFENCES committed by persons residing in the Chinese Camps, or who have habitually frequented the same at Wagga Wagga, Narrandera, Deniliquin, Hay, and Albury, during the two years ending 31st October, 1883.

Name of Camp.	Total offences prosecuted.	Offences under Police and Vagrant Acts	Felonies.	Convicted.	Acquitted.	No. of European males prosecuted.	European females prosecuted.	Chinese prosecuted
Wagga Wagga	192	177	15	164	28	41	103	40
Narrandera	51	37	14	18	33	1	40	10
Hay	21	17	4	16	5	.....	14	7
Deniliquin	34	33	1	25	9	4	20	10
Albury	23	20	3	17	6	.....	16	7
Totals	321	284	37	240	81	49	198	74

MARTIN BRENNAN,
Sub-Inspector of Police.

Wagga Wagga, 15 November, 1883.

Mr. Quong Tart to The Inspector-General of Police.

Re Chinese Camps Inquiry.

Sir,

Sydney, 24 November, 1883.

Having been appointed to visit, in conjunction with Mr. Sub-Inspector Brennan, of Wagga, the various large Chinese camps in the Colony, and having completed that work it devolves upon me to offer a few remarks as to the result of my observations. Mr. Brennan's report, which you have already seen, being so exhaustive, makes it unnecessary for me to dwell to any extent on the different headings on which the investigation was based. I will only endeavour to show therefore what, from my point of view, is the principal cause of the very unsatisfactory state, moral and sanitary, in which the camps visited were found, and to point out what, in my opinion, will remedy the evils.

At the outset let me say that the fulcrum on which rests all vice, immorality, and corruption with the Chinese is *opium*. To it the ills arising from the Chinese and their camps can be traced, and it is only by placing that detestable drug beyond the reach of my countrymen that the Government of the Colony can hope for reformation. In view of the importance attached to this particular part of the investigation, I made it my business to make special inquiries at each camp to test the feelings and opinions of consumers on the matter, and I found that of the great number who indulge in opium-smoking fully nine-tenths admitted the necessity of reform, and declared their willingness to sign a petition calling upon the Government to stop the importation of opium into the Colony in quantities beyond that which may be required for medicinal purposes. Then, if the Chinese themselves are willing, and in fact anxious, that the importation of opium be stopped, and if it can be shown that so much baseness arises from it, the Parliament of the country will surely not hesitate to pass a measure which will have that effect.

I find from Customs statistics that last year the quantity of opium imported into the Colony was 25,922 lbs. On this enormous quantity a duty of 10s. per lb. was levied, which adds the very considerable sum of £12,961 to the revenue of the Colony. We will not be far wrong in assuming that four-fifths of this was consumed by Chinese; and if we take into consideration the number of Chinese in the Colony the consumption per head is alarming, not only on account of the wretchedness and poverty brought upon the Chinese themselves, but because their example will be copied by Europeans, and must have a direful effect upon many who might otherwise become useful and worthy colonists. In this very city may be found many Europeans fast giving way to its infatuating influences—men unable to satisfy their cravings with intoxicating liquors, youths ignorant of its awful results, women who by its degrading influences descend to the lowest depths of depravity. If stronger evidence than this is required we have the result of our late investigations. Out of seventy-three European women found in the camps visited more than fifty were habitual smokers. Is this fact alone not sufficient grounds for prohibitory legislation?

We have, as you are aware, and as Mr. Brennan points out in his report, an Act which provides that all vendors of such drugs must pass an examination in chemistry, or be registered by the Board of Pharmacy. It may or may not be intended to lessen the consumption, but such an Act can never be enforced with the Chinese. There is not one Chinaman in New South Wales capable of passing that examination, and I know personally of several who applied to the Board for a certificate of registration, and were refused on the grounds that they had not passed the necessary examination. Under such circumstances can my countrymen be blamed for ignoring the law? I think not.

If it is only intended to place restrictions on the sale of opium, then I agree with Mr. Brennan, and his proposals would probably have the desired effect; but more than this is required. It is folly to suppose that any such Act, be it ever so stringent, will lessen the consumption.

Let Parliament pass a Bill which will prohibit its importation, and impose a penalty upon any Chinaman found with it in his possession, and let our Customs' officers be on the alert to confiscate any attempt at smuggling, and you will effectually deal with one of the vilest and most degrading habits that it is possible for man to descend to.

In the event of such an Act being passed, it would be necessary to allow a period of say six months to lapse before it was enforced; this would give importers timely warning, and consumers would perhaps make an effort to gradually wean themselves from its use.

From conversation with the leading Chinese merchants in the city I find that nearly all would willingly sign a petition condemning the opium traffic. These are the men who profit by its importation, and they are willing to forego all profits derived from the trade if by so doing the evils which arise from it can be checked.

I have too high an opinion of the Parliament of this country to suppose for a moment that the paltry amount added to the revenue by the opium traffic can in any way influence legislation on the matter, and if the members of that Parliament had the practicable knowledge of the evils that arise from this opium trade, and could see for themselves as I have seen, they would pass such a measure as I have alluded to without one dissentient voice.

Special legislation too is required to effectually deal with gambling. As Mr. Brennan shows in his report, gambling is carried on very extensively at each of the camps visited. Of the many games of chance played by the Chinese pak-ah-pu is the most objectionable. The principles on which the game is played are grossly unjust, and its simplicity makes it most dangerous to Europeans. Fan-tan, a game for which the Chinese have a strange infatuation, Europeans are less likely to indulge in. Mr. Brennan's remarks under this heading I thoroughly endorse; but I think his suggestions as to the form which a Bill dealing with gambling in the Chinese camps should take, if adopted, would, in the eyes of the Chinese at least, appear rather arbitrary. For instance, the games played with dominoes and Chinese cards are fair and equitable, and may be played in a Chinese Camp and have no worse effect than a game of whist played in a gentleman's home. Of course it is possible to abuse such games, and it may be difficult to draw the line. But if opium-smoking can be effectually dealt with there will be less gambling, the promoters of gaming-houses will find their supporters less willing to be victimised, and as the profits of these men decrease so will their efforts to evade and defy the law.

Before concluding my remarks I would like to thank those gentlemen at the different places visited for their kindness and valuable assistance, and to state my appreciation of the careful and intelligent manner in which Mr. Sub-Inspector Brennan conducted the investigation; his report, embodying as it does such a deal of information, cannot fail to have a beneficial result.

I will also take this opportunity of thanking you, sir, for the honor you have done me by entrusting to my care so important a duty.

I have, &c.,
 QUONG TART.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

FIRE BRIGADES BILL.

(MESSAGE No. 3.)

Ordered by the Legislative Assembly to be printed, 11 October, 1883

AUGUSTUS LOFTUS,
Governor.

Message No. 3.

In accordance with the provisions contained in 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 a "Bill to make better provision for the protection of Life and Property from Fire."

*Government House,
Sydney, 11th October, 1883.*

1883-4.

NEW SOUTH WALES.

FIRE BRIGADES ACT, 1884.

(REGULATIONS UNDER.)

Presented to Parliament, pursuant to Act 47 Vic. No. 3, sec. 21.

Colonial Secretary's Office,
Sydney, 4th July, 1884.

FIRE BRIGADES BOARD—REGULATIONS.

THE following Regulations, made by the Fire Brigades Board, under the powers conferred by section 6 of the "Fire Brigades Act 1884," having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the above-cited Act.

ALEX. STUART.

Regulations for meeting and conduct of business by the Fire Brigades Board, as constituted under the Fire Brigades Act of 1884.

I. The offices of the Fire Brigades Board shall be for the present in a house situate at the intersection of the south side of Bridge-street with Elizabeth-street North, in the City of Sydney.

II. The members of the Board may, if they think fit, elect a Vice-Chairman. In the absence of the Chairman, at the time appointed for the holding of a meeting, the Vice-Chairman shall preside, and in his absence the members may elect one of their number to preside at such meeting.

III. The Directors may meet together for the dispatch of business, adjourn, and otherwise regulate their meetings as they think fit, provided that they meet at least once in every fortnight.

IV. All questions coming before the Board, unless unaniously determined, shall be decided by the majority of the votes of the members present (excepting as hereinafter provided, and not declining to vote, or being disqualified from voting), such votes to be taken by show of hands or ballot if demanded.

V. The Board may delegate any of its powers to Committees consisting of such member or members as it may think fit, but any Committee so formed shall in the exercise of its powers so delegated conform to any regulations that may be imposed upon it by the Board.

VI. A Committee may choose one of its members to act as Chairman, and questions arising at any meeting of a Committee shall be determined in the same way as provided for in Sec. IV. A Committee may meet and adjourn as it thinks proper.

VII. All acts done by any meeting of the Board or of a Committee thereof at which a quorum (as provided by the Board) is present shall be deemed the act of the Board or of the Committee, as the case may be, and notwithstanding it be afterwards discovered that there was some defect in the

appointment of any such members or persons aforesaid, or that they or any of them were disqualified (except as hereinafter provided in Sec. XIV), shall be as valid as if every such person had been duly appointed and was qualified.

VIII. The sum of twenty-five pounds (£25) shall be divided at the end of each month amongst the members of the Board, exclusive of the Chairman; each member shall receive the proportion that his attendance bears to the total of the attendances of all members at Board or Committee meetings, unless such attendances are void under Sec. XIV, provided that such member shall be present within ten (10) minutes after time called for each meeting of Board or Committee, and provided that a quorum be formed and business be proceeded with.

IX. The regular time and day of meeting shall be at 2 p.m. on Friday, except when such Friday may happen to be a public holiday.

X. The Secretary shall cause a notice to be sent for each meeting to each member of the Board, in which notice shall be stated the business to be transacted at that meeting, such notice to be delivered not later than the day previous to such meeting.

XI. The Chairman may call extraordinary meetings if necessary, provided notice be given as provided for in Sec. X.

XII. Members having matters to lay before the Board shall lodge notice thereof to the Fire Brigades Board office not later than 10 a.m. on the day previous to the day of meeting.

XIII. No question of which notice has not been duly given shall be brought up at a meeting of the Board, unless with the unanimous consent of the members present.

XIV. Members of the Board shall not vote in any matter in which they may be personally interested by way of profit, of any contract with, or land, or other property sales, to the Board, or otherwise. During the discussion of the matter members so interested shall withdraw from the Board room, unless permitted to remain with the unanimous consent of the members present. Should there not remain a quorum after such withdrawal the matter shall be postponed until a quorum be otherwise formed at either the same or subsequent meetings.

XV. The Board may from time to time appoint a Secretary, and all such other officers, clerks, and servants as it may deem necessary, and shall determine their duties, salaries, and wages, and may at any time suspend or dismiss any such secretary, officer, clerk, or servant. The secretary and all officers, clerks, and servants shall give such security as the Board may deem expedient for the faithful discharge of their duties.

XVI. In addition to such other duties as may be imposed on him by the Board the Secretary shall, unless otherwise ordered by it and subject to its control, have charge of the books and papers and other property of the Board.

XVII. The Secretary, or other officer acting in his stead, shall attend all meetings of the Board, or Committees of the same, and shall enter the minutes of resolutions and proceedings in a minute book to be kept for that purpose. He shall lay all correspondence before the Board.

XVIII. A book shall be kept showing all receipts of moneys on account of the Board and all disbursements made, together with balance made up to time of each regular meeting of the Board verified by banker's certificate that the balance represented in the bank pass-book is correct.

XIX. The Board shall have sole appointment and removal of the bankers. The first bankers shall be the Bank of New South Wales, Head Office.

XX. All moneys shall be banked on the day of receipt of the same, or in the event of the bank being closed, on the opening of the bank on the next banking day.

XXI. The Secretary or other officer authorized by the Board shall give receipts for all moneys payable to the Board, drawn on printed and consecutively machine-numbered forms with corresponding blocks, and which alone shall be evidence of the payment thereof.

XXII. All payments of £1 or upwards shall be made by cheques upon the bankers of the Board, which shall be signed by not less than two members and countersigned by the Secretary or other officer authorized by the Board. All large payments shall be paid by Treasury warrants.

XXIII. The common seal shall be in the joint custody of the Chairman or Vice-Chairman and Secretary or other officer authorized by the Board, but shall not be affixed to any document except by order of the Board, as recorded in the minute book, and shall be affixed at the time of such record, witnessed by not less than two members of the Board and the Secretary or other officer authorized by the Board.

XXIV. The accounts of the Board shall be made up in the months of January and July in each year for the half-year expiring on the 31st December and 30th June respectively, and shall be examined and verified by at least one of the Treasury accountants, to whom shall be produced by the officers of the Board all vouchers for payments, receipt books, account books, bank pass-books, bank certificates, securities, deeds, and other books and documents necessary to verify the balance sheets.

XXV. Subject to the approval of the Board, the Secretary may furnish abstracts of the proceedings to the Press; but in no case shall the presence of strangers be permitted, unless with the unanimous consent of the members present, such consent to be obtained before admission to the Board room.

XXVI. Office hours will be from 9 a.m. to 4 p.m., except on Saturdays, Sundays, and public holidays. On Saturday the office will close at 1 p.m.

XXVII. The Secretary shall on the morning of each day, with the exception of Sundays and public holidays, send, or cause to be sent, information, by post or otherwise, to all the insurance offices contributing for the purposes of the "Fire Brigades Act" of all fires (if any) which have taken place within the jurisdiction of the Board since the preceding return, in such form as may be agreed upon between the Board and the insurance offices.

XXVIII. Any member may, by giving notice in writing fourteen clear days, lay before the Board any subject, matter, or information that he may so desire for the purpose of altering, amending, rescinding, or extending any law originally made by the Board. All such notices to be handed to the Chairman, and be discussed at regular meetings only.

Passed at a meeting of the Fire Brigades Board, held on the 2nd day of May, 1884.

(L.S.) CHARLES BOWN,
Chairman, Fire Brigades Board.

General Regulations.

XXIX. If the companies insuring properties within the district under the Board's supervision, or any such number of them as may form themselves into an association, establish a force of men charged with the duty of attending fires and saving property, it shall be the duty of the officers and men appointed by the Board to afford all the assistance in their power to that force in the performance of its duties, and upon the application of any officer of that force to hand over to its care property that may be saved from fire, provided always

that the said force shall in no case act in antagonism to the authority of the Superintendent or officer in charge of the Brigade when on duty, and that the rights of the Board shall be paramount to the rights of the said association. The Board will admit, subject to the provisions of section 19 of the Fire Brigades Act of 1884, the registration of such force as a Volunteer Fire Brigade designed to act specially as a Salvage Corps.

XXX. The Board may permit any part of the Fire Brigade establishment with their engines and other implements to proceed beyond the limits of the Metropolitan district for the purpose of extinguishing fire, provided that in the opinion of the Superintendent the said district is not left insufficiently protected in the meantime. The person or persons requesting the use of the Brigade plant for the above purpose shall in all cases guarantee all extra expenses and charges incurred by the use of such plant, and shall guarantee the Board against loss or damage to such plant.

The Board may, in consideration of such remuneration as may be agreed upon, allow the use of the plant of the Fire Brigades establishment for other purposes, such as assisting in raising sunken vessels, &c., provided the parties requiring the use of the plant guarantee the Board against any loss or damage which may happen to the same in such service.

For Regulating and Directing the Procedure in respect of Inquests on Fires to be held by Coroners:—

A report shall be made daily by the Superintendent, and signed by him, to the office of the Fire Brigades Board, except on Sundays and public holidays, of all fires, if any, which may come under the notice of the Fire Brigade or of the fire brigades under the Board's supervision since the last report, in which information so far as it can be ascertained shall be given under the following heads:—

1. Hour, day, and date of each call.
2. By whom and how reported.
3. Name of tenant, and how occupied.
4. Ownership of premises, trustees, or agents thereof.
5. Trade or profession; private dwelling, or otherwise.
6. Detail locality or situation of fire.
7. Origin or supposed cause of fire.
8. Particulars as to insurance of premises and contents.
9. Construction of buildings.
10. General remarks, extent of damage, &c.
11. Is an inquest into cause of fire desirable?

The form of Report to be approved of by the Board from time to time.

The reports of all fires which have occurred since the last preceding meeting of the Board shall be produced at the next meeting of the Board following the same, and should the facts disclosed be of sufficient importance as in the opinion of the Board to warrant the holding of any inquest the Board shall by resolution direct that an inquest be held.

The Secretary shall forward to the Coroner a copy of any resolution directing an inquiry to be held, and the Chairman shall furnish, if required, all the information respecting the fire in his power for the guidance of the Coroner.

On a requisition in writing being sent to the office of the Fire Brigades Board by the police, by persons directly or indirectly interested in a fire, or by the Insurance Companies, three at least of which must join in the requisition, a Special Meeting may be called to consider the same. In all cases the reasons must be assigned in the requisition or otherwise why in the opinion of the persons signing the requisition an inquest may be deemed necessary.

Passed at a meeting of the Fire Brigades Board, held on 16th May, 1884.

(L.S.) CHARLES BOWN,
Chairman, Fire Brigades Board.

Rules and Regulations under which the Fire Brigades Board will Register or Subsidize Volunteer Fire Companies.

1. None but physically strong men, free from defect in sight and limb, without organic disease, shall be registered on the effective staff of any Company. In each case of members joining after the first registration a medical certificate will be required.

2. No unnaturalized foreigner shall be enrolled.

3. No person shall be admitted as an effective member under the age of 21 years, unless under special circumstances as to physique or qualifications.

4. No person shall be enrolled over the age of 32 years, unless he has been previously engaged as an active Fireman, in which case the limit may be extended to 40 years.

5. No person over the age of 55 years shall be allowed to remain on the effective working staff of any Company, unless under special circumstances.

6. No person under 5 ft. 4 in. in height, or less than 35 in. round the chest, shall be enrolled, unless under special circumstances.

7. No person shall be appointed or elected as an officer, unless he is practically acquainted with all the duties of a Fireman.

8. None but persons whose occupations fit them for the dangerous service of a Fireman, such as builders, masons, carpenters, painters, plasterers, plumbers, sailors, shinglers, slaters, and such like, shall be enrolled or recognized as effective members, excepting in cases where active service has already been rendered as Fireman. Under no circumstances shall a Licensed Victualler be allowed to remain or be admitted as a member. No person who has been convicted of any felony or misdemeanor shall be allowed to remain or to be enrolled in any Company.

9. All effective members shall belong to some Benefit Society, in which they shall at no time allow themselves to become "unfinancial."

10. Every Company desiring to be registered under the Fire Brigades Board shall send in a roll of its members, with details giving name of Company; distinguishing uniforms or badges; situation of Station, with complete list and description of Plant; date of establishment; name in full of each Member, with date of enrolment and length of service, present age, occupation, residence, where occupied, height, measurement, state of health; specifying defects, if any, of sight (including colour-blindness) or limbs, and chronic ailments. Each registered Company shall send in a similar return in the month of January in each year, together with such other information as the Fire Brigades Board may require.

11. The effective working strength of any Company shall not be less than fifteen nor more than forty active registered Members. Whenever and as soon as any Company, by reason of deaths, resignations, or expulsions, shall have reduced its roll to less than its minimum effective strength, the registration of the said Company shall be suspended, and any subsidy payable thereto shall at once be forfeited.

12. No registered Company shall extend its Stations or branches to any other place, borough, or ward, without the sanction of the Fire Brigades Board.

13. A Company possessing a Steam Fire Engine in good working order, and fully equipped with not less than 300 feet of hose, and all necessary appliances in good working order, and having at least twenty effective registered members, three of whom must be fully competent to work Steamers, shall be rated First-class.

14. A Company possessing two Manual Engines, having not less than 5-in. working cylinders, and carrying at least 600 feet of hose and other necessary apparatus in good working order, with a complement of twenty effective registered members, or more, shall be rated Second-class.

15. A Company possessing one Manual Engine, having not less than 5-in. working cylinders, and carrying at least 300 feet of hose, and other necessary apparatus in good working order, with a complement of fifteen effective registered members, or more, shall be rated Third-class.

16. A Company possessing a complete Hook and Ladder Apparatus, consisting of assorted hooks, chains, ladders, buckets, ropes, and other apparatus and requisite gear, all in good working order, with a complement of fifteen effective registered members, or more, shall be rated equal to Third-class.

17. A Company possessing Hose-reels, with not less than 300 feet of hose, plug, and hydrant stand-pipes in good working order, and having a complement of fifteen effective registered members, or more, shall be rated as Fourth-class.

18. All Companies having hose-couplings differing in size and gauge from those of the Metropolitan Fire Brigade shall provide and carry in each Engine and Hose-reel a pair of connecting-screws to suit the 2½-inch Hose-coupling standard gauge of the Metropolitan Fire Brigades.

19. In order to promote efficiency in the Companies within the City of Sydney, the Fire Brigades Board shall, upon receipt of a Certificate from the Superintendent of the Metropolitan Fire Brigade as to the efficiency of such Companies, take into consideration each case, and may award to those rated as First-class a subsidy at the rate of not more than £175 per annum; to those rated as Second-class, at the rate of not more than £125 per annum; to those rated as Third-class, at the rate of not more than £100 per annum; and to those rated as Fourth-class, at the rate of not more than £50 per annum. Provided that not more than three First-class, three Second-class, three Third-class, and three Fourth-class be subsidized.

20. Efficient Companies in the Suburban Districts, as enumerated in Schedule "A" to the Fire Brigades Act, shall, upon receipt of a Certificate from the Superintendent of the Metropolitan Fire Brigade as to their efficiency, be remunerated in such sums as may be deemed expedient upon the merits of each case, special regard being had to the area and importance of the District sought to be protected, and the Class of Company in whose charge the District is placed.

21. The Fire Brigades Board may, upon application from the Municipal Districts enumerated in Schedule "A" to the Fire Brigades Act, provide one-half of the cost of Fire-extinguishing apparatus conditionally that the other half has been raised, or is obtainable from other sources. In this case the apparatus must be vested in the Board, unless and until the moiety be paid off. Provided in all cases that an efficient Fire Company of the proper class be maintained to work the apparatus.

22. Companies upon receipt of an alarm of fire from a reliable source shall immediately transmit information through the Telephone to Head Quarters, or to any other place with which their Stations may be connected, then ring out the alarm. In no case is the Fire Bell to continue ringing for more than five minutes after the fire-extinguishing apparatus has left the Station. On no occasion is an alarm to be sent through the Telephone or the bell to be rung for a chimney fire. Every care is to be taken to transmit the exact location of fire.

23. Any Member of a Company guilty of intoxication, disobedience of orders, insubordination, abusive or obscene language, smoking in uniform at fires or on duty, wanton destruction of property, interference with fire-plugs and other appliances, or other unseemly conduct, shall be at once suspended from duty, and the Company of which he is a member shall be held responsible.

24. No Company will be permitted to collect subscriptions without being in possession of a written or printed authority from the Fire Brigades Board. Such authority shall terminate on the 31st December of the year of issue, but may be renewed on application to the Board from year to year. Such authority will be subject to revocation at any time at the discretion of the Board.

25. The members of each Company shall each take his turn of duty at his Station, and one member at least shall remain at the Station all night to give or receive alarms. The apparatus shall be kept in good order and condition, and kept ready for instant service.

26. The officers of the Companies shall have only such titles as the Fire Brigades Board may permit.

27. The Secretary of each Company shall, in the month of January in every year, furnish the Board with particulars of the receipts and disbursements of such Company for the preceding year ended 31st December, verified by the Officer in charge of the Company, and countersigned by the Secretary and Treasurer of the Company.

28. The Fire Brigades Board may at any time appoint an Officer to audit the books of any Company, subject to a notice of at least seven clear days.

29. The Officer in charge of each Company shall, on all occasions of fire at which the Company may be present, forward a report to the Superintendent on such form as may be supplied by the Fire Brigades Board for the purpose. All reports to be signed by the Officer in charge and the Secretary of the Company.

30. Each Company shall have its own printed Rules of internal and general working, which must in all cases be subject to the approval of the Fire Brigades Board; all proposed alterations or additions must be submitted to the Board for approval or otherwise. No rule or regulation must be contrary or antagonistic to the Fire Brigades Act, or to any regulation or action thereunder. The Board shall demand that all fines and punishments fixed by such rules be strictly enforced, under penalty of deducting from any subsidy voted to the said Company such sums as it may appear that the Company has failed to recover.

31. Members of Companies shall at no time attend Fire Brigade demonstrations outside a radius of five miles from the General Post Office without leaving a sufficient number of effective Members within their respective Districts, that is to say, twelve Members of a First-class Company, ten of a Second-class, eight of a Third-class, and six of a Fourth-class. At no time will any of the apparatus be permitted to attend a demonstration without the written consent of the Superintendent.

32. On all occasions of fire, in the absence of the Superintendent or other Officer of the Metropolitan Fire Brigade, Members of Companies shall abide by the instructions given by the senior Member of the Metropolitan Fire Brigade present. In the absence of any Member of the Metropolitan Fire Brigade, the Senior Officer or Member of the Volunteer Company present belonging to the District wherein such fire exists shall take charge until arrival of the Metropolitan Fire Brigade. On all occasions the Officer in command of a higher class takes precedence over an officer of a lower class. Members of Companies shall not take orders from owners of property, bystanders, or other persons not in authority, or any person out of uniform.

33. No member shall be permitted to lend his uniform to any person not a Member of his own Company. All Members must wear a badge, mark of distinction, or number, in order that they may be recognized. All such marks, badges, and numbers must be approved by the Fire Brigades Board before being brought into use.

34. Members of Companies shall not be allowed to take any intoxicating liquors while on duty without the permission of the Officer in command at a fire or practice. Every breach of this rule will be visited with the same penalties as detailed in Rule 23.

35. The Telephones or other signalling apparatus shall only be used for giving and receiving alarms, and for sending messages on service.

36. The Members of each Company shall meet at least once in every month for Engine or Reel practice, &c., and once in each quarter for Foot Drill. Each Company may appoint its own day for Practice and Drill.

37. Each Company shall have the same system of Drill as far as the different appliances will admit. The system of Drill must conform to the directions of the Superintendent of the Metropolitan Fire Brigade.

38. No Member of a Company shall be permitted to interfere or handle or move any part or portion of any stocks or goods contained in any premises on fire, or in danger of fire, unless by order or permission of the Officer or Member of the Metropolitan Fire Brigade present. In Districts where the Metropolitan Fire Brigade cannot be present, the Officer in charge of the District Company will be held responsible for any damage caused by Members of his Company.

39. No Volunteer Fireman shall at any time interfere with the operations of any Salvage Corps which may be established. Precedence must in all cases be given to such Salvage Corps in the due execution of its duties.

40. All subsidies shall be payable quarterly, and shall in all cases be subject to stoppages, as provided in these Regulations, or absolute forfeiture in the event of wilful violation of the Regulations, at the discretion of the Board.

41. No Station or place of meeting shall be in premises wherein the sale of intoxicating liquors is carried on, or in premises attached to or communicating therewith.

42. Each Company on being registered shall have a certain district assigned to it by the Fire Brigades Board for its operations, and shall not be permitted to attend to any calls outside the same unless called upon to do so by Officers of the Metropolitan Fire Brigade Stations, excepting in those cases where the cause of the alarm is just over the boundary of the assigned District, and nearer to the Company's Station than to the Station of the adjacent Company. In all cases when one Company has arrived at a scene of fire, and can without further help extinguish the fire, the other Companies shall return at once to their respective Stations. In cases where simple appliances, such as hand pumps, extingueurs, buckets, &c., are sufficient to extinguish fire, engines shall not be used.

43. The Fire Brigades Board may deduct from any subsidy by way of fine any sum not exceeding £5 for each offence under these Regulations, or recover the same in lieu thereof in terms of the Fire Brigades Act. The Superintendent of Fire Brigades for the Metropolitan District, or the Secretary of the Fire Brigades Board, shall be the Officers appointed to lay information under these Regulations.

Passed at a meeting of the Board held on the twentieth day of June, 1884

(L.S.) CHARLES BOWN,
Chairman, Fire Brigades Board.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

MUTUAL SURRENDER OF FUGITIVE CRIMINALS BETWEEN UNITED
KINGDOM AND SALVADOR.

(DESPATCH GIVING EFFECT TO TREATY.)

Presented to Parliament by Command.

DESPATCH from the Principal Secretary of State for the Colonies, transmitting copy of a letter from the Foreign Office, enclosing an Order of Her Majesty in Council, for giving effect to the Treaty between the United Kingdom and the Republic of Salvador for the mutual surrender of Fugitive Criminals.

[Circular.]

Downing-street,
10th January, 1883.

Sir,

I have the honour to transmit to you, for publication in the Colony under your Government, a copy of a letter from the Foreign Office, enclosing an Order of Her Majesty in Council, dated the 16th of December, 1882, for giving effect to the Treaty between this country and the Republic of Salvador, signed on the 23rd of June, 1881, for the mutual surrender of Fugitive Criminals.

I have, &c.,
DERBY.

The Officer Administering
the Government of New South Wales.

The Foreign Office to the Colonial Office.

[Copy.]

Foreign Office,
4th January, 1883.

Sir,

I am directed by Earl Granville to transmit to you, to be laid before the Earl of Derby, copies of the London Gazette of the 2nd instant, publishing an Order of Her Majesty in Council for carrying into effect the Extradition Treaty between Great Britain and Salvador, signed on the 23rd June, 1881, the Ratifications of which were exchanged at London on the 8th of November last.

The Treaty will come into operation in the United Kingdom on the 13th instant.

The Under Secretary of State,
Colonial Office.

I am, &c.,
(Sd.) J. PAUNCEFOTE.

[Extract from the London Gazette of Tuesday, January 2, 1883.]

At the Court at Windsor, the 16th day of December, 1882.

Present:—

THE QUEEN'S MOST EXCELLENT MAJESTY.

His Royal Highness the Duke of Connaught and Strathearn.
Marquis of Hartington.
Earl of Derby.

Earl of Kimberley.
Mr. Gladstone.
Mr. Childers.

WHEREAS by the "Extradition Acts, 1870 and 1873," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the twenty-third day of June, one thousand eight hundred and eighty-one, between Her Majesty and the President of the Republic of Salvador, for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Excellency the President of the Republic of Salvador, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within the two countries and their jurisdictions, that persons charged with or convicted of the crimes or offences hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have named as their Plenipotentiaries to conclude a Treaty, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Lord Lyons, a Peer of the United Kingdom of Great Britain and Ireland, Knight Grand Cross of the Most Honourable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, one of Her Britannic Majesty's Most Honourable Privy Council, and Her Majesty's Ambassador Extraordinary and Plenipotentiary to the French Republic;

And His Excellency the President of the Republic of Salvador, Señor Don José María Torres-Caicedo, Minister Plenipotentiary of the Republic of Salvador to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Grand Officer of the Legion of Honour;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other, under the circumstances and conditions stated in the present Treaty, those persons who, being accused or convicted of any of the crimes or offences enumerated in Article II, committed in the territory of the one Party, shall be found within the territory of the other Party.

ARTICLE II.

The extradition shall be reciprocally granted for the following crimes or offences:—

1. Murder (including assassination, parricide, infanticide, poisoning), or attempt to murder.
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Aggravated or indecent assault; carnal knowledge of a girl under the age of 10 years; carnal knowledge of a girl above the age of 10 years and under the age of 12 years; indecent assault upon any female, or any attempt to have carnal knowledge of a girl under 12 years of age.
6. Kidnapping and false imprisonment, child-stealing, abandoning, exposing, or unlawfully detaining children.
7. Abduction of minors.
8. Bigamy.
9. Wounding, or inflicting grievous bodily harm.
10. Assaulting a magistrate, or peace or public officer.
11. Threats, by letter or otherwise, with intent to extort money or other things of value.
12. Perjury or subornation of perjury.
13. Arson.
14. Burglary or housebreaking, robbery with violence, larceny, or embezzlement.
15. Fraud by a bailee, banker, agent, factor, trustee, director, member, or public officer of any company, made criminal by any law for the time being in force.
16. Obtaining money, valuable security, or goods by false pretences; receiving any money, valuable security, or other property, knowing the same to have been stolen or unlawfully obtained.

Su Majestad la Reina del Reino Unido de Gran Bretaña é Irlanda, y Su Excelencia el Presidente de la República de Salvador, habiendo juzgado conveniente, con la mira de mejorar la administracion de justicia y prevenir los crímenes en ámbos países y sus jurisdicciones, que las personas acusadas ó convictas de los delitos ó crímenes que en seguida se enumerarán, huyendo la justicia, sean, bajo ciertas circunstancias, recíprocamente entregadas, han nombrado por sus Plenipotenciarios para concluir un Tratado, á saber:—

Su Majestad la Reina del Reino Unido de Gran Bretaña é Irlanda, el Muy Honorable Richard Bickerton Pemell, Lord Lyons, Par del Reino Unido de Gran Bretaña é Irlanda, Gran Cruz de la Muy Honorable Orden del Baño, Gran Cruz de la Muy Distinguida Orden de San Miguel y San Jorge, uno de los Más Honorables Consejeros de Su Majestad Británica, Embajador Extraordinario y Plenipotenciario de Su Majestad Británica ante la República Francesca;

Y Su Excelencia el Señor Presidente de la República del Salvador, al Señor Don José María Torres-Caicedo, Ministro Plenipotenciario de la República del Salvador, acreditado ante el Gobierno de Su Majestad la Reina de la Gran Bretaña é Irlanda, Gran Oficial de la Legion de Honor;

Quienes, despues de haberse comunicado mutuamente sus respectivos plenos poderes y encontrádoslos en buena y debida forma, han aceptado y admitido los Artículos siguientes:—

ARTICULO I.

Las Altas Partes Contratantes se comprometen á entregarse recíprocamente en las condiciones y circunstancias expresadas en el presente Tratado, las personas que siendo acusadas ó convictas de los delitos ó crímenes enumerados en el Artículo II, cometidos en el territorio de una de las Partes, se encuentren dentro del territorio de la otra Parte.

ARTICULO II.

La extradición será recíprocamente acordada por los siguientes crímenes ó delitos:—

1. Homicidio premeditado (incluyendo el asesinato, el parricidio, el infanticidio, el envenenamiento), ó tentativa de homicidio premeditado.
2. Homicidio.
3. Administracion de drogas ó el uso de instrumentos á fin de ocasionar el aborto en las mujeres.
4. Estupro.
5. Atentado al pudor con violencia; relaciones sensuales con una muchacha menor de diez años; relaciones sensuales con una muchacha mayor de diez años y menor de doce años; atentado al pudor con cualquiera mujer, ó tentativa alguna para tener relaciones sensuales con una muchacha menor de doce años.
6. Hurto de niños ó adultos para trasportarlos á otro país ó conservarlos en el mismo (plagio), indebida encarcelacion, abandono, exposicion, y encierro ilegal de niños ó adultos.
7. Rapto de menores.
8. Bigamia.
9. Heridas ó golpes graves en el cuerpo.
10. Violencias contra algun magistrado, oficial de paz ó publico.
11. Amenazas por medio de cartas ó de otra manera, con ánimo de obtener indebidamente dinero ú otras cosas de valor.
12. Perjurio, soborno para perjurio.
13. Incendio voluntario.
14. Robo con efraccion, robo con violencia, ratería, y hurto.
15. Fraude cometido por un depositario de bienes, banquero, mandatario, comisionista, administrador de bienes ajenos, tutor, curador, liquidador, síndico, oficial ministerial, director, miembro ú oficial público de alguna compañía, considerado el fraude como criminal por alguna ley vigente.
16. Estafa ó todo lo que sea obtener dinero, fianza ó mercaderías por medio de falsos datos; recibir dinero, fianza ó cualesquiera otros valores, sabiendo que han sido robados ó adquiridos en oposicion á las leyes.

17 (a.) Counterfeiting or altering money, or bringing into circulation counterfeited or altered money.

(b.) Forgery, or counterfeiting or altering, or uttering what is forged, counterfeited, or altered.

(c.) Knowingly making, without lawful authority, any instrument, tool, or engine, adapted and intended for the counterfeiting of coin of the realm.

18. Crimes against Bankruptcy Law.

19. Any malicious act done with intent to endanger persons in a railway train.

20. Malicious injury to property, if such offence be indictable.

21. Crimes committed at sea:—

(a.) Piracy by the law of nations.

(b.) Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

(c.) Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.

(d.) Assault on board a ship on the high seas with intent to destroy life, or to do grievous bodily harm.

22. Dealing in slaves in such manner as to constitute an offence against the laws of both countries.

The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact, provided such participation be punishable by the laws of both Contracting Parties.

ARTICLE III.

No Salvadorian shall be delivered up by the Government of Salvador to the Government of the United Kingdom, and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of Salvador.

ARTICLE IV.

The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of Salvador, has already been tried and discharged or punished, or is still under trial in the territory of Salvador or in the United Kingdom respectively for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or on the part of the Government of Salvador, should be under examination for any other crime in the territory of Salvador or in the United Kingdom respectively, his extradition shall be deferred until the conclusion of the trial and the full execution of any punishment awarded to him.

ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

ARTICLE VII.

A person surrendered can in no case be kept in prison or be brought to trial in the State to which the surrender has been made, for any other crime, or on account of any other matters, than those for which the extradition shall have taken place. This stipulation does not apply to crimes committed after the extradition.

ARTICLE VIII.

The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded solely on sentences passed *in contumaciam*, but persons convicted for contumacy shall be deemed to be accused persons.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

17. (a.) Falsificar ó alterar moneda, ó poner en circulacion moneda falsa ó alterada.

(b.) Contrahacer, falsificar ó alterar, ó poner en circulacion lo que está falsificado, contrahecho ó alterado.

(c.) Hacer promeditadamente, sin permiso de la autoridad constituida, algun instrumento, herramienta ó máquina con la intencion de falsificar ó contrahacer la moneda nacional.

18. Crímenes cometidos contra la ley de quiebras.

19. Cualquiera acto doloso ejecutado con la mira de poner en peligro las personas que viajen en trenes de ferro carriles.

20. Perjuicio malicioso causado á la propiedad, si el delito es justiciable.

21. Delitos cometidos en el mar:—

(a.) Pirateria, segun la ley de las naciones.

(b.) Echar á pique ó destruir un buque en el mar, ó esforzarse ó conspirar para hacerlo.

(c.) Sublevacion ó conspiracion par rebelarse, de dos ó más personas á bordo de un buque, en alta mar, contra la autoridad del capitán.

(d.) Ataques á bordo de un buque en alta mar, con intencion de quitar la vida ó de hacer otro daño grave corporal.

22. Darse al Tráfico de Esclavos, si fuese con violacion de las leyes de ámbos países.

La extradicion tambien se puede pedir por la participacion en cualquiera de los crímenes mencionados más arriba, como un accesorio ántes ó despues del hecho, con tal que dicha participacion sea castigado por las leyes de las dos Partes Contratantes.

ARTICULO III.

Ningun Salvadoriano será entregado por el Gobierno del Salvador al Gobierno del Reino Unido, y ningun súbdito del Reino Unido será entregado por su Gobierno al Gobierno del Salvador.

ARTICULO IV.

La extradicion no se efectuará si la persona reclamada por parte del Gobierno del Reino Unido, ó la persona reclamada por parte del Gobierno del Salvador, ha sido ya juzgada, absuelta ó castigada, ó está aún procesándose en el territorio del Salvador ó del Reino Unido respectivamente, por el delito por el cual se pide la extradicion.

Si la persona reclamada por parte del Gobierno del Reino Unido, ó por parte del Gobierno del Salvador, estuviese sometida á juicio por algun otro delito en el territorio del Salvador ó del Reino Unido respectivamente, se deferirá su extradicion hasta el fin del juicio y la plena ejecucion de cualquiera castigo á que fuese condenada.

ARTICULO V.

La extradicion no se efectuará si, subsiguientemente á la ejecucion del crimen ó al empezar el proceso, ó á la conviccion del reo, se puede oponer la prescripcion para que sea exento de proceso ó del castigo, segun las leyes del Estado al cual se reclama.

ARTICULO VI.

El reo fugitivo no será entregado si el delito por el cual se pide la extradicion es de un carácter político, ó si se prueba que la peticion para entregarlo se ha hecho en efecto con la mira de juzgarlo ó castigarlo por un delito de carácter político.

ARTICULO VII.

Una persona entregada no podrá en ningun caso, ser mantenida en prision ó procesada en el Estado al que se ha hecho la entrega, por ningun otro crimen ó delito, ó por ninguna otra causa que aquella por la cual se ha efectuado la extradicion. Esta estipulacion no se aplica á crímenes cometidos despues de la extradicion.

ARTICULO VIII.

La peticion de extradicion se hará respectivamente por medio de los Agentes Diplomáticos de las Altas Partes Contratantes.

La demanda de extradicion de una persona acusada debe ir acompañada de una orden de prision dictada por la autoridad competente del Estado que pide la extradicion, y fundada en testimonios tales que segun las leyes del lugar donde se encuentre el acusado, justifiquen su prision como si el delito hubiese sido cometido allí.

Si la demanda se refiere á una persona ya convicta, debe ir acompañada de la sentencia de condenacion pronunciada contra la persona convicta por el Tribunal competente del Estado que hace la demanda de extradicion.

Una demanda de extradicion no puede fundarse solamente en sentencias dictadas por contumacia; pero las personas convictas de contumacia deben ser consideradas como acusadas.

ARTICULO IX.

Si la demanda de extradicion está de acuerdo con las precedentes estipulaciones, las autoridades competentes del Estado al que se dirige la peticion procederán á la prision del fugitivo.

The prisoner is then to be brought before a competent Magistrate, who is to examine him, and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the same country.

ARTICLE X.

A fugitive criminal may be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the authority issuing the warrant, justify the issue of a warrant if the crime had been committed or the person convicted in that part of the dominions of the two Contracting Parties in which the Magistrate, Justice of the Peace, or other competent authority exercises jurisdiction: provided, however, that in the United Kingdom the accused shall, in such case, be sent as speedily as possible before a Police Magistrate in London. He shall, in accordance with this Article, be discharged, as well in Salvador as in the United Kingdom, if within the term of thirty days a requisition for extradition shall not have been made by the Diplomatic Agent of his country in accordance with the stipulations of this Treaty.

The same rule shall apply to the cases of persons accused or convicted of any of the crimes or offences specified in this Treaty, and committed on the high seas on board any vessel of either country which may come into a port of the other.

ARTICLE XI.

The extradition shall take place only if the evidence be found sufficient, according to the law of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the same State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition, and no criminal shall be surrendered until after the expiration of fifteen days from the date of his committal to prison to await the warrant for his surrender.

ARTICLE XII.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the sworn depositions or statements of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, provided such documents purport to be signed or certified by a Judge, Magistrate, or Officer of such State, and are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

ARTICLE XIII.

If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date; unless any other arrangement should have been made between the different Governments to determine the preference, either on account of the gravity of the crime or offence, or for any other reason.

ARTICLE XIV.

If sufficient evidence for the extradition be not produced within two months, from the date of the apprehension of the fugitive, he shall be set at liberty.

ARTICLE XV.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension shall, if the competent authority of the State applied to for the extradition has ordered the delivery of such articles, be given up when the extradition takes place; and the said delivery shall extend, not merely to the stolen articles, but to every thing that may serve as a proof of the crime.

ARTICLE XVI.

The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered and his conveyance till placed on board ship; they reciprocally agree to bear such expenses themselves.

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign Possessions of Her Britannic Majesty. The requisition for the surrender of a fugitive criminal who has taken refuge in any of such Colonies or foreign Possessions shall be made to the Governor or chief authority of such Colony or Possession by the Chief Consular Officer of the Republic of Salvador in such Colony or Possession.

El prisionero será conducido entonces ante el Magistrado competente, quien debe examinarlo y hacer la investigación preliminar del caso, como si la aprehensión se hubiese efectuado por un delito cometido en el mismo país.

ARTICULO X.

Un delincuente fugitivo puede ser aprehendido en virtud de una orden de prision dictada por cualquier Magistrado de Policia, Juez de Paz ú otra autoridad competente en ámbos países, teniendo á la vista tales informes ó quejas, y tales pruebas, ó habiéndose procedido á tales diligencias que, en la opinion de la autoridad que dicta la orden de prision, justificaria dicha orden si el crimen hubiese sido cometido ó si la persona hubiese sido convencida en la parte del territorio de las dos Partes Contractantes en la cual el Magistrado, Juez de Paz, ú otra autoridad competente ejerce jurisdiccion; con tal, sin embargo, de que en el Reino Unido el acusado, sea en tal caso conducido tan pronto como se pueda ante un Magistrado de Policia en Londres. El criminal fugitivo será, segun este Artículo, puesto en libertad, sea en el Salvador ó en el Reino Unido, si en el término de treinta dias no se hubiese hecho la demanda de extradicion por medio del Ajente Diplomático de su país, conforme á las estipulaciones de este Tratado.

La misma regla será aplicada al caso de las personas acusadas á convictas de alguno de los delitos ó crímenes especificados en este Tratado, y cometidos en alta mar á bordo de cualquier buque de uno ú otro país que entre en un puerto del otro.

ARTICULO XI.

La extradicion se efectuará solamente si los testimonios se enuevan tan suficientes segun las leyes del Estado á que se hace la demanda, ya sea para justificar el sometimiento á juicio del preso, en caso en que el crimen hubiese sido cometido en territorio de dicho Estado, ó para probar la identidad del preso convencido por los Tribunales del Estado que hace la demanda, y ningun delincuente ó criminal puede ser entregado ántes de pasados quince dias desde la fecha de su sometimiento á juicio, en tanto que se dicte la orden de entrega.

ARTICULO XII.

En el exámen que se haga de conformidad con las precedentes estipulaciones, las autoridades del Estado á que se ha recurrido reconocerán como plena prueba las deposiciones juradas y las relaciones de los testigos hechas en el otro Estado ó las copias de aquellas, y as mismo las órdenes y sentencias pronunciadas, con tal que esos documentos estén firmados ó certificados por un Juez, Magistrado, ú Oficial de dicho Estado, y sean autenticados por el juramento de algun testigo, ó que sean sellados con el sello oficial del Ministro de Justicia ó de algun otro Ministro de Estado.

ARTICULO XIII.

Si el individuo reclamado por una de las Altas Partes Contratantes, conforme al presente Tratado, fuese reclamado simultáneamente por uno ó varios otros Estados, por otros delitos ó crímenes cometidos en sus respectivos territorios, su extradicion ser otorgada al Estado que ha presentado primero la demanda de extradicion; á ménos que algun otro arreglo no haya sido estipulado entre los diferentes Gobiernos, para determinar la preferencia, ya sea en vista de la gravedad del crimen ó delito, ó ya por cualquiera otra causa.

ARTICULO XIV.

Si despues de dos meses de la aprehension del fugitivo no se hubiere aducido prueba bastante para la extradicion, será puesto en libertad.

ARTICULO XV.

Cualesquiera artículos que se embarguen á la persona aprehendida, si la, autoridad competente del Estado requerido para la extradicion ha ordenada la entrega de ellos, serán entregador al tiempo de verificarse aquella; y se hará no solo de los artículos robados sino de todo lo que pueda servir como prueba del crimen.

ARTICULO XVI.

Las Altas Partes Contratantes renuncian á cualquier reclamacion por el reembolso de los gastos hechos en la captura y mantenimiento de la persona que há de entregarse, y en su conduccion hasta ponerla á bordo de el buque, comprometiéndose reciprocamente á hacer ellas mismas tales gastos.

ARTICULO XVII.

Las estipulaciones del presente Tratado serán aplicables á las Colonias y Posesiones extranjeras de Su Majestad Británica. La peticion para la entrega de un criminal fugitivo que se haya refugiado en alguna de tales Colonias ó Posesiones extranjeras se hará al Gobernador ó principal autoridad de tal Colonia ó Posesion por el principal Ajente Consular de la Republica del Salvador en dicha Colonia ó Posesion.

Such requisition may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of Salvadorian criminals who may take refuge within such Colonies and foreign Possessions, on the basis, as nearly as may be, of the provisions of the present Treaty.

The requisition for the surrender of a fugitive criminal from any Colony or foreign Possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

ARTICLE XVIII.

The present Treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for six months after notice has been given for its termination.

The Treaty, after receiving the approval of the Congress of Salvador, shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Paris, the twenty-third day of June, in the year of our Lord one thousand eight hundred and eighty-one.

(L.S.) LYONS.
(L.S.) J. M. TORRES CAICEDO.

Podrá darse curso á tales peticiones, sujetándose siempre lo más aproximadamente posible á lo estipulado en este Tratado, por dicho Gobernador ó principal autoridad, quien, sin embargo, estará en libertad de conceder la entrega ó referir el asunto á su Gobierno.

Su Majestad Británica quedará, sin embargo, en libertad de hacer arreglos especiales en las Colonias Británicas y Posesiones extranjeras para la entrega de los Salvadoreños criminales que puedan refugiarse dentro de tales Colonias y Posesiones extranjeras, observando, lo más que se pueda, las estipulaciones del presente Tratado.

La demanda para la entrega de un criminal fugitivo de alguna Colonia ó Posesion extranjera de Su Majestad Británica estará sujeta á las reglas establecidas en los Artículos precedentes del presente Tratado.

ARTICULO XVIII.

El presente Tratado empezará á ejecutarse diez dias despues de su publicacion, de conformidad con las formas prescritas por las leyes de las Altas Partes Contratantes. Puede denunciarse por cualquiera de las Altas Partes Contratantes; pero permanecerá vigente por seis meses despues de haberse dado aviso para su terminacion.

Este Tratado, despues de haber sido aprobado por el Congreso del Salvador, será ratificado, y las ratificaciones serán canjeadas en Londres tan pronto como sea posible.

En fé de lo cual los respectivos Plenipotenciarios lo firman y sellan con el sello de sus armas.

Hecho en Paris, el veinte y tres de Junio del año del Señor mil ochocientos ochenta y uno.

(L.S.) LYONS.
(L.S.) J. M. TORRES CAICEDO.

And whereas the ratifications of the said Treaty were exchanged at London on the eighth day of November, one thousand eight hundred and eighty-two:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the thirteenth day of January, one thousand eight hundred and eighty-three, the said Acts shall apply in the case of Salvador, and of the said Treaty with the President of Salvador.

C. L. PEEL.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

FUGITIVE OFFENDERS' ACT.

(DESPATCH.)

Presented to Parliament by Command.

Department of Justice, Sydney, 7 November, 1883.

His Excellency the Governor directs the publication, for general information, of the following Despatch from the Principal Secretary of State for the Colonies, transmitting copies of an Order in Council, directing that, on and after the 1st day of January, 1884, Part II of the "Fugitive Offenders' Act, 1881," shall apply to the Australasian Colonies, including New Zealand and Fiji.

H. E. COHEN.

(Circular.)

My Lord,

Downing-street, 4 September, 1883.

With reference to previous correspondence, I have the honor to transmit to you, for communication to your Lordship's Government, copies of an Order in Council, directing that, on and after the 1st day of January, 1884, Part II of the "Fugitive Offenders' Act, 1881," shall apply to the Australasian Colonies, including New Zealand and Fiji.

I have, &c.,

DERBY.

Governor, the Right Hon. Lord Augustus Loftus, G.C.B., &c., &c., &c.

At the Court at Osborne House, Isle of Wight, the 23rd day of August, 1883.

Present :

The Queen's Most Excellent Majesty.
 Lord President.
 Marquis of Hartington.
 Lord Steward.

WHEREAS by reason of the contiguity of the Australasian Colonies, including New Zealand and Fiji, and the frequent intercommunication among them, it seems expedient to Her Majesty, and conducive to the better administration of justice therein, that Part II of the "Fugitive Offenders' Act, 1881," should apply to the said Colonies: Now, therefore, Her Majesty, by virtue of the powers in this behalf by the "Fugitive Offenders' Act, 1881," or otherwise, in her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

On and after the 1st day of January, 1884, Part II of the "Fugitive Offenders' Act, 1881," shall apply to the group of British Possessions hereunder mentioned, that is to say—

New South Wales,	New Zealand,
Victoria,	Tasmania,
South Australia,	Western Australia, and
Queensland,	Fiji.

2. The Governor of each of the said Possessions shall cause this Order to be proclaimed in the Colony under his Government.

C. L. PEEL.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

EXEMPTION OF DANISH STEAM VESSELS FROM RE-MEASUREMENT.
(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales,
30th August, 1883.

His Excellency the Governor, directs the publication for general information, of the following Circular Despatch, from the Secretary of State for the Colonies, transmitting copy of an Order of the Queen in Council, dated the 20th of April, exempting Danish Steam vessels from re-measurement.

GEORGE R. DIBBS.

(Circular).

Downing-street,
22nd May, 1883.

Sir,

With reference to Sir Michael Hicks Beach's Circular Despatch of the 27th of January, 1879, I have the honor to transmit to you, for information and publication in the Colony under your Government, a copy of an Order of the Queen in Council, dated the 20th of April, exempting Danish steam vessels from re-measurement in this country.

I have, &c,
DERBY.The Officer Administering
the Government of New South Wales.At the Court at Osborne House, Isle of Wight, the 20th day of
April, 1883.*Present* : The Queen's Most Excellent Majesty in Council.

WHEREAS by the " Merchant Shipping Act Amendment Act, 1862," it is enacted that whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of Merchant ships for the time being in force under the principal Act have been adopted by the Government of any Foreign country, and are in force in that country, it shall be lawful for Her Majesty by Order in Council, to direct that the ships of such Foreign country, shall be deemed to be of the tonnage denoted in their Certificates of Registry or other national papers; and thereupon it shall no longer be necessary for such ships to be re-measured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted in their Certificates of Registry or other papers, in the same manner, to the same extent, and for the same purposes, in to, and for which, the tonnage denoted in the Certificates of Registry of British ships is to be deemed the tonnage of such ships.

And whereas by the Merchant Shipping Act, 1876, it is enacted that where Her Majesty has power under the Merchant Shipping Act, 1854, or any Act passed or hereafter to be passed amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter, or add to, any order so made.

And whereas by Order in Council dated the 29th day of February, 1868, Her Majesty, to whom it was made to appear that the rules concerning the measurement of tonnage of Merchant ships now in force under the Merchant Shipping Act, 1854, had been adopted by the Government of His Majesty, the King of Denmark, and were in force in that country, was pleased to direct that the ships of Denmark, the Certificates of Danish Nationality and registry of which were dated on or after the 1st day of October, 1867, should be deemed to be of the tonnage denoted in the said Certificates of Danish nationality and registry.

And whereas certain modifications were subsequently made in the said rules concerning the measurement of tonnage of Merchant ships in Denmark, whereby from and after the 1st day of October, 1878, the allowance for engine room in certain steamships would be estimated in a mode differing from that in force in this country; and it was made to appear to Her Majesty that it was desirable to alter the said first recited Order in Council so far as the same applied or related to the mode of estimating the allowance for engine room in Danish steamships.

And whereas Her Majesty by Order in Council, dated the 30th day of December, 1878, was pleased to direct, as regards Danish steamships, that if the owner or master of any Danish steamship measured after the said 1st day of October, 1878, desires the allowance for engine room in his ship, to be estimated under the British instead of under the Danish rules, such engine room shall be measured and the allowance calculated according to the British rules.

And whereas it has been made to appear to Her Majesty that it is expedient that certain additions should be made to the provisions of the said last recited Order in Council in regard to the mode of estimating the net registered tonnage of certain Danish steamships.

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is further pleased to direct as follows, viz., that in the event of the net registered tonnage of Merchant ships belonging to the said Kingdom of Denmark, which are propelled by steam or any other power requiring engine room estimated under the British rules being denoted in the said Certificates of Danish Nationality and registry issued on or after the 1st day of September, 1882, such ships shall be deemed to be of the tonnage so denoted in the said Certificates.

C. L. PEEL.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

TONNAGE MEASUREMENT OF ITALIAN VESSELS.

(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales,
31st May, 1883.

His Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, enclosing copy of an Order of Her Majesty in Council, modifying the Order in Council of the 30th of September, 1873, respecting the Tonnage Measurement of Italian Vessels.

GEORGE R. DIBBS.

(Circular.)

Downing-street,
6th March, 1883.

Sir,

With reference to Lord Carnarvon's Circular Despatch of the 2nd of February, 1877, I have the honor to transmit to you, for information and publication in the Colony under your Government, a copy of an Order of Her Majesty in Council modifying the Order in Council of the 30th September, 1873, respecting the Tonnage Measurement of Italian Vessels in this country.

I have, &c.,
DERBY.The Officer Administering the
Government of New South Wales.

At the Court at Windsor, the 14th day of February, 1883.

PRESENT :

The Queen's Most Excellent Majesty in Council.

WHEREAS by the Merchant Shipping Act Amendment Act, 1862, it is enacted that whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the Merchant Shipping Act, 1854, therein called the Principal Act, have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty, by Order in Council, to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers, and thereupon it shall no longer be necessary for such ships to be remeasured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted on their certificates of registry or other papers in the same manner, to the same

extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificates of registry of British ships is to be deemed the tonnage of such ships :

And whereas Her Majesty, by Order in Council dated the 30th day of September, 1873, was pleased to direct that merchant sailing and steam ships belonging to the Kingdom of Italy, the measurement whereof had, after the first day of July, one thousand eight hundred and seventy-three, been ascertained and denoted in the registers and other national papers of such ships, testified by the dates thereof, should be deemed to be of the tonnage denoted in their registers or other national papers, in the same manner, and to the same extent, and for the same purposes in, to, and for which the tonnage denoted in the certificates of registry of British ships is deemed to be the tonnage of such ships ; provided nevertheless, that if the owner or master of any Italian steamship should desire the deduction for engine-room in such ship to be estimated under the rules for engine-room measurement and deduction applicable to British ships instead of under the Italian rule, the engine-room shall be measured and the deduction calculated according to the British rules :

And whereas the Government of His Majesty the King of Italy have by Royal Decree dated the 30th day of July, 1882, modified the rules for engine-room measurement and deduction applicable to Italian steamships, and the said modified rules are now the same as those in force under the said principal Act, and came into operation in the said Kingdom of Italy on the 21st day of September, 1882 :

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the steamships of Italy, the certificates of Italian nationality and registry of which are dated on or after the 21st day of September, 1882, shall be deemed to be of the tonnage denoted in the said certificates of Italian nationality and registry.

C. L. PEEL.

1883-4.

NEW SOUTH WALES.

TREATY OF COMMERCE AND NAVIGATION BETWEEN
GREAT BRITAIN AND ITALY.
(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales,
2nd January, 1884.

His Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, enclosing a copy of a Treaty of Commerce and Navigation between Great Britain and Italy, signed on the 15th of June last.

GEORGE R. DIBBS.

(Circular 1)

Downing-street,
21st July, 1883.

SIR,

I have the honor to transmit to you a copy of a letter from the Foreign Office, dated the 17th July, 1883, enclosing a copy of a Treaty of Commerce and Navigation between Her Majesty and the King of Italy, signed on the 15th June.

2. I have to call your attention to Article 19 of the Treaty, from which you will see that, if it is desired that the Colony under your Government should come within the operation of the Treaty, notice must be given to the Italian Government within one year from the date of the exchange of the Ratifications, 30th June, 1883.

3. I have therefore to request that you will be good enough to acquaint me of the wishes of your Government in the matter as soon as possible.

I have, &c.,
DERBY.

The Officer Administering
The Government of New South Wales.

(Copy)

Foreign Office to Colonial Office.

Foreign Office, 17th July, 1883.

SIR,

I am directed by Earl Granville, to transmit to you two hundred copies of the Treaty of Commerce and Navigation between Great Britain and Italy, signed on the 15th June last, the Ratifications of which were exchanged on the 30th of the same month.

I am to request that you will move the Earl of Derby to make the necessary communications to the British Colonies named in Article 19, and, when replies shall have been received from all of them, to furnish Lord Granville with a list of those Colonies which desire to accede to the Treaty, in sufficient time for the required notice to be given by Her Majesty's Ambassador at Rome, within the terms of the Article.

I am, &c.,
J. PAUNCEFOTE.

The Under Secretary of State,
Colonial Office.

Treaty of Commerce and Navigation between Her Majesty and the King of Italy.

Signed at Rome, 16th June, 1883.

[Ratifications exchanged at Rome, 30th June, 1883.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Italy, being desirous to extend and facilitate the relations of commerce between their respective subjects and dominions, have determined to conclude a new Treaty with this object, and they have appointed their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, his Excellency the Right Honourable Sir Augustus Berkeley Paget, Knight Commander of the Most Honourable Order of the Bath, a Member of Her Majesty's Most Honourable Privy Council, and her Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Italy;

And His Majesty the King of Italy, his Excellency Signor Pasquale Stanislao Mancini, Grand Cross and Grand Cordon of the Order of SS. Maurice and Lazarus and of the Crown of Italy, Knight of the Order of Civil Merit of Savoy, &c., &c., Minister of State, Deputy of the National Parliament, and his Minister Secretary of State for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:—

ARTICLE I.

There shall be between the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects of each of the two Parties shall have liberty freely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other to which native subjects generally are or may be permitted to come, and shall enjoy, respectively, the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation which are or may be enjoyed by native subjects, without having to pay any tax or impost greater than those paid by the same, and they shall be subject to the laws and regulations in force.

ARTICLE II.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of His Majesty the King of Italy, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of Italy of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than on articles produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the contracting parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE III.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the contracting parties on the exportation of any article to the dominions and possessions of the other, than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two contracting parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

ARTICLE IV.

The subjects of each of the Contracting Parties shall enjoy, in the dominions and possessions of the other, exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE V.

All articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Italian vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels; and reciprocally all articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the King of Italy in Italian vessels may likewise be imported into those ports in British vessels, without being liable to any other or

SUA Maestà la Regina del Regno Unito della Gran Bretagna ed Irlanda, Imperatrice delle Indie, e Sua Maestà il Re d'Italia, desiderosi di estendere e di facilitare le relazioni di commercio tra i loro rispettivi sudditi e domini, hanno determinato di concludere un nuovo Trattato per questo scopo, ed hanno nominato a loro rispettivi Plenipotenziarii, cioè:—

Sua Maestà la Regina del Regno Unito della Gran Bretagna ed Irlanda, Imperatrice delle Indie, sua Eccellenza l'Onorevolissimo Sir Augustus Berkeley Paget, Cavaliere Commendatore dell'Onorevolissimo Ordine del Bagno, Membro dell'Onorevolissimo Consiglio Privato di Sua Maestà la Regina, e sua Ambasciatore Straordinario e Plenipotenziario presso Sua Maestà il Re d'Italia;

E Sua Maestà il Re d'Italia, sua Eccellenza il Signor Pasquale Stanislao Mancini, Gran Croce decorato del Gran Cordone degli Ordini dei SS. Maurizio e Lazzaro e della Corona d'Italia Cavaliere dell'Ordine del Merito Civile de Savoia, &c., &c., Ministro di Stato, Deputato al Parlamento Nazionale, e suo Ministro Segretario di Stato per gli Affari Esteri;

I quali, dopo essersi reciprocamente comunicati i loro rispettivi pieni poteri, riconosciuti in buono e debita forma, convennero nella stipulazione dei seguenti Articoli:—

ARTICOLO I.

Vi sarà tra gli Stati e possessi delle due Alte Parti Contraenti libertà reciproca di commercio e di navigazione. I sudditi di ognuna delle due Parti avranno facoltà di entrare liberamente coi loro bastimenti e carichi in tutti i luoghi, porti o fiumi degli Stati e possessi dell'altra, nei quali è o sarà permesso generalmente di entrare ai nazionali, e godranno rispettivamente degli stessi diritti, privilegi, favori, immunità ed esenzioni in materia di commercio e di navigazione di cui godono o godranno i nazionali, senza dover pagare alcuna tassa o imposta maggiore di quella pagata dai medesimi, e saranno soggetti alle leggi ed ai regolamenti in vigore.

ARTICOLO II.

Sulla importazione degli Stati e possessi di Sua Maestà Britannica di qualsiasi prodotto del suolo o dell'industria degli Stati e possessi di Sua Maestà il Re d'Italia, qualunque ne sia la provenienza, e sulla importazione negli Stati e possessi di Sua Maestà il Re d'Italia di qualsiasi prodotto del suolo o dell'industria degli Stati e possessi di Sua Maestà Britannica, qualunque ne sia la provenienza non saranno imposti diritti diversi o maggiori di quelli imposti sui prodotti del suolo o dell'industria di qualsiasi altro paese straniero; nè alcuna proibizione sarà mantenuta od imposta sulla importazione di qualsiasi prodotto del suolo o dell'industria degli Stati e possessi di una delle Parti Contraenti negli Stati e possessi dell'altra, qualunque ne sia la provenienza, senza che essa si estenda egualmente all'importazione degli uguali articoli provenienti dal suolo o dall'industria di qualsiasi altro paese. Quest'ultima disposizione non è applicabile alle proibizioni sanitarie ed altre reclamate dalla necessità di tutelare l'incolumità delle persone o del bestiame, o di piante utili all'agricoltura.

ARTICOLO III.

Sulla esportazione di qualsiasi articolo dagli Stati e possessi di una delle Parti Contraenti a destinazione degli Stati e possessi dell'altra, non saranno imposti diritti o carichi diversi o maggiori di quelli che si esigono o si esigeranno sull'uguale articolo esportato per qualsivoglia altro paese straniero; nè alcun divieto sarà imposto all'esportazione di qualsiasi articolo dagli Stati e possessi di una delle Parti Contraenti per gli Stati e possessi dell'altra, il quale non debba estendersi egualmente all'esportazione dell'eguale articolo per qualsiasi altro paese.

ARTICOLO IV.

I sudditi di una delle due Parti Contraenti godranno, negli Stati e possessi dell'altra, della esenzione da qualunque tassa di transito e di una piena eguaglianza di trattamento co' nazionali in quello che concerne magazzinaggio, rimborsi, facilitazioni, o drawbacks.

ARTICOLO V.

Tutti gli articoli che possono o potranno legalmente importarsi nei porti degli Stati e possessi di Sua Maestà Britannica sopra bastimenti Inglesi potranno egualmente importarsi negli stessi porti sopra bastimenti Italiani, senza essere sottoposti ad altri o maggiori diritti od oneri di qualsiasi denominazione di quelli cui i detti articoli andrebbero sottoposti se fossero importati sopra bastimenti Inglesi; e reciprocamente tutti gli articoli che possono o potranno legalmente importarsi nei porti degli Stati e possessi di Sua Maestà il Re d'Italia sopra bastimenti Italiani potranno parimenti importarsi sopra bastimenti

higher duties or charges of whatever denomination than if such articles were imported in Italian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Italian or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties, or of any third Power.

ARTICLE VI.

No duties of tonnage, harbour, pilotage, light-house, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE VII.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country: the intention of the Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE VIII.

The coasting trade is excepted from the provisions of the present Treaty; its regulation remains subject to the laws which are or shall be in force in the dominions and possessions of the Contracting Parties.

ARTICLE IX.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the contracting parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Italian Consul-General, Consul, Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consul-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE X.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Italian law, are to be deemed Italian vessels, shall, for the purposes of this Treaty, be deemed British and Italian vessels respectively.

Inglese, senza essere soggetti ad altri o maggiori diritti ed oneri de qualsiasi denominazione di quelli cui gli stessi articoli andrebbero sottoposti se fossero importati sopra bastimenti Italiani. Questa reciproca eguaglianza di trattamento avrà effetto senza distinzione, sia che le mercanzie provengano direttamente dal luogo d'origine, ovvero da qualsiasi altra località.

Nello stesso modo, vi sarà perfetta eguaglianza di trattamento a riguardo della esportazione, in guisa che negli Stati e possessi dell'una e dell'altra delle due Parti Contraenti si pagheranno sulla uscita di qualunque articolo che possa o potrà legalmente esportarsene gli stessi diritti di esportazione, e si accorderanno gli stessi rimborsi e drawbacks, tanto se siano esportati sopra bastimenti Italiani quanto sopra bastimenti Inglese, e qualunque siasi la loro destinazione, per un porto dell'una o dell'altra delle Parti Contraenti o di una terza Potenza.

ARTICOLO VI.

Nessun diritto di tonnellaggio, di porto, di pilotaggio, di fano, di quarantena, o altro similgiante ed equivalente, di qualunque siasi natura o sotto qualsiasi denominazione, imposto a nome o a profitto dello Stato, di funzionari pubblici, d'individui privati, di corporazioni o di stabilimenti di qualsiasi specie, sarà applicato nei porti degli Stati o possessi di uno dei due paesi sulle navi dell'altro, senza che esso, nei medesimi casi, si estenda egualmente, e sotto le stesse condizioni, alle navi nazionali in generale. Questa eguaglianza di trattamento si applicherà reciprocamente ai rispettivi bastimenti, da qualsiasi porto o località arrivino, e qualunque sia la loro destinazione.

ARTICOLO VII.

Per tutto quanto concerne il collocamento, il carico e il discarico dei bastimenti ne' porti, bacini, docks, darsene, rade o fiumi degli Stati e possessi dei due paesi, non potrà accordarsi alcun privilegio ai navigli nazionali, il quale non sia parimenti concesso ai navigli dell'altro paese, essendo intenzione delle due Parti Contraenti che anche in questo riguardo i bastimenti dell'una e dell'altra siano trattati sul piede di perfetta eguaglianza.

ARTICOLO VIII.

È fatta eccezione alle disposizioni del presente Trattato pel commercio di cabotaggio. Il suo regime rimane soggetto alle leggi che sono o saranno in vigore negli Stati o possessi delle Parti Contraenti.

ARTICOLO IX.

Qualunque nave da guerra o bastimento mercantile di una delle Parti Contraenti, il quale per cattivo tempo o per accidente trovisi costretto a rifugiarsi in un porto dell'altra, avrà facoltà di raddobbarvisi, di procurarvisi tutti le necessarie provviste, e di riprendere il mare, senza pagare altri diritti di quelli che sarebbero dovuti in consimile caso da un nate legno nazionale. Però, se il capitano di un bastimento mercantile si trovi nella necessità di disporre di una parte del carico pel pagamento delle sue spese, dovrà uniformarsi in tal caso ai regolamenti ed alle tariffe del luogo ove sia approdato.

Se avvenga che una nave da guerra o bastimento mercantile dell'una delle Parti Contraenti s'arreni o faccia naufragio sulle coste dell'altra, questa nave o bastimento, e tutto le sue parti, e tutti i suoi attrezzi ed appartenenze, e tutte le merci ed effetti salvati, comprese quelli che fossero stati gettati in mare, o il ricavato della loro vendita, come pure le carte tutte rinvenute a bordo della nave o bastimento arrenato o naufragato, saranno restituiti ai proprietari o loro agenti allorchè siano da essi reclamati. Nel caso di assenza dei proprietari e loro agenti, ogni cosa sarà consegnata al Console Generale, Console, Vice-Console od Agente Consolare Britannico o Italiano nel cui distretto ebbe luogo il naufragio o l'arrenamento, dietro domanda da esso fattane nel termine fissato dalle leggi del paese; e i detti Consoli, proprietari od agenti non saranno tenuti che al pagamento delle spese occorse per la conservazione della proprietà, comprese quelle di salvataggio od altre che in casi analoghi sarebbero dovute dalle navi nazionali.

Le mercanzie e oggetti salvati dal naufragio saranno essenti da ogni diritto di dogana a meno che vengano dichiarati per la consumazione, nel qual caso pagheranno solamente gli stessi diritti che sarebbero dovuti se fossero stati importati sopra nave nazionale.

Occorrendo che una nave debba per cattivo tempo entrare in un porto, o resti arrenata o faccia naufragio, i rispettivi Consoli Generali, Consoli, Vice-Consoli od Agenti Consolari, se il proprietario o capitano od altro agente del proprietario non sia presente, ovvero sia presente e la richieda, saranno autorizzati ad interporvi per arrecare la necessaria assistenza di loro nazionali.

ARTICOLO X.

Tutti i bastimenti che a norma delle leggi Inglese sono considerati come bastimenti Inglese, e tutti i bastimenti che secondo le leggi Italiane sono considerati come bastimenti Italiani, saranno rispettivamente considerati Inglese e Italiani per gli effetti del presente Trattato.

ARTICLE XI.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XII.

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the faculties, privileges, exemptions, and immunities of every kind which are or shall be granted to Consuls of the most favoured nation.

ARTICLE XIII.

The subjects of each of the Contracting Parties who shall conform themselves to the laws of the country—

1. Shall have full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

2. They shall be permitted to hire or possess the houses, manufactories, warehouses, shops, and premises which may be necessary for them.

3. They may carry on their commerce either in person or by any agents whom they may think fit to employ.

4. They shall not be subject in respect of their persons or property, or in respect of passports, nor in respect of their commerce or industry, to any taxes, whether general or local, or to imposts or obligations of any kind whatever other or greater than those which are or may be imposed upon native subjects.

ARTICLE XIV.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard, or militia. They shall be equally exempted from all judicial and municipal functions whatever, other than those imposed by the laws relating to juries, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service, and finally from every species of exaction or military requisition. The duties and charges connected with the ownership or leasing of lands and other real property are, however, excepted, as well as all exactions or military requisitions to which all subjects of the country may be liable as owners or lessees of real property.

ARTICLE XV.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as national subjects. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as subjects of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by subjects of the country. In every case the subjects of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which subjects of the country are liable under similar circumstances.

ARTICLE XVI.

The dwellings, manufactories, warehouses, and shops of the subjects of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for subjects of the country.

The subjects of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICOLO XI.

Le Parti Contraenti pattuiscono che in tutte le materie relative al commercio e a la navigazione, ogni privilegio, favore od esenzione qualsiasi che venga dall'una di esse concesso o possa concedersi in avvenire ai sudditi o cittadini di qualsiasi altro Stato, si estenderà immediatamente ed incondizionatamente ai sudditi o cittadini dell'altra Parte Contraente, essendo loro intenzione che il commercio e la navigazione di ciascun paese sieno dall'altro collocati, per ogni rispetto, sul piede della nazione più favorita.

ARTICOLO XII.

Sarà in facoltà di ciascuna delle Parti Contraenti di nominare Consoli-Generali, Consoli, Vice-Consoli e Agenti Consolari con residenza nelle città o porti degli Stati e possessi dell'altra. I Consoli-Generali, Consoli, Vice-Consoli, e Agenti Consolari non potranno però assumere l'esercizio delle loro funzioni sino a che non sono stati approvati e ammessi secondo le formalità di uso dal Governo presso cui sono destinati. Essi godranno di tutte le facoltà, privilegi, esenzioni e immunità di ogni specie che sono o saranno accordate ai Consoli della nazione più favorita.

ARTICOLO XIII.

I sudditi di ciascuna delle Parti Contraenti, uniformandosi alle leggi del paese—

1. Dovranno avere piena libertà, sia per sè che per le loro famiglie, di entrare, viaggiare o risiedere in qualunque parte degli Stati e possessi dell'altra Parte Contraente.

2. Avranno facoltà di prendere in affitto e possedere le case, manifatture, magazzini, botteghe e locali che saranno ad essi necessari.

3. Potranno esercitare il loro commercio, sia personalmente, sia per mezzo di agenti che credano opportuno adoperarvi.

4. Non saranno sottoposti per le loro persone o proprietà, o per i passaporti, o per l'esercizio del loro commercio o industria, ad alcuna tassa generale o locale, nè ad alcuna imposta od obbligazione qualsiasi, che siano differenti o superiori a quelle che s'impongono o possano imporsi ai nazionali.

ARTICOLO XIV.

I sudditi di ciascuna delle Parti Contraenti saranno esenti, negli Stati e possessi dell'altra, da qualunque servizio militare obbligatorio, sia nell'esercito e nella marina, sia nella guardia nazionale o nella milizia. Saranno parimenti esenti da ogni funzione giudiziaria e municipale qualsiasi, all'infuori di quelle imposte dalle leggi sui giurati, come pure da ogni contribuzione in danaro o in natura imposta a compenso del servizio personale, e finalmente da qualsiasi prestazione o requisizione militare. Sono tuttavia eccettuate le tasse e gli oneri connessi con la proprietà e con la conduzione di terreni ed altri beni stabili, non che tutte quelle prestazioni o requisizioni militari alle quali tutti i sudditi del paese sieno chiamati a concorrere come proprietari o conduttori di beni stabili.

ARTICOLO XV.

I sudditi di ciascuna delle Parti Contraenti avranno piena libertà, negli Stati e possessi dell'altra, di esercitare i diritti civili, e quindi di acquistare, possedere e disporre di ogni sorta di proprietà mobile ed immobile. Essi potranno acquistare e trasmettere in altri le dette proprietà per compra, vendita, donazione, permuta, matrimonio, testamento, successione *ab intestato*, e in qualsiasi altra maniera, alle stesse condizioni dei nazionali. I loro eredi potranno succedere nell' medesime, o prenderne possesso, sia in persona, sia per mezzo di procuratori, nella stessa guisa e nelle stesse forme legali richieste per i sudditi del paese.

In tutti questi casi essi non pagheranno sul valore di dette proprietà altre o maggiori tasse, diritti e carichi di quelli che sarebbero dovuti dai nazionali. I sudditi di ciascuna delle Parti Contraenti potranno in ogni caso esportare le loro proprietà, o il prezzo ricavato se l'abbiano vendute, con tutta libertà e senza essere sottoposti per tale esportazione al pagamento di alcun diritto diverso da quello cui andrebbero soggetti in simili circostanze i sudditi del paese.

ARTICOLO XVI.

Le abitazioni, gli stabilimenti industriali, i magazzini e le botteghe tenute dai sudditi di ciascuna delle Parti Contraenti negli Stati e possessi dell'altra, come pure tutti i locali ivi annessi destinati a scopo di residenza o di commercio, saranno rispettati.

Non si potrà procedere a perquisizione o visita domiciliare in tali abitazioni o locali, né ad esame od ispezione di libri, carte o conti, se non sotto le condizioni e con le forme prescritte dalle leggi pei cittadini del paese.

I sudditi di ciascuna delle due Parti Contraenti avranno, negli Stati e possessi dell'altra, libero accesso ai Tribunali per la rivendicazione e difesa dei loro diritti, senza altre condizioni, restrizioni o tasse all'infuori di quelle imposte ai nazionali, e potranno al pari di questi impiegare in tutte le cause i loro avvocati, procuratori ed agenti, scegliendoli fra le persone ammesse allo esercizio di queste professioni secondo le leggi del paese.

ARTICLE XVII.

The subjects of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as native subjects in regard to patents for inventions, trademarks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVIII.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIX.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign Possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India,
The Dominion of Canada,
Newfoundland,
The Cape,
Natal,
New South Wales,
Victoria,
Queensland,
Tasmania,
South Australia,
Western Australia,
New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign Possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Italy to the Italian Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XX.

The present Treaty shall come into force on the 1st July, 1883, and shall remain in force until the 1st February, 1892, and thereafter until the expiration of a year from the day in which one or other of the Contracting Parties shall have repudiated it.

Each of the Contracting Parties reserves, however, the right of causing it to terminate on the 1st January, 1888, upon six months' notice being given previously.

ARTICLE XXI.

The present Treaty shall be ratified by the two Contracting Parties, and the ratifications thereof shall be exchanged at Rome as soon as possible.

In faith whereof the Plenipotentiaries of the Contracting Parties have signed the present Treaty in duplicate, in the English and Italian languages, and thereto affixed their respective seals.

Done at Rome this fifteenth day of June, in the year one thousand eight hundred and eighty-three.

(L.S.) A. B. PAGET.
(L.S.) P. S. MANCINI.

Protocol.

At the moment of proceeding this day to the signature of the Treaty of Commerce and Navigation between Great Britain and Italy, the Plenipotentiaries of the two High Contracting Parties have declared as follow:—

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and that the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

ARTICOLO XVII.

I sudditi di ognuna delle Parti Contraenti avranno, negli Stati e possessi dell'altra, gli stessi diritti di nazionalità in materia di brevetti d'invenzione, marche e disegni di fabbrica, dietro adempimento delle formalità prescritte dalla legge.

ARTICOLO XVIII.

I Consoli-Generali, Consoli, Vice-Consoli e Agenti Consolar di ciascuna delle Parti Contraenti residenti negli Stati e possessi dell'altra riceveranno dalle Autorità locali quell'assistenza che possa darsi loro per legge pel ricupero dei disertori dalle navi dei loro rispetti paesi.

ARTICOLO XIX.

Le stipulazioni del presente Trattato saranno applicabili a tutte le colonie e possedimenti stranieri di Sua Maestà Britannica, ad eccezione di quelli qui sotto nominati, cioè—

India,
Dominio del Canada,
Terranuova,
Il Capo,
Natal,
Nuova Galles del Sud,
Vittoria,
Queensland,
Tasmania,
Australia del Sud,
Australia Occidentale,
Nuova Zelanda.

Rimane, però, inteso che le stipulazioni del presente Trattato saranno rese applicabili a qualsiasi delle predette colonie o possedimenti stranieri, nell'interesse del quale sarà stato dato a questo effetto opportuno avviso dal Rappresentante di Sua Maestà Britannica presso la Corte d'Italia al Ministro Italiano degli Affari Esteri, dentro un anno dalla data dello scambio delle ratifiche del presente Trattato.

ARTICOLO XX.

Il presente Trattato entrerà in vigore il 1° Luglio, 1883, e vi resterà fino al 1° Febbraio, 1892, ed anche al di là di questa data fino allo spirare di un anno dal giorno in cui l'una o l'altra delle Parti Contraenti lo avrà denunziato.

Ognuna delle Parti Contraenti si riserva però la facoltà di farne cessare gli effetti al 1° Gennaio, 1888, mediante preavviso datone sei mesi prima.

ARTICOLO XXI.

Il presente Trattato sarà ratificato dalle due Parti Contraenti, e le ratifiche ne saranno scambiate a Roma al più presto possibile.

In fede di che i Plenipotenziari delle Parti Contraenti hanno firmato il presente Trattato in doppio esemplare, in lingua Inglese ed Italiana, e vi hanno apposto i loro rispettivi sigilli.

Fatto a Roma, addì quindici di Giugno dell'anno mille ottocento ottanta-tre.

(L.S.) A. B. PAGET.
(L.S.) P. S. MANCINI.

Protocollo.

Al momento di procedere oggi alla sottoscrizione del Trattato di Commercio e di Navigazione tra la Gran Bretagna e l'Italia, i Plenipotenziari delle due Alte Parti Contraenti hanno dichiarato quanto segue:—

Qualunque controversia che potesse sorgere intorno alla interpretazione o alla esecuzione del presente Trattato, o alle conseguenze di qualche sua violazione dovrà assoggettarsi, quando sieno esauriti i mezzi di comporla direttamente per amichevole accordo, alla decisione di Commissioni Arbitrali, e il risultato di simile arbitrato sarà obbligatorio per entrambi i Governi.

I componenti di tali Commissioni saranno scelti dai due Governi di comune consenso; in difetto di ciò, ognuna delle Parti nominerà il proprio Arbitro o un numero eguale di Arbitri, e gli Arbitri nominati ne sceglieranno un ultimo.

La procedura arbitrale sarà in ciascuno dei casi determinata dalle Parti Contraenti, e, in difetto, il collegio stesso degli Arbitri s'intenderà autorizzato a preliminarmente determinarla.

The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty, and that when the Treaty is ratified, the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

In faith whereof, the two Plenipotentiaries have signed the present Protocol, and thereto affixed their respective seals.

Done at Rome, this fifteenth day of June, in the year one thousand eight hundred and eighty-three.

(L.S.) A. B. PAGET.
(L.S.) MANCINI.

I Plenipotenziari sottoscritti hanno concordato che il presente Protocollo sarà sottoposto alle due Alte Parti Contraenti contemporaneamente al Trattato, e che, qualora questo venga ratificato, anche gli accordi contenuti nel Protocollo saranno egualmente considerati come approvati, senza bisogno di una ulteriore formale ratifica.

In fede di che, i due Plenipotenziari hanno firmato il presente Protocollo, e vi hanno apposto i loro rispettivi sigilli.

Fatto a Roma, addì quindici di Giugno dell'anno mille ottocento ottanta-tre.

(L.S.) A. B. PAGET.
(L.S.) MANCINI.

1883-4.

NEW SOUTH WALES.

AGREEMENT BETWEEN GREAT BRITAIN AND DENMARK FOR THE
MUTUAL RELIEF OF DISTRESSED SEAMEN.

(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales, 11th December, 1883.

His Excellency the Governor directs the publication, for general information, of the following circular despatch from the Secretary of State for the Colonies, enclosing copy of an agreement between the Governments of Great Britain and Denmark, for the Mutual Relief of Distressed Seamen.

GEORGE R. DIBBS.

[Circular.]

Downing-street, 11th August, 1883.

Sir,

I have the honor to transmit to you, for publication in the Colony under your Government, copies of an Agreement (C. 3701-83) between the Governments of Great Britain and Denmark for the Mutual Relief of Distressed Seamen, signed at London on the 25th of July, 1883.

The Officer administering
the Government of New South Wales.

I have, &c.,
DERBY.

AGREEMENT between the Governments of Great Britain and Denmark for the Mutual Relief of Distressed Seamen.
Signed at London, 25th July, 1883.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the Undersigned, duly authorized to that effect, have agreed as follows:—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck, or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition, and the causes thereof, to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship: otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

DA Hendes Majestæt Dronningen af det Forenede Kongerige Storbritannien og Irlands Regjering og Hans Majestæt Kongen af Danmarks Regjering finde det ønskeligt at træffe Overenskomst om Understøttelse i visse Tilfælde af nødhidende Søfolk fra de respective Lande, have Undertegnede efter dertil at have faaet fornøden Bemyndigelse truffet følgende Aftale:—

Naar en Sømand fra den ene af de kontraherende Stater, eller at have tjent ombord i et Skib fra den anden af de kontraherende Stater, bliver ladet tilbage i hjælpeløs Tilstand i et tredie Land eller i dette Lands Kolonier eller i det Lands Kolonier, hvis Flag Skibet fører, som Folge af Skibbrud, eller af andre Grunde, saa skal den Stats Regjering, hvis Flag Skibet fører, være forpligtet til at understøtte denne Sømand, indtil han atter tager Hvirv eller finder andet Erhverv eller kommer tilbage til sit Fødeland eller dets Kolonier eller dør.

Det er dog herved en Forudsætning, at den Sømand, som befinder sig i den ovenangivne Stilling, bør benytte den første Leilighed, der tilbydes sig, til for vedkommende Myndigheder for den Stat, hvis Understøttelse begjæres at godtgjøre sin hjælpeløse Forfatning og de Aarsager, hvorved den er foranlediget. Han har desuden at paavise, at denne hjælpeløse Tilstand er en naturlig Folge af, at han har forladt Skibet. I modsat Fald vil Sømanden have forbrudt sin Ret til Understøttelse.

Denne Ret kan han ligeledes forskjortse i Tilfælde af, at han er rømt eller er bleven afskediget fra Skibet paa Grund af en Forbrydelse eller Forseelse eller har forladt dette som Folge af Udueligghed til Tjenesten forarsaget ved selvforskyldt Sygdom eller Saar.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the 1st November, 1883, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the Undersigned, duly authorized for that purpose, have signed the present Agreement, and have affixed thereto the seal of their arms.

Done at London in duplicate the twenty-fifth day of July, in the year of our Lord one thousand eight hundred and eighty-three.

(L.S.)
(L.S.)

GRANVILLE.
FALBE.

Understøttelsen omfatter Ophold, Klæder, Lægehjælp, Medicin, Rejseomkostninger og, hvis hændt, Begravelsesomkostninger.

Nærværende Aftale skal træde i Kraft den første November, 1883, og forblive gjældende indtil et Aar efter den Dag, da en af de kontraherende Parter har opsagt den.

Til Bekræftelse heraf have de Undertegnede, forsynede med behørig Bemyndigelse, underskrevet denne Overenskomst og paatrykt den deres Segl.

Udførdiget i dobbelte Exemplarer i London den Fem og Tyvende Juli, Aar Et Tusend Otte Hundrede og Tre og Firs.

(L.S.)
(L.S.)

GRANVILLE.
FALBE.

1883-4.

NEW SOUTH WALES.

AGREEMENT BETWEEN THE GOVERNMENTS OF GREAT BRITAIN
AND EGYPT, SECURING MOST-FAVOURLED-NATION TREATMENT
TO THE COMMERCE AND NAVIGATION OF BOTH COUNTRIES.

(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales,
29th September, 1884.

HIS Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, transmitting a copy of an Agreement between the Governments of Great Britain and Egypt, signed at Cairo on the 3rd March, 1884, securing Most-Favoured-Nation Treatment to the Commerce and Navigation of both Countries.

GEORGE R. DIBBS.

(Circular.)

Downing-street,
22nd July, 1884.

Sir,

I have the honor to transmit to you, for publication in the Colony under your government, a copy of an Agreement between the Governments of Great Britain and Egypt, securing Most-Favoured-Nation Treatment to the Commerce and Navigation of both Countries, which was signed at Cairo on the 3rd of March last.

I have, &c.,
DERBY.

The Officer Administering
the Government of New South Wales.

I.

AGREEMENT between the Governments of Great Britain and Egypt, securing Most-Favoured-Nation Treatment to the Commerce and Navigation of both countries. Signed at Cairo, March 3, 1884.

The undersigned, Sir Evelyn Baring, K.C.S.I., Minister Plenipotentiary, Her Majesty's Agent and Consul-General for Egypt, and his Excellency Nubar Pasha, President of the Council of Ministers, Minister of Foreign Affairs and Minister of Justice to His Highness the Khedive, acting by order of, and under instructions from, their respective Governments, having held a conference this day on the subject of the conclusion of Conventions respecting trade and commerce between the Government of Egypt and Foreign Powers, have agreed as follows:—

1. The Government of Her Britannic Majesty agrees that the Egyptian Custom-house Regulations, which, by the Convention made on the 3rd instant between the Egyptian Government and the Government of His Majesty the King of the Hellenes,* are made applicable to Hellenic subjects, ships, commerce, and navigation, shall be applied equally to British subjects, ships, commerce, and navigation.

2. All rights, privileges, or immunities which the Government of Egypt now grants, or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce, and navigation of other Foreign Powers, shall be equally granted to, and exercised, and enjoyed by the subjects, ships, commerce, and navigation of Great Britain.

1204—

In witness whereof, the undersigned have signed the present Convention, and have affixed thereto their seals.

Done at Cairo, this 3rd day of March, 1884.

(r. s.) (Signed) EVELYN BARING.
(L. S.) N. NUBAR.

II.

CONVENTION between the Governments of Greece and Egypt.
Signed March 3, 1884.

M. Anasthase Byzantios, Agent Diplomatique et Consul-Général Hellénique, d'une part, et son Excellence Nubar Pacha, Président du Conseil des Ministres, Ministre des Affaires Étrangères de Son Altesse le Khédive, dûment autorisés par leurs Gouvernements respectifs, sont convenus de ce qui suit:—

ARTICLE I.

Le Commerce Hellénique en Egypte et le Commerce Egyptien en Grèce seront traités sous le rapport des droits de douane, tant à l'importation qu'à l'exportation, comme le commerce de la nation la plus favorisée.

ARTICLE II.

Aucune mesure de prohibition ne pourra frapper le commerce réciproque d'importation ou d'exportation des deux pays, si elle n'est également étendue à toutes les autres nations. Il est toutefois entendu que cette restriction ne s'applique pas aux mesures spéciales que l'un des deux pays pourrait prendre, afin de se garantir contre l'épizootie, le phylloxéra, ou tout autre fléau.

ARTICLE III.

Le Gouvernement Egyptien s'engage, sauf les exceptions mentionnées l'Article VI ci-après, à ne prohiber l'importation en Egypte d'aucun article, produit du sol et de l'industrie de la Grèce, de quelque lieu qu'arrive cet article.

*See No. II.

ARTICLE IV.

Les droits à percevoir en Égypte sur les produits du sol et de l'industrie de la Grèce, de quelque lieu qu'ils arrivent, seront réglés par un tarif qui sera établi par des Commissaires nommés *ad hoc* par les deux Gouvernements.

Comme base de ce tarif l'on prendra le droit fixe de 8 pour cent. *ad valorem* à calculer sur le prix des marchandises à l'échelle de débarquement, mais le Gouvernement Égyptien se réserve la faculté de porter à un taux plus élevé les droits sur les boissons distillées, les vins et les articles de luxe; ces droits ne devront cependant, en aucun cas, excéder le taux de 16 pour cent. *ad valorem*.

Le Gouvernement Égyptien se réserve aussi le droit d'abaisser jusqu'au taux de 5 pour cent, et même de supprimer entièrement, les taxes sur les articles de première nécessité entrant en Égypte.

Les droits de douane seront perçus sans préjudice des pénalités édictées en matière de fraude et de contrebande par les règlements.

ARTICLE V.

Le tabac, sous toutes ses formes, et le tombac, ainsi que le sel, le natron, le hachiche et le salpêtre sont exclus des stipulations de la présente Convention.

Le Gouvernement Égyptien conserve un droit absolu par rapport à ces articles, dont le régime sera applicable aux sujets Hellènes dans les mêmes conditions qu'aux sujets locaux.

Le Gouvernement Égyptien pourra procéder, dans les magasins ou demeures, à toutes perquisitions immédiates qu'il jugera nécessaires. Le double de l'ordre de perquisition sera envoyé à l'autorité Consulaire Hellénique, qui pourra aussitôt assister, si elle le juge convenable, sans que cette formalité puisse retarder la perquisition.

ARTICLE VI.

Par exception aux stipulations de l'Article III, les armes de guerre (compréhendant les armes à feu et les armes blanches) et les munitions de guerre ne seront pas admises à l'importation en Égypte.

La restriction ci-dessus ne s'applique pas aux armes de chasse et de luxe, ni à la poudre de chasse; l'entrée de ces articles fera l'objet de dispositions particulières de la part du Gouvernement Égyptien.

ARTICLE VII.

Les marchandises importées en Égypte et réexportées dans un délai n'excédant pas six mois, seront considérées comme marchandises de transit et ne payeront à ce titre qu'un droit de transit de 1 pour cent, calculé sur la valeur à l'échelle de débarquement.

Après ce délai de six mois elles seront passibles de l'intégralité du droit d'importation.

Si la réexportation a lieu par le port même du débarquement, à la suite d'un simple transbordement ou bien après débarquement et séjour des marchandises à terre, dans les conditions de surveillance prévues par les règlements douaniers, pendant un délai n'excédant pas un mois, ces marchandises ne seront sujettes à aucun droit; mais le droit de transit sera dû, si, après avoir été débarquées et déposées temporairement, soit dans les magasins de la Douane, soit dans les magasins particuliers, flottants ou non, les marchandises sont réexportées, après avoir fait l'objet d'une opération commerciale.

ARTICLE VIII.

Si des marchandises, après avoir été frappées du droit d'importation en Égypte, sont expédiées à d'autres pays, avant l'expiration du terme de six mois, à dater du jour de leur débarquement, elles seront traitées comme marchandises en transit et la Douane Égyptienne restituera à l'exportateur la différence entre le droit payé et celui de transit mentionné à l'Article VII.

Pour obtenir le drawback, l'exportateur devra fournir les preuves que le droit d'importation a été payé sur les marchandises réexportées.

ARTICLE IX.

Les produits du sol et de l'industrie de l'Égypte, à destination de la Grèce, paieront un droit d'exportation de 1 pour cent. *ad valorem*, calculé sur la valeur des marchandises à l'échelle d'exportation.

Pour plus de facilité, ces produits seront, autant que possible, tarifés périodiquement, d'un commun accord, entre les représentants du commerce d'exportation et l'Administration des Douanes Égyptiennes.

ARTICLE X.

Sont seuls exemptés de toute vérification à l'entrée et à la sortie, ainsi que du paiement des droits, les objets et effets personnels appartenant aux Consuls-Généraux et Consuls de Carrière, n'exerçant pas d'autres fonctions, ne s'occupant ni de commerce ni d'industrie et ne possédant ou n'exploitant pas des biens-fonds en Égypte.

ARTICLE XI.

Dans un délai maximum de trente-six heures après l'arrivée d'un navire dans une rade ou un port Égyptien, le capitaine ou l'agent des armateurs doit déposer à la Douane deux copies du

manifeste de cargaison, certifiées, par lui, conformes à l'original. De même, les capitaines doivent, avant leur départ d'un port Égyptien, présenter à la Douane une copie du manifeste des marchandises chargées à leur bord. Le manifeste original, soit à l'arrivée, soit au départ, sera présenté en même temps que les copies pour être confronté avec elles.

Si un navire s'arrête dans un port Égyptien, pour un motif paraissant suspect à la Douane, celle-ci pourra exiger la présentation du manifeste et faire immédiatement toutes perquisitions qu'elle jugera nécessaires; l'ordre de perquisition sera adressé, dans ce cas, à l'autorité Consulaire Hellénique, ainsi qu'il est dit à l'Article V.

Les excédants ou déficits, résultant du rapprochement du manifeste avec la cargaison, donneront lieu à l'application des amendes prévues par le Règlement Douanier qui sera promulgué par le Gouvernement Égyptien.

ARTICLE XII.

Toute opération de Douane en Égypte, soit à l'arrivée, soit au départ, doit être précédée d'une déclaration signée par le propriétaire de la marchandise ou par son représentant.

La Douane peut, en outre, en cas de contestation, exiger la présentation de tous les documents qui doivent accompagner l'envoi d'une marchandise, tels que : factures, correspondances, &c.

Tout refus de faire la déclaration, à l'arrivée ou au départ, tout retard apporté à la dite déclaration, tout différence en plus ou en moins constatée entre les marchandises et la déclaration donneront lieu à l'application des amendes prévues par le Règlement Douanier Égyptien, pour chacun des cas spécifiés.

ARTICLE XIII.

Les Agents de la Douane, les officiers des bâtiments du service postal Égyptien, et les officiers des navires de l'Etat, peuvent aborder tout bâtiment à voile ou à vapeur d'une portée au-dessous de 200 tonneaux, à l'ancre, ou louvoyant, dans les 10 kilom du littoral, sans justification de force majeure; s'assurer de la nature du chargement, saisir toute marchandise prohibée et constater toute autre contravention aux Règlements Douaniers.

ARTICLE XIV.

Toute introduction de marchandises en contrebande donnera lieu à l'application des confiscations et amendes édictées par le Règlement Douanier Égyptien.

Les décisions qui prononceront les confiscations et amendes devront être communiquées dans les délais légaux à l'autorité Consulaire Hellénique.

ARTICLE XV.

Il est entendu que la présente Convention ne peut en rien porter atteinte aux droits d'administration qui appartiennent aux deux Gouvernements Contractants, et qu'ils pourront appliquer toute réglementation utile au bon fonctionnement des services et à la répression des fraudes.

ARTICLE XVI.

La présente Convention aura son effet pendant sept ans à partir du vingt Mars, 1884.

A l'expiration de cette période la présente Convention restera en vigueur pendant l'année suivante et ainsi de suite d'année en année jusqu'à dénonciation ou conclusion d'un nouvel accord s'il y a lieu.

ARTICLE ADDITIONNEL.

L'effet des modifications au tarif actuel des droits, prévues à l'Article IV, demeure suspendu jusqu'à ce que ces modifications aient été adoptées par les autres Puissances intéressées.

En foi de quoi les soussignés ont signé la présente Convention.

Fait en duplicata au Caire, le 3 Mars, 1884.

(Signé) NUBAR.
BYZANTIOS.

(Translation.)

M. Anasthase Byzantios, Diplomatic Agent and Consul-General of Greece, of the one part, and His Excellency Nubar Pasha, President of the Council of Ministers, Minister for Foreign Affairs of His Highness the Khedive, duly authorized by their respective Governments, have agreed as follows:—

ARTICLE I.

The commerce of Greece in Egypt, and the commerce of Egypt in Greece, shall be treated upon the footing of the most favoured nation as regards Customs duties, both of import and export.

ARTICLE II.

No prohibition of importation or exportation can be applied to the reciprocal commerce of both countries unless it be equally applied to all other nations. It is nevertheless understood that this restriction does not extend to the special measures which either of the two countries may take in order to protect itself against cattle plague, phylloxera, or any other plague.

ARTICLE III.

The Egyptian Government engages, with the exceptions hereafter specified in Article VI, not to prohibit the importation into Egypt of any article being the produce of the soil or industry of Greece, whencesoever arriving.

ARTICLE IV.

The duties to be levied in Egypt upon the produce of the soil or industry of Greece, whencesoever arriving, shall be regulated by a Tariff to be fixed by Commissioners appointed *ad hoc* by the two Governments.

The fixed duty of 8 per cent *ad valorem* shall be adopted as a basis for this Tariff, and shall be calculated on the value of the goods at the landing-stage; but the Egyptian Government reserves the right to raise to a higher rate the duties on distilled drinks, wines, and articles of luxury; these duties shall, however, in no case exceed the rate of 16 per cent. *ad valorem*.

The Egyptian Government further reserves the right to diminish to the rate of 5 per cent, and even to abolish entirely, the duties on articles of prime necessity imported into Egypt.

The Customs duties shall be collected without prejudice to the penalties fixed by the regulations in cases of fraud and contraband.

ARTICLE V.

Tobacco of all kinds, tombar (metal), salt, carbonate of soda, lachish, and saltpetre are excluded from the stipulations of the present Convention.

The Egyptian Government reserves an absolute right with regard to these articles, the regulations in regard to which shall be applied to Hellenic subjects under the same conditions as to natives.

The Egyptian Government may make all immediate searches in shops or dwellings which they may think necessary. A duplicate of the search warrant shall be sent to the Hellenic Consular authority, who may at once attend if he thinks expedient. This formality shall not, however, delay the search.

ARTICLE VI.

The exceptions to the stipulations of Article III, namely, warlike arms (comprising fire-arms and side-arms) and munitions of war, shall not be admitted to importation into Egypt.

The above restriction does not apply to arms for the chase or arms of luxury ("armes de luxe"), nor to powder for hunting purposes. The importation of these articles shall be regulated by special provisions on the part of the Egyptian Government.

ARTICLE VII.

Goods imported into Egypt and re-exported within a period not exceeding six months, shall be considered as goods in transit, and under that category shall pay only a duty of 1 per cent., calculated on the value at the landing stage.

After the period of six months they shall be liable to the full import duty.

If the re-exportation takes place at the actual port of disembarkation—by means of a simple transshipment—or after disembarkation and deposit of the goods on land under the surveillance provided by the Customs Regulations, within a period of not more than one month, the goods shall not be subject to any duty; but the transit duty shall be due if, after having been disembarked and temporarily deposited either in the Customs warehouses or in private warehouses, whether floating or not, the goods are re-exported after having been the medium of a commercial operation.

ARTICLE VIII.

If goods, after having paid the import duty in Egypt, shall be sent to another country before the expiration of the period of six months, counting from the day of disembarkation, they shall be treated as goods in transit, and the Egyptian Customs shall refund to the exporter the difference between the duty already paid and the transit duty mentioned in Article VII.

In order to obtain the drawback, the exporter must produce proof that the import duty has been paid on the re-exported goods.

ARTICLE IX.

The produce of the soil and industry of Egypt exported to Greece shall pay an export duty of 1 per cent. *ad valorem*, calculated on the value of the goods at the exporting stage.

In order to provide greater facilities, such produce shall be, so far as possible, tariffed periodically by mutual agreement between the representatives of the export trade and the Egyptian Customs Administration.

ARTICLE X.

The following are alone exempt from all examination on entry or departure, as well as from all payment of duty, viz., articles and personal effects belonging to Consuls-General and Commissioned Consuls ("Consuls de Carrière") who do not exercise other functions, are not engaged in commerce or manufacture, and do not possess or make use of landed property in Egypt.

ARTICLE XI.

Within a period not exceeding thirty-six hours after the arrival of a vessel in an Egyptian port or harbour, the captain or agent of the owners must deposit at the Custom-house two copies of the cargo manifest, certified by him to be true copies of the original. In the same manner the captains must, before departure from an Egyptian port, present at the Custom-house a copy of the manifest of the goods composing the cargo of their ships. The original manifest, whether on arrival or departure, must be presented at the same time with the copies, to be compared with them.

If a vessel stops in an Egyptian port, for a motive which appears suspicious to the Customs authorities, the latter may require the presentation of the manifest, and may immediately make such search as they may deem necessary; the search warrant shall be addressed in such case to the Hellenic Consular authority, as provided in Article V.

Excess or deficit, resulting from the comparison of the manifest with the cargo, will entail the application of the fines specified in the Customs Regulations which shall be promulgated by the Egyptian Government.

ARTICLE XII.

Every Customs formality in Egypt, whether on arrival or departure, must be preceded by a declaration signed by the proprietor of the goods or by his representative.

If any question arises, the Customs authorities may require the production of all the documents which should accompany a consignment of goods, such as invoices, correspondence, &c.

Any refusal to make the declaration, either on arrival or departure, any delay in making the said declaration, any difference, less or more, which may exist between the goods and the declaration, shall entail the application of the fines provided by the Egyptian Customs Regulations in each of the specified cases.

ARTICLE XIII.

Customs officers, officers of the vessels belonging to the Egyptian Postal Service, and officers of vessels belonging to the State, may board any vessel whether sailing or steam of more than 200 tons burden, at anchor or cruising within 10 kilom. of the shore, without the plea of "force majeure"; may assure themselves of the nature of the cargo, may seize all prohibited goods, and substantiate any other contravention of the Customs Regulations.

ARTICLE XIV.

Any contraband importation of goods shall entail the application of the confiscation and fines provided by the Egyptian Customs Regulations.

Decisions imposing confiscations and fines must be communicated within the legal period to the Hellenic Consular authority.

ARTICLE XV.

It is understood that the present Convention shall in no wise infringe the administrative rights which belong to both the Contracting Governments, and that they may put in force any regulation which may be useful for the good working of the service and for the repression of fraud.

ARTICLE XVI.

The present Convention shall remain in effect for seven years commencing on the 20th of March, 1884.

On the expiration of that period the present Convention shall remain in force during the following year, and so on from year to year until it is denounced, or until the conclusion, if necessary, of a new agreement.

ADDITIONAL ARTICLE.

The operation of the modification in the existing tariff of duties, contemplated by Article IV, remains suspended until these modifications have been adopted by the other Powers interested.

In witness whereof the undersigned have signed the present Convention.

Done in duplicate at Cairo, the 3rd March, 1884.

(Signed) NUBAR.
BYZANTIOS.

1883-4.

NEW SOUTH WALES.

DECLARATION BETWEEN THE GOVERNMENTS OF GREAT BRITAIN,
AND OF SWEDEN AND NORWAY, RESPECTING THE PRIVILEGES
OF COMMERCIAL TRAVELLERS.

(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales,
11th February, 1884.

HIS Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, enclosing a copy of a Declaration between the Governments of Great Britain, and of Sweden and Norway, signed at Stockholm, on 13th October, 1883, respecting the privileges of Commercial Travellers.

GEORGE R. DIBBS.

(Circular.)

Downing-street,
9th November, 1883.

Sir,
I have the honour to transmit to you, for publication in the Colony under your Government, a copy of a declaration between the Governments of Great Britain, and of Sweden and Norway, signed at Stockholm, on the 13th of October last, respecting the privileges of Commercial Travellers.

I have, &c.,
DERBY.The Officer Administering
the Government of New South Wales.DECLARATION between the Governments of Great Britain, and
of Sweden and Norway, respecting the privileges of
Commercial Travellers.

(Signed at Stockholm, October 13, 1883.)

Le Gouvernement de Sa Majesté Britannique et le Gouvernement de Sa Majesté le Roi de Suède et de Norvège, voulant constater par une Déclaration spéciale l'interprétation à donner à l'Article IX de la Convention de Commerce et de Navigation, conclue à Londres le 18 Mars, 1826, en ce qui concerne le traitement en Douane des échantillons apportés dans les Etats de l'une des Parties Contractantes par des commis-voyageurs, sujets de l'autre, sont convenus des Articles suivants :—

ARTICLE I.

Les commis-voyageurs Suédois et Norvégiens jouiront dans le Royaume-Uni de la Grande-Bretagne et d'Irlande, comme également aussi les commis-voyageurs Anglais en Suède et en Norvège, des mêmes privilèges, facilités, et avantages par rapport au traitement en Douane des échantillons apportés par eux, ou en ce qui concerne toute autre matière, que ceux qui sont actuellement ou qui pourront à l'avenir être accordés aux commis-voyageurs appartenant à la nation étrangère la plus favorisée sous ces rapports.

ARTICLE II.

La présente Déclaration entrera en vigueur à partir du jour de sa signature, et restera exécutoire aussi longtemps que la Convention entre la Grande-Bretagne et les Royaumes-Unis du 18 Mars, 1826, sera en vigueur.

Fait à Stockholm, le 13 Octobre, 1883.

(L.S.) HORACE RUMBOLD.
(L.S.) HOCHSCHILD.

[TRANSLATION.]

THE Government of Her Britannic Majesty and the Government of His Majesty the King of Sweden and Norway, being desirous of defining by a special Declaration the interpretation to be given to Article IX of the Convention of Commerce and Navigation, signed at London, the 18th March, 1826, as regards the Customs treatment of the samples introduced into the territories of either of the Contracting Parties by commercial travellers, being subjects of the other, have agreed upon the following Articles :—

ARTICLE I.

Swedish and Norwegian commercial travellers shall, in the United Kingdom of Great Britain and Ireland, and British commercial travellers shall, in Sweden and Norway, enjoy the same privileges, facilities, and advantages in respect to the Customs treatment of their samples, or in any other matter, as are now or may hereafter be accorded to commercial travellers of the most favoured nation in these respects.

ARTICLE II.

The present Declaration shall come into operation from the date of its signature, and shall remain binding so long as the Convention between Great Britain and the United Kingdoms of the 18th March, 1826, shall continue in force.

Done at Stockholm, the 13th October, 1883.

(L.S.) HORACE RUMBOLD.
(L.S.) HOCHSCHILD.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

AGREEMENT BETWEEN THE BRITISH AND ITALIAN GOVERNMENTS,
FOR THE MUTUAL RELIEF OF DISTRESSED SEAMEN.

(DESPATCH RESPECTING.)

Presented to Parliament by Command.

The Treasury, New South Wales,
30th April, 1883.

His Excellency the Governor directs the publication, for general information, of the following agreement between the British and Italian Governments, for the Mutual Relief of Distressed Seamen.

GEORGE R. DIBBS.

Board of Trade, Marine Department,
August, 1880.

INSTRUCTIONS TO OFFICERS IN BRITISH POSSESIONS ABROAD.

AGREEMENT between the British and Italian Governments for the Mutual Relief of Distressed Seamen.

The officer is informed that the agreement concluded by the British Government with the Italian Government, being in similar terms to the agreements concluded for the same purpose with the German and French Governments, the directions contained in circular No. 163, should be read as applying also in the cases of Italian subjects, being seamen, whose last service at sea was on board of British vessels.

A copy of the agreement is attached.

THOMAS GRAY,
Assistant Secretary.T. H. FARRER,
Secretary.

AGREEMENT between the British and Italian Governments for the Mutual Relief of Distressed Seamen.

(Signed at London, June 8, 1880)

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Italy, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorized to that effect, have agreed as follows—

If a seaman of one of the contracting States, after serving on board a ship of the other contracting State, remains behind in a third State, or in its Colonies, or in the Colonies of that State

whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition, and the causes thereof, to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship; otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present agreement shall come into operation on the 1st September, 1880, and shall continue in force until one of the contracting parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof, the undersigned have signed the present agreement, and have affixed thereto the seal of their arms.

Done in duplicate at London, the eighth day of June, 1880.

(L.S.) GRANVILLE

(L.S.) LUIGI FEDERIGO MENABREA.

1883.

(THIRD SESSION.)

NEW SOUTH WALES.

ARTICLE 4 OF TREATY BETWEEN GREAT BRITAIN AND TONGA.
(DESPATCH GIVING EFFECT TO.)

Presented to Parliament by Command.

DESPATCH from the Principal Secretary of State for the Colonies, transmitting extract from the London Gazette, containing an Order in Council for giving effect to Article 4 of the Treaty between Great Britain and Tonga.

(Circular.)

Downing-street,
4th January, 1883.

Sir,

I have the honor to transmit to you a copy of an extract from the London Gazette of the 5th of December, containing an Order in Council for giving effect to Article 4 of the Treaty between Great Britain and Tonga, signed on the 29th of June, 1879, the Ratifications of which were exchanged on the 3rd of July last.

I have, &c.,
DERBY.The Officer Administering
the Government of New South Wales.EXTRACT from the London Gazette of Tuesday, December 5,
1882.

At the Court at Windsor, the 30th day of November, 1882.

Present :

The Queen's Most Excellent Majesty.
His Royal Highness Prince Leopold, Duke of Albany.
Lord Privy Seal.
Lord Steward.
Mr. Gladstone.
Secretary Sir William Vernon Harcourt.

WHEREAS by "The Extradition Acts 1870 and 1873," it was, amongst other things, enacted that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State, and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in, or suspected of being in, the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient.

And whereas a Treaty was concluded on the twenty-ninth day of November, one thousand eight hundred and seventy-nine, between Her Majesty and His Majesty the King of Tonga, of which Treaty Article IV, relating to the extradition of fugitive criminals, is in the terms following :—

"Her Britannic Majesty agrees to surrender to His Majesty the King of Tonga any Tongan subject who, being accused or convicted of any of the undermentioned crimes, committed in the territory of the King of Tonga, shall be found within the territory of Her Britannic Majesty. The crimes for which such surrender may be granted are the following: murder or attempt to murder; embezzlement or larceny; fraudulent bankruptcy; forgery.

"Her Britannic Majesty may, however, at any time put an end to this Article by giving notice to that effect to His Majesty the King of Tonga. The Article shall, however, remain in force for six months after the notice of its termination."

And whereas, previously to the exchange of the ratifications of the said Treaty, a Protocol bearing date the third day of July, one thousand eight hundred and eighty-two, was signed and sealed by the Plenipotentiaries of Her Majesty and of His Majesty the King of Tonga respectively, being duly authorized for that purpose, which Protocol is in the terms following :—

"It is agreed that the arrangement contained in Article IV of the said Treaty shall be subject to the restrictions on the surrender of fugitive criminals contained in the Acts respecting extradition, which are in force in the dominions of Her Britannic Majesty, and the procedure to be adopted with respect to the surrender of such criminals shall be in conformity with the provisions of the said Acts."

And whereas the ratifications of the said Treaty were exchanged at Nukualofa on the third day of July, one thousand eight hundred and eighty-two :

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that the said Acts shall apply in the case of Tonga and of Article IV, of the said Treaty with His Majesty the King of Tonga, and of the said Protocol.

C. L. PEEL.

1883-4.

NEW SOUTH WALES.

VICE-ADMIRALTY COURTS.

(DESPATCH FROM THE SECRETARY OF STATE FORWARDING ORDER OF THE QUEEN IN COUNCIL ESTABLISHING NEW RULES TOUCHING THE PRACTICE TO BE OBSERVED IN VICE-ADMIRALTY COURTS.)

Presented to Parliament by Command.

Department of Justice, Sydney, 24th March, 1884.

His Excellency the Governor directs the publication, for general information, of the following Despatches, which have been received from the Principal Secretary of State for the Colonies, covering Order of the Queen in Council, dated 23rd August, 1883, establishing new Rules touching the practice to be observed in Vice-Admiralty Courts, &c., from the 1st January, 1884.

H. E. COHEN.

(Circular.)

Downing-street,

Sir,

10th August, 1883.

I have the honour to transmit to you the accompanying copy of a letter (July, 1883), from the Vice-Admiralty Courts Committee enclosing copies of the Rules, with Forms and Tables of Fees annexed, as finally approved by them, which they recommend should be adopted in lieu of those at present in force. The Lords Commissioners of the Admiralty have been requested to take the necessary steps for submitting the new Rules for the approval of the Queen in Council; and when the requisite Order in Council has been issued, copies of the Rules will be forwarded to you.

2. With regard to the question of Fees, it should be understood that Her Majesty's Government will make no objection if the fees allotted to the Judges are carried to the Colonial Revenues, as suggested by the Committee.

3. I am fully aware of the objection, in principle, to paying Judges by Fees; but under the circumstances in which the Vice-Admiralty jurisdiction is administered in many of Her Majesty's Possessions abroad, annual Salaries could not be given to the Judges, and the only remuneration possible is to allow Fees for the work performed.

4. The Committee having found themselves under the necessity of retaining these Fees in the General Table, it will be for the Local Government to decide (1) whether the Judges shall retain them; (2) whether the Fees shall be paid into the Colonial Treasury; or (3) whether the Colony shall be exempted, by Order of the Queen in Council, from the operation of that part of the Table.

5. The Vice-Admiralty Courts Bill, alluded to in the enclosed letter, is still under the consideration of Her Majesty's Government, as it was not possible to bring it forward in the present Session. If the Bill becomes law it will not interfere with the Rules now about to be brought into operation.

I have, &c.,

DERBY.

The Officer Administering
the Government of New South Wales.

[Enclosure.]

THE VICE-ADMIRALTY COURTS COMMITTEE TO THE EARL
OF DERBY.

Wreck Commissioner's Office,
Royal Courts of Justice,
London, W.C.,
July, 1883.

My Lord,

On behalf of the Committee appointed to revise the procedure of the Vice-Admiralty Courts in Her Majesty's Possessions abroad, I have now the honour to enclose six copies

of the Rules, with Forms and Tables of Fees annexed, as finally approved by the Committee, and which they recommend should be adopted in lieu of those at present in force.

The Committee, which consisted originally of Sir Julian Pauncefote, Mr. Vernon Lushington, Mr. Malcolm, Mr. Bramston, and myself, was appointed in April, 1877; and, after a careful inquiry into the whole subject, they prepared a Code of Rules, with Forms and Tables of Fees annexed, which they forwarded, in November, 1879, to the Colonial Office, at the same time suggesting whether it might not be advisable, before they were confirmed by Order in Council, that copies thereof should be sent to the Treasury, the Foreign Office, the Admiralty, and the India Office, as well as to the Governors of the several Colonies abroad, for any observations which they might have to offer thereon.

That recommendation was adopted; and in reply to a Circular Letter addressed to the Colonial Authorities, a number of very valuable suggestions were received, which the Committee has since taken into their most careful consideration. Many of these suggestions were adopted and have been embodied in the amended Rules now herewith sent; but there were some suggestions of considerable importance which the Committee considered were beyond the scope of Rules of Court, and they recommended that provisions to give effect to them should be inserted in the Bill which had been prepared to extend the jurisdiction of the Vice-Admiralty Courts, and which was to have been introduced into Parliament during the present Session. Accordingly, the completion of the Rules was suspended in order that they might be adapted to the changes proposed to be made by the Bill in the jurisdiction and practice of the Courts; but as they now understand that your Lordship fears that it will not be possible to introduce the Bill during the present Session, they have thought that it would be better to complete the Rules at once, rather than that they should be postponed for another year, in the hope that the Vice-Admiralty Courts Bill would then be passed. It may also be proper to observe that, no reply having been received from the Government of India in reply to the letter which was addressed to them on the subject, the Rules have been drawn so as to include all Her Majesty's Possessions abroad, including India. It was also suggested whether the Rules might not be made to apply to the Courts exercising British jurisdiction in foreign countries; but, after communicating with the Judges of those Courts, Lord Granville came to the conclusion that it would be better not to extend them to those Courts.

As regards the Tables of Fees, which are annexed to the Rules, I should observe that, instead of attempting, as had been done in the existing Tables of Fees, to regulate the scale of charges according to the different values of money in the

various Colonies, one scale of Fees only has been prepared, the Committee being of opinion that it would be better, if by reason of the difference in the value of money in any Colony an alteration should be deemed necessary, that application should be made to the Colonial Office by the authorities of the Colony with a view to obtain an Order in Council for the purpose. On this point, also, it may be well to state that the Judge of the Vice-Admiralty Court at Quebec, as well as the Judges of some other Colonies, suggested that the Fees provided to be taken by the Judge in Table I. of the Fees should be altogether abolished, as being unnecessary in those Colonies where the Colonial Legislature has made permanent provision for its Judges, and repugnant to the practice of Courts of Justice. This suggestion has been carefully considered; but whilst admitting the force of the objections urged in the case of the Colonies which are possessed of independent legislative powers, it appears to the Committee that in the smaller and less advanced Colonies, forming the great majority to which the Rules and Tables of Fees will apply, the receipt of Fees by the Judges cannot be entirely dispensed with. And they think that in any Colony where the difficulty arises, it might be obviated if the Judge of the Vice-Admiralty Court were to arrange with the Government of the Colony as to the disposal of his Fees, and for their payment, if deemed desirable, into the Colonial Treasurer.

The Committee further suggests that a sufficient number of copies should be printed by the Queen's Printers to enable several copies to be sent out to each Vice-Admiralty Court; but that any further copies that might be required should be printed in the several Colonies.

I should add that the 1st of January, 1884, has been inserted in the Rules as the most convenient date for their commencement, and, in order that they may be ready to come into operation at that date in the more distant Colonies, it is suggested that an early opportunity should be taken of submitting them for the approval of Her Majesty in Council.

I have, &c.,
(Signed) H. C. ROTHERY.

The Right Honourable the Earl of Derby,
Her Majesty's Secretary of State for the Colonies.

(Circular.) Downing-street,
26th September, 1883.

Sir,

With reference to my Circular Despatch of the 10th of August last, I have now the honour to transmit to you, for publication in the Colony under your Government, an Order of the Queen in Council, dated the 23rd of August last, establishing new Rules and Tables of Fees, &c., for the Vice-Admiralty Courts abroad.

You will observe that the new Rules, &c., will come into force on the 1st day of January next.

Arrangements have been made with Her Majesty's Stationery Office to place the new Rules on sale to the general public, and to keep the type standing for twelve months, with the view of enabling any Colonial Government or any person requiring additional copies to be able to purchase them. After the expiration of the twelve months it is possible that additional copies may not be procurable.

I have, &c.,
DERBY.
The Officer Administering the
Government of New South Wales.

[Enclosure.]

RULES made in pursuance of an Act of Parliament passed in the twenty-sixth year of the reign of Her Majesty, touching the practice to be observed in the Vice-Admiralty Courts, with Forms and Tables of Fees, and established by the Queen's Order in Council of the 23rd day of August, 1883:—

At the Court at Osborne House, Isle of Wight, the 23rd day of August 1883.

Present:

The Queen's Most Excellent Majesty in Council.

WHEREAS there was this day read at the Board a Memorial from the Right Honourable the Lords Commissioners of the Admiralty, dated the 22nd day of August, 1883, in the words following, viz:—

"Whereas by an Act passed in the twenty-second year of Your Majesty's Reign, entitled Vice-Admiralty Courts Act, 1863, it was amongst other things provided that Her Majesty may, by order in Council, from time to time establish Rules touching the practice to be observed in the Vice-Admiralty Courts, as also Tables of Fees to be taken by the Officers and Practitioners thereof for all Acts to be done therein, and may repeal and alter all existing and all future Rules and Tables

of Fees, and establish new Rules and Tables of Fees in addition thereto or in lieu thereof:

"And whereas it appears to us to be expedient that in lieu of the Rules and Tables of Fees now existing in the Vice-Admiralty Courts, the Rules and Tables of Fees annexed hereto should on and from the 1st day of January, 1884, be established and be in force in all the Vice-Admiralty Courts:

"Now therefore it is most humbly submitted that Your Majesty will be graciously pleased by your order in Council to direct that all the existing Rules and Tables of Fees in the Vice-Admiralty Courts be repealed, and that, in lieu thereof, the Rules and Tables of Fees annexed hereto, shall from the first day of January, 1884, be, the Rules and Tables of Fees for all the Vice-Admiralty Courts."

Her Majesty having taken the said Memorial into consideration, was pleased, by and with the advice of Her Privy Council, to approve of what is therein proposed. And the Right Honourable the Lords Commissioners of the Admiralty are to give the necessary directions herein accordingly.

C. L. PEEL.

COPY OF ADMIRALTY BOARD MINUTE.

The necessary steps are to be taken for carrying into effect the provisions of Her Majesty's foregoing Order in Council.

A. C. KEY.
T. BRANDRETH.

By Command of their Lordships,
G. TRYON, Admiralty, 24th September, 1883.

ANNO VICESIMO SEXTO VICTORIÆ REGINÆ.

CAP. XXIV.

AN ACT to facilitate the Appointment of Vice-Admirals and of Officers in Vice-Admiralty Courts in Her Majesty's Possessions abroad, and to confirm the past Proceedings, to extend the Jurisdiction, and to amend the Practice of those Courts. [8th June, 1863.]

WHEREAS it is expedient to facilitate the Appointment of Vice-Admirals and of Officers in Vice-Admiralty Courts in Her Majesty's Possessions abroad, and to confirm the past Proceedings, to extend the Jurisdiction, and to amend the Practice of those Courts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Short Title.

1. This Act may be cited for all purposes as the "Vice-Admiralty Courts Act, 1863."

Interpretation of Terms.

2. In the interpretation and for the purposes of this Act (if not inconsistent with the context or subject matter) the following terms shall have the respective meanings hereinafter assigned to them; that is to say,

"Her Majesty" shall mean Her Majesty, Her Heirs and Successors.

The "Admiralty" shall mean the Lord High Admiral or the Commissioners for executing his office.

"British Possession" shall mean any colony, plantation, settlement, island, or territory, being a part of Her Majesty's Dominions, but not being within the limits of the United Kingdom of Great Britain and Ireland, or of Her Majesty's possessions in India.

"Governor" shall mean the Officer for the time being lawfully administering the Government of any British possession.

"Vice-Admiralty Court" shall mean any of the existing Vice-Admiralty Courts enumerated in the Schedule marked A hereto annexed, or any Vice-Admiralty Court which shall hereafter be established in any British possession.

"Ship" shall include every description of vessel used in navigation not propelled by oars only, whether British or Foreign.

"Cause" shall include any cause, suit, action, or other proceeding instituted in any Vice-Admiralty Court.

Appointment of Vice-Admiral.

3. In any British possession, where the office of Vice-Admiral is now or shall at any time hereafter become vacant, the Governor of such possession shall be *ex officio* Vice-Admiral thereof, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty in the manner hereinafter mentioned.

Appointment of Judge.

4. In any British possession, where the office of Judge of a Vice-Admiralty Court is now or shall at any time hereafter become vacant, the Chief Justice, or the principal Judicial Officer of such possession, or the person for the time being lawfully authorized to act as such, shall be *ex officio* Judge of the Vice-Admiralty Court, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty in the manner hereinafter mentioned.

Appointment of Registrar and Marshal.

5. In any British possession, where the office of Registrar or Marshal of any Vice-Admiralty Court is now or shall at any time hereafter become vacant, the Judge of the Court may, with the approval of the Governor, appoint some person to the vacant office, until a notification is received in the possession that a formal appointment thereto has been made by the Admiralty in the manner hereinafter mentioned, and may, for good and reasonable cause to be approved by the Governor, remove the person so appointed. The Judge may also appoint some person to act as Registrar or Marshal during the temporary absence of either of those officers.

Names of Appointees, &c., to be notified to the Home Government.

6. On any vacancy in the office of Judge, Registrar, or Marshal of any Vice-Admiralty Court, the Governor of the British possession in which the Court is established shall, as soon as is practicable, communicate to one of Her Majesty's Principal Secretaries of State the fact of the vacancy, and the name of the person succeeding or appointed to the vacant office.

Saving the powers of the Admiralty.

7. Nothing in this Act contained shall be taken to affect the power of the Admiralty to appoint any Vice-Admiral, or any Judge, Registrar, Marshal, or other officer of any Vice-Admiralty Court, as heretofore, by warrant from the Admiralty, and by Letters Patent issued under Seal of the High Court of Admiralty of England.

Past proceedings confirmed.

8. No Act done by any person in the capacity of Judge, Registrar, or Marshal of any Vice-Admiralty Court, which shall not have been set aside by any competent authority before the passing of this Act, shall be held invalid by reason that such person had not been duly appointed, but all such Acts shall be as valid and effectual as if done by a person duly appointed.

Protection of Officers.

9. No action, prosecution, or other proceeding shall be brought against any such person by reason of the illegality or informality of any Act hereby declared to be valid and effectual.

Jurisdiction of Vice Admiralty Courts.

10. The matters in respect of which the Vice-Admiralty Courts shall have jurisdiction are as follow :

- (1.) Claims for seamen's wages.
- (2.) Claims for master's wages, and for his disbursements on account of the ship.
- (3.) Claims in respect of pilotage.
- (4.) Claims in respect of salvage of any ship, or of life or goods therefrom.
- (5.) Claims in respect of towage.
- (6.) Claims for damage done by any ship.
- (7.) Claims in respect of bottomry or respondentia bonds.
- (8.) Claims in respect of any mortgage where the ship has been sold by a decree of the Vice-Admiralty Court and the proceeds are under its control.
- (9.) Claims between the owners of any ship registered in the possession, in which the Court is established, touching the ownership, possession, employment, or earnings of such ship.
- (10.) Claims for necessaries supplied, in the possession in which the Court is established, to any ship of which no owner or part owner is domiciled within the possession at the time of the necessaries being supplied.
- (11.) Claims in respect of the building, equipping, or repairing within any British possession of any ship of which no owner or part owner is domiciled within the possession at the time of the work being done.

Jurisdiction of Vice-Admiralty Courts.

- 11. The Vice-Admiralty Courts shall also have jurisdiction—
 - (1.) In all cases of breach of the Regulations and Instructions relating to Her Majesty's Navy at sea.
 - (2.) In all matters arising out of droits of Admiralty.

Nothing to restrict existing Jurisdictions.

12. Nothing contained in this Act shall be construed to take away or restrict the jurisdiction conferred upon any Vice-Admiralty Court by any Act of Parliament in respect of seizures for breach of the Revenue, Customs, Trade, or Navigation Laws, or of the Laws relating to the Abolition of the Slave Trade, or to the Capture and Destruction of Pirates and Piratical Vessels, or any other jurisdiction now lawfully exercised by any such Court; or any jurisdiction now lawfully exercised by any other Court within Her Majesty's dominions.

As to matters arising beyond limits of Colony.

13. The jurisdiction of the Vice-Admiralty Courts, except where it is expressly confined by this Act to matters arising within the possession in which the Court is established, may be exercised, whether the cause or right of action has arisen within or beyond the limits of such possession.

Her Majesty empowered to establish and alter Rules and Tables of Fees.

14. Her Majesty may, by Order in Council, from time to time establish rules touching the practice to be observed in the Vice-Admiralty Courts, as also tables of the fees to be taken by the officers and practitioners thereof for all acts to be done therein, and may repeal and alter the existing and all future rules and tables of fees, and establish new rules and tables of fees in addition thereto, or in lieu thereof.

Rules and Tables of Fees to be laid before the House of Commons.

15. A copy of any rules or tables of fees which may at any time be established shall be laid before the House of Commons within three months from the establishing thereof, or if Parliament shall not be then sitting, or if the session shall terminate within one month from that date, then within one month after the commencement of the next session.

To be entered in the Records of the Courts.

16. The rules and tables of fees in force in any Vice-Admiralty Court shall, as soon as possible after they have been received in the British possession in which the Court is established, be entered by the Registrar in the public books or records of the Court, and the books or records in which they are so entered shall at all reasonable times be open to the inspection of the practitioners and suitors in the Court.

To be hung up in Court, &c.

17. A copy of the rules and tables of fees in force in any Vice-Admiralty Court shall be kept constantly hung up in some conspicuous place as well in the Court as in the office of the Registrar.

Established Fees to be the only Fees taken.

18. The fees established for any Vice-Admiralty Court shall after the date fixed for them to come into operation, be the only fees which shall be taken by the officers and practitioners of the Court.

Taxation may be revised by the High Court of Admiralty.

19. Any person who shall feel himself aggrieved by the charges of any of the practitioners in any Vice-Admiralty Court, or by the taxation thereof by the officers of the Court, may apply to the High Court of Admiralty of England to have the charges taxed, or the taxation thereof revised.

Registrar may administer Oaths.

20. The Registrar of any Vice-Admiralty Court shall have power to administer oaths in relation to any matter depending in the Court; and any person who shall wilfully swear falsely in any proceeding before the Registrar, or before any other person authorized to administer oaths in the Court, shall be deemed guilty of perjury, and shall be liable to all the penalties attaching to wilful and corrupt perjury.

As to the Hearing of Cross Causes.

21. If a cause of damage by collision be instituted in any Vice-Admiralty Court, and the defendant institute a cross cause in respect of the same collision, the Judge may, on application of either party, direct both causes to be heard at the same time and on the same evidence; and if the ship of the defendant in one of the causes has been arrested, or security given by him to answer judgment, but the ship of the defendant in the other cause cannot be arrested, and security has not been given to answer judgment therein, the Court may, if it think fit, suspend the proceedings in the former cause until security has been given to answer judgment in the latter cause.

No Appeal save from final Sentences or Order.

22. The appeal from a decree or order of a Vice-Admiralty Court lies to Her Majesty in Council; but no appeal shall be allowed, save by permission of the Judge, from any decree or order not having the force or effect of a definite sentence or final order.

Appeal to be made within Six Months.

23. The time for appealing from any decree or order of a Vice-Admiralty Court shall, notwithstanding any existing enactment to the contrary, be limited to six months from the date of the decree or order appealed from; and no appeal shall be allowed where the petition of appeal to Her Majesty shall not have been lodged in the Registry of the High Court of Admiralty and of Appeals within that time, unless Her Majesty in Council shall, on the report and recommendation of the Judicial Committee of the Privy Council, be pleased to allow the appeal to be prosecuted, notwithstanding that the petition of appeal has not been lodged within the time prescribed.

Acts repealed. Saving Rules established under 2 & 3 W. 4. c. 51.

24. The Acts enumerated in the Schedule hereto annexed marked B are hereby repealed, to the extent therein mentioned, but the repeal thereof shall not affect the validity of any rules, orders, regulations, or tables of fees heretofore established and now in force, in pursuance of the Act of the second and third William the Fourth, chapter fifty-one; but such rules, orders, regulations, and tables of fees shall continue in force until repealed or altered under the provisions of this Act.

SCHEDULE A.

List of the existing Vice-Admiralty Courts to which this Act applies.

Antigua.	Nevis.
Bahamas.	New Brunswick.
Barbadoes.	Newfoundland.
Bermuda.	New South Wales.
British Columbia.	New Zealand.
British Guiana.	Nova Scotia, otherwise Halifax.
British Honduras.	Prince Edward Island.
Cape of Good Hope.	Queensland.
Ceylon.	Saint Christopher.
Dominica.	Saint Helena.
Falkland Islands.	Saint Lucia.
Gambia River.	Saint Vincent.
Gibraltar.	Sierra Leone.
Gold Coast.	South Australia.
Grenada.	Tasmania, formerly called Van Diemen's Land.
Hong Kong.	Tobago.
Jamaica.	Trinidad.
Labuan.	Vancouver's Island.
Lagos.	Victoria.
Lower Canada, otherwise Quebec.	Virgin Islands, otherwise Tortola.
Malta.	Western Australia.
Mauritius.	
Montserrat.	
Natal.	

SCHEDULE B.

ACTS AND PARTS OF ACTS REPEALED.

Reference to Act.	Title of Act.	Extent of Repeal.
66 Geo. III. c. 82.	An Act to render valid the Judicial Acts of Surrogates of Vice-Admiralty Courts abroad, during Vacancies in Office of Judges of such Courts.	The whole Act, save as regards Her Majesty's Possessions in India.
6 Geo. IV. c. 113.	An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.	Section 29, save as above.
2 & 3 Will. IV. c. 51.	An Act to regulate the Practice and the Fees in the Vice-Admiralty Courts abroad, and to obviate doubts as to their Jurisdiction.	The whole Act, save as above.
6 & 7 Vict. c. 83.	An Act to make further Regulations for facilitating the hearing Appeals and other matters by the Judicial Committee of the Privy Council.	Section 11, so far as it relates to Appeals from Vice-Admiralty Courts save as above.
17 & 18 Vict. c. 37.	An Act for establishing the validity of certain proceedings in Her Majesty's Court of Vice-Admiralty in Mauritius.	The whole Act.

ANNO TRICESIMO & TRICESIMO PRIMO
VICTORIÆ REGINÆ.
CAP. XLV.

AN ACT to extend and amend the Vice-Admiralty Courts Act, 1863. [15th July, 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short Title.

1. This Act may be cited for all purposes as the Vice-Admiralty Courts Act Amendment Act, 1867.

26 & 27 Vic. c. 24 applied.

2. This Act shall be read as one Act with the Vice-Admiralty Courts Act, 1863.

Interpretation of terms.

3. In the interpretation and for the purposes of this Act (if not inconsistent with the context or subject matter) the following terms shall have the respective meanings hereinafter assigned to them; that is to say,

"Judge" shall mean the person lawfully appointed by the Admiralty to be Judge of any Vice-Admiralty Court, or, in default of such appointment, the Chief Justice or principal judicial officer, or the person for the time being lawfully authorized to act as the Chief Justice or principal judicial officer in the British possession in which such Court is established :

"Judicial Powers" shall mean all powers and authorities which may be lawfully exercised by, and all duties by law imposed upon, any such Judge in the trial, hearing, or progress of any cause :

"Ministerial Powers" shall mean all powers and authorities which may be lawfully exercised by, and all duties by law imposed upon, any such Judge, not included under the term "Judicial Powers" :

"Sit" or "Sitting" shall mean sit or sitting for the exercise of judicial powers, whether in Court or in Chambers.

Tenure of Office of Vice-Admiral.

4. On the Governor of any British possession, who is also Vice-Admiral thereof, vacating the office of Governor of such possession, the office of Vice-Admiral of the same possession shall thereupon be deemed to be also vacant within the meaning of the third section of the Vice-Admiralty Courts Act, 1863.

Judge may appoint Deputy Judges.

5. The Judge of any Vice-Admiralty Court may from time to time, with the approval in writing of the Governor of the British possession in which the Court is established, appoint one or more Deputy Judge or Judges to assist or represent him in the execution of his judicial powers.

Judicial Powers of Deputy Judges.

6. It shall be lawful for any such Deputy Judge to exercise all the judicial powers of the Judge; and all acts done by such Deputy Judge shall be as valid and effectual, to all intents and purposes, as if they had been done by the Judge, and all orders or decrees made by such Deputy Judge shall be subject to the same right of appeal in all respects as if they had been made by the Judge.

Deputy Judges may sit separately.

7. Any Deputy Judge may sit at the principal seat of Government or elsewhere in the possession at the same time that the Judge or any other Deputy Judge is sitting, and either at the same or at any other place in such possession, and whether the Judge is or is not at that time within the possession.

Judge may sit with Deputy Judges.

8. The Judge may, if he thinks fit, require any such Deputy Judge or Judges to sit with him in the same Court, and in such case the decision of the majority, or, if they are equally divided in opinion, the decision of the Judge shall be the decision of the Court; and such decision shall be subject to the same right of appeal in all respects as if it had been made by the Judge alone.

Judge to regulate the Proceedings.

9. The Judge may direct at what place and time any such Deputy Judge shall sit, and what causes shall be heard before him, and generally make such arrangements as to him shall seem proper as to the division and despatch of the business of the Court.

Tenure of Office of Deputy Judges.

10. The Judge may, if he thinks fit, with the approval in writing of the Governor, at any time revoke the appointment of any such Deputy Judge or Judges, but the appointment shall not be determined by the occurrence of a vacancy in the office of the Judge.

Judge may delegate Ministerial Powers.

11. The Judge may, if he thinks fit, from time to time delegate all or any of his ministerial powers to any such Deputy Judge or Judges.

Judge may appoint Deputy Registrars and Marshals.

12. The Judge may from time to time, if he thinks fit, appoint any competent person to act respectively as Deputy Registrars and Deputy Marshals of the Court, and may, if he thinks fit, at any time revoke any such appointment, but the appointment shall not be determined by the occurrence of a vacancy in the office of the Judge.

Admiralty may revoke Appointments.

13. Notwithstanding anything contained in this Act, it shall be lawful for the Admiralty, if they think fit, at any time to revoke the appointment of any Deputy Judge, Deputy Registrar, or Deputy Marshal appointed under this Act.

Deputies to receive Fees.

14. Any Deputy Judge, Deputy Registrar, or Deputy Marshal, appointed under this Act, shall be entitled to the same fees in respect of any duty performed by him as would be lawfully payable to the Judge, Registrar, or Marshal respectively for the performance of the same duty.

Barristers and Solicitors entitled to practise in Vice-Admiralty Courts.

15. All persons entitled to practise as Advocates, Barristers-at-Law, Proctors, Attorneys-at-Law, or Solicitors in the Superior Courts of a British possession, shall be entitled to practise in the same respective capacities in the Vice-Admiralty Court or Courts of such possession, and shall have therein all the rights and privileges respectively belonging to Advocates,

Barristers-at-Law, Proctors, Attorneys-at-Law, and Solicitors, and shall in like manner be subject to the authority of the person for the time being lawfully exercising the office of Judge of such Court.

Her Majesty may establish a Vice-Admiralty Court in a Possession having Legislative Powers.

16. It shall be lawful for Her Majesty to empower the Admiralty, by Commission under the Great Seal, to establish one or more Vice-Admiralty Courts in any British possession, notwithstanding that such possession may have previously acquired independent legislative powers; and the jurisdiction and authority of all the existing Vice-Admiralty Courts are hereby declared to be confirmed, to all intents and purposes, notwithstanding that the possession in which any such Court has been established may at the time of its establishment have been in possession of legislative powers.

Extended to the Straits Settlements.

17. The Vice-Admiralty Courts Act, 1863, shall, together with this Act, apply to any Vice-Admiralty Court now established or hereafter to be established in the Straits Settlements.

20 & 27 Vic. c. 24. s. 23, extended to Appeals from Vice-Admiralty Courts in Indian Possessions.

18. The limitation of the time allowed for appeals contained in the twenty-third section of the Vice-Admiralty Courts Act, 1863, shall be held to apply to all decrees or orders pronounced in any Vice-Admiralty Court now established or hereafter to be established in any of Her Majesty's possessions in India.

RULES FOR THE VICE-ADMIRALTY COURTS IN HER MAJESTY'S POSSESSIONS ABROAD.

1. In the construction of these rules, and of the forms and tables of fees annexed thereto, the following terms shall (if not inconsistent with the context or subject matter) have the respective meanings hereinafter assigned to them; that is to say,—

"Possession" shall mean any colony, plantation, settlement, island, or territory, being a part of Her Majesty's dominions, but not being within the limits of the United Kingdom of Great Britain and Ireland;

"Court" shall mean any Vice-Admiralty court now existing or which shall hereafter be established in any Possession;

"Registry" shall mean the registry of the court, or any district registry thereof;

"Judge" shall mean the judge of the court, or any person lawfully authorized to act as judge thereof;

"Registrar" shall mean the registrar of the court, or any deputy or assistant registrar thereof;

"Marshal" shall mean the marshal of the court, or any deputy or assistant marshal thereof;

"Action" shall mean any action, cause, suit, or other proceeding instituted in the court;

"Counsel" shall mean any advocate, barrister-at-law, or other person entitled to practise in the court;

"Solicitor" shall mean any proctor, solicitor, or attorney entitled to practise in the court;

"Plaintiff" shall include the plaintiff's solicitor, if he sues by a solicitor;

"Defendant" shall include the defendant's solicitor, if he appears by a solicitor;

"Party" shall include the party's solicitor, if he sues or appears by a solicitor;

"Ship" shall include every description of vessel used in navigation not propelled by oars only;

"Month" shall mean calendar month.

ACTIONS.

2. Action shall be of two kinds, actions *in rem* and actions *in personam*.

3. Actions for condemnation of any ship, boat, cargo, proceeds, slaves, or effects, or for recovery of any pecuniary forfeiture or penalty, shall be instituted in the name of the Crown.

4. All actions shall be numbered in the order in which they are instituted, and the number given to any action shall be the distinguishing number of the action, and shall be written or printed on all documents in the action as part of the title thereof. Forms of the title of an action will be found in the Appendix hereto, Nos. 1, 2, and 3.

WRIT OF SUMMONS.

5. Every action shall be commenced by a writ of summons, which, before being issued, shall be endorsed with a statement of the nature of the claim, and of the relief or remedy required, and of the amount claimed, if any. Forms of writ of summons and of the endorsements thereon will be found in the Appendix hereto, Nos. 4, 5, 6, and 7.

6. In an action for seamen's or master's wages, or for master's wages and disbursements, or for necessities, or for bottomry, or in any action in which the plaintiff desires an account, the indorsement on the writ of summons may include a claim to have an account taken.

7. The writ of summons shall be indorsed with the name and address of the plaintiff, and with an address, to be called an address for service, not more than three miles from the registry, at which it shall be sufficient to leave all documents required to be served upon him.

8. The writ of summons shall be prepared and indorsed by the plaintiff, and shall be issued under the seal of the court, and a copy of the writ and of all the indorsements thereon, signed by the plaintiff, shall be left in the registry at the time of sealing the writ.

9. The judge may allow the plaintiff to amend the writ of summons and the indorsements thereon in such manner and on such terms as to the judge shall seem fit.

Service of Writ of Summons.

10. In an action *in rem*, the writ of summons shall be served—

(a) Upon ship, or upon cargo, freight, or other property, if the cargo or other property is on board a ship, by attaching the writ for a short time to the mainmast or the single mast, or to some other conspicuous part of the ship, and by leaving a copy of the writ attached thereto.

(b) Upon cargo, freight, or other property, if the cargo or other property is not on board a ship, by attaching the writ for a short time to such cargo or property, and by leaving a copy of the writ attached thereto.

(c) Upon freight in the hands of any person, by showing the writ to him and by leaving with him a copy thereof.

(d) Upon proceeds in court, by showing the writ to the registrar and by leaving with him a copy thereof.

11. If access cannot be obtained to the property on which it is to be served, the writ may be served by showing it to any person appearing to be in charge of such property, and by leaving with him a copy of the writ.

12. In an action *in personam*, the writ of summons shall be served by showing it to the defendant, and by leaving with him a copy of the writ.

13. A writ of summons against a firm may be served upon any member of the firm, or upon any person appearing at the time of service to have the management of the business of the firm.

14. A writ of summons against a corporation or a public company may be served in the mode, if any, provided by law for service of any other writ or legal process upon such corporation or company.

15. Where no such provision exists, a writ of summons against a corporation may be served upon the mayor or other head officer, or upon the town clerk, clerk, treasurer, or secretary of the corporation, and a writ of summons against a public company may be served upon the secretary of the company, or may be left at the office of the company.

16. If the person to be served is under disability, or if for any cause personal service cannot, or cannot promptly, be effected, or if in any action, whether *in rem* or *in personam*, there is any doubt or difficulty as to the person to be served, or as to the mode of service, the judge may order upon whom, or in what manner service is to be made, or may order notice to be given in lieu of service.

17. The writ of summons, whether *in rem* or *in personam*, may be served by the plaintiff or his agent, within six months from the date thereof, and shall, after service, be filed, with a certificate of service indorsed thereon.

18. The certificate shall state the date and mode of service, and shall be signed by the person who served the writ. A form of certificate of service will be found in the Appendix hereto, No. 8.

APPEARANCE.

19. A party appearing to a writ of summons shall file an appearance at the place directed in the writ.

20. A party not appearing within the time limited by the writ, may, by consent of the other parties or by permission of the judge, appear at any time on such terms as the judge shall order.

21. If the party appearing has a set-off or counterclaim against the plaintiff, he may indorse on his appearance a statement of the nature thereof, and of the relief or remedy required, and of the amount, if any, of the set-off or counterclaim. But if in the opinion of the judge such set-off or counterclaim cannot be conveniently disposed of in the action, the judge may order it to be struck out.

22. The appearance shall be signed by the party appearing, and shall state his name and address, and an address, to be called an address for service, not more than three miles from the registry, at which it shall be sufficient to leave all documents required to be served upon him. Forms of appearance and of indorsement of set-off or counterclaim will be found in the Appendix hereto, Nos. 9 and 10.

PARTIES.

23. Any number of persons having interests of the same nature arising out of the same matter may be joined in the same action whether as plaintiffs or as defendants.

24. The judge may order any person who is interested in the action, though not named in the writ of summons, to come in either as plaintiff or as defendant.

25. For the purposes of the last preceding rule an underwriter or insurer shall be deemed to be a person interested in the action.

26. The judge may order upon what terms any person shall come in, and what notices and documents, if any, shall be given to and served upon him, and may give such further directions in the matter as to him shall seem fit.

CONSOLIDATION OF ACTIONS.

27. Two or more actions in which the questions at issue are substantially the same, or for matters which might properly be combined in one action, may be consolidated by order of the judge upon such terms as to him shall seem fit.

28. The judge, if he thinks fit, may order several actions to be tried at the same time, and on the same evidence, or the evidence in one action to be used as evidence in another, or may order one of several actions to be tried as a test action, and the other actions to be stayed to abide the result.

WARRANTS.

29. In an action *in rem*, a warrant for the arrest of property may be issued by the registrar at the time of, or at any time after, the issue of the writ of summons, on an affidavit being filed, as prescribed by the following rules. A form of affidavit to lead warrant will be found in the Appendix hereto, No. 11.

30. The affidavit shall state the nature of the claim, and that the aid of the court is required.

31. The affidavit shall also state—

- (a) In an action for wages, the national character of the ship, and if the ship is foreign, that notice of the action has been served upon a consular officer of the state to which the ship belongs, if there is one resident in the possession;
- (b) In an action for necessities, or for building, equipping, or repairing any ship, the national character of the ship, and that, to the best of the deponent's belief, no owner or part owner of the ship was domiciled in the possession at the time when the necessities were supplied or the work was done;
- (c) In an action between co-owners relating to the ownership, possession, employment, or earnings of any ship registered in the possession, the port at which the ship is registered, and the number of shares in the ship owned by the party proceeding.

32. In an action for bottomry, the bottomry bond in original, and, if it is in a foreign language, a translation thereof, shall be produced for the inspection and perusal of the registrar, and a copy of the bond, or of the translation thereof, certified to be correct, shall be annexed to the affidavit.

33. The registrar, if he thinks fit, may issue a warrant, although the affidavit does not contain all the prescribed particulars, and, in an action for bottomry, although the bond has not been produced; or he may refuse to issue a warrant without the order of the judge.

34. The warrant shall be prepared in the registry, and shall be signed by the registrar, and issued under the seal of the court. A form of warrant will be found in the Appendix hereto, No. 12.

35. The warrant shall be served by the marshal, or his officer in the manner prescribed by these rules for the service of a writ of summons in an action *in rem*, and thereupon the property shall be deemed to be arrested.

36. The warrant may be served on Sunday, Good Friday, or Christmas Day, as well as on any other day.

37. The warrant shall be filed by the marshal within *one week* after service thereof has been completed, with a certificate of service indorsed thereon.

38. The certificate shall state by whom the warrant has been served, and the date and mode of service, and shall be signed by the marshal. A form of certificate of service will be found in the Appendix hereto, No. 13.

BAIL.

39. Whenever bail is required by these rules, it shall be given by filing one or more bail bonds, each of which shall be signed by two sureties, unless the judge shall, on special cause shown, order that one surety shall suffice.

40. Every bail bond shall be prepared in the registry and shall be signed before the registrar, or by his direction before a clerk in the registry, or before a commissioner appointed by the court, to take bail. Forms of bail bond and commission to take bail will be found in the Appendix hereto, Nos. 14 and 15.

41. Sureties may attend to sign a bond either separately or together.

42. If bail is taken before a commissioner, the sureties shall justify by affidavit.

43. The commission to take bail and the affidavits of justification shall be prepared in the registry, and issued with the bail bond, and shall with the bail bond, when executed, be returned to the registry by the commissioner.

44. No commissioner shall be entitled to take bail in any action in which he, or any person in partnership with him, is acting as solicitor or agent.

45. Before filing a bail bond, notice of bail shall be served upon the adverse party, and a certificate of such service shall be indorsed on the bond by the party filing it. A form of notice of bail will be found in the Appendix hereto, No. 16.

46. If the adverse party is not satisfied with the sufficiency of any surety, he may file a notice objecting to such surety, or requiring him to justify, if he has not already done so. Forms of notice to justify, of affidavit of justification, and of notice of objection to bail, will be found in the Appendix hereto, Nos. 17, 18, and 19.

RELEASES.

47. A release for property arrested by warrant may be issued by order of the judge.

48. A release may also be issued by the registrar, unless there is a caveat outstanding against the release of the property—

- (a) On payment into court of the amount claimed, or of the appraised value of the property arrested, or where cargo is arrested for freight only, of the amount of the freight verified by affidavit;
- (b) On one or more bail bonds being filed for the amount claimed, or for the appraised value of the property arrested; and on proof that *twenty-four hours'* notice of the names and addresses of the sureties has been previously served on the party at whose instance the property has been arrested;
- (c) On the application of the party at whose instance the property has been arrested;
- (d) On a consent in writing being filed signed by the party at whose instance the property has been arrested;
- (e) On discontinuance or dismissal of the action in which the property has been arrested.

49. Where property has been arrested for salvage, the release shall not be issued under the foregoing rule, except on discontinuance or dismissal of the action, until the value of the property arrested has been agreed upon between the parties or determined by the judge.

50. The registrar may refuse to issue a release without the order of the judge.

51. The release shall be prepared in the registry, and shall be signed by the registrar, and issued under the seal of the court. A form of release will be found in the Appendix hereto, No. 20.

52. The release shall be served on the marshal, either personally, or by leaving it at his office, by the party by whom it is taken out.

53. On service of the release and on payment to the marshal of all fees due to and charges incurred by him in respect of the arrest and custody of the property, the property shall be at once released from arrest.

PRELIMINARY ACTS.

54. In an action for damage by collision, each party shall, within *one week* from an appearance being entered, file a Preliminary Act, sealed up, signed by the party, and containing a statement of the following particulars:—

- (1) The names of the ships which came into collision, and the names of their masters;
- (2) The time of the collision;
- (3) The place of the collision;
- (4) The direction and force of the wind;
- (5) The state of the weather;
- (6) The state and force of the tide;
- (7) The course and speed of the ship when the other was first seen;
- (8) The lights, if any, carried by her;
- (9) The distance and bearing of the other ship when first seen;
- (10) The lights, if any, of the other ship which were first seen;
- (11) The lights, if any, of the other ship, other than those first seen, which came into view before the collision;
- (12) The measures which were taken, and when, to avoid the collision;
- (13) The parts of each ship which first came into collision;
- (14) What fault or default, if any, is attributed to the other ship.

PLEADINGS.

55. Every action shall be heard without pleadings, unless the judge shall otherwise order.

56. If an order is made for pleadings, the plaintiff shall, within *one week* from the date of the order, file his petition, and, within *one week* from the filing of the petition, the defendant shall file his answer, and within *one week* from the filing of the answer the plaintiff shall file his reply, if any; and there shall be no pleading beyond the reply, except by permission of the judge.

57. The defendant may, in his answer, plead any set-off or counterclaim. But if, in the opinion of the judge, such set-off or counterclaim cannot be conveniently disposed of in the action, the judge may order it to be struck out.

58. Every pleading shall be divided into short paragraphs, numbered consecutively, which shall state concisely the facts on which the party relies; and shall be signed by the party filing it. Forms of pleadings will be found in the Appendix hereto, No. 21.

59. It shall not be necessary to set out in any pleading the words of any document referred to therein, except so far as the precise words of the document are material.

60. Either party may apply to the judge to decide forthwith any question of fact or of law raised by any pleading, and the judge shall thereupon make such order as to him shall seem fit.

61. Any pleading may at any time be amended, either by consent of the parties, or by order of the judge.

INTERROGATORIES.

62. At any time before the action is set down for hearing any party desirous of obtaining the answers of the adverse party on any matters material to the issue, may apply to the judge for leave to administer interrogatories to the adverse party to be answered on oath, and the judge may direct within what time and in what way they shall be answered, whether by affidavit or by oral examination.

63. The judge may order any interrogatory that he considers objectionable to be amended or struck out; and if the party interrogated omits to answer or answers insufficiently, the judge may order him to answer, or to answer further, and either by affidavit or by oral examination. Forms of interrogatories and of answers will be found in the Appendix hereto, Nos. 22 and 23.

DISCOVERY AND INSPECTION.

64. The judge may order any party to an action to make discovery, on oath, of all documents which are in his possession or power relating to any matter in question therein.

65. The affidavit of discovery shall specify which, if any, of the documents therein mentioned the party objects to produce. A form of affidavit of discovery will be found in the Appendix hereto, No. 24.

66. Any party to an action may file a notice to any other party to produce, for inspection or transcription, any document in his possession or power relating to any matter in question in the action. A form of notice to produce will be found in the Appendix hereto, No. 25.

67. If the party served with notice to produce omits or refuses to do so within the time specified in the notice, the adverse party may apply to the judge for an order to produce.

ADMISSION OF DOCUMENTS AND FACTS.

68. Any party may file a notice to any other party to admit any document or fact (saving all just exceptions), and a party not admitting it after such notice shall be liable for the costs of proving the document or fact, whatever the result of the action may be, unless the taxing officer is of opinion that there was sufficient reason for not admitting it. Forms of notice to admit will be found in the Appendix hereto, Nos. 26 and 27.

69. No costs of proving any document shall be allowed, unless notice to admit shall have been previously given, or the taxing officer shall be of opinion that the omission to give such notice was reasonable and proper.

SPECIAL CASE.

70. Parties may agree to state the questions at issue for the opinion of the judge in the form of a special case.

71. If it appears to the judge that there is in any action a question of law which it would be convenient to have decided in the first instance, he may direct that it shall be raised in a special case or in such other manner as he may deem expedient.

72. Every special case shall be divided into paragraphs, numbered consecutively, and shall state concisely such facts and documents as may be necessary to enable the judge to decide the question at issue.

73. Every special case shall be signed by the parties, and may be filed by any party.

MOTIONS.

74. A party desiring to obtain an order from the judge shall file a notice of motion with the affidavits, if any, on which he intends to rely.

75. The notice of motion shall state the nature of the order desired, the day on which the motion is to be made, and whether in court or in chambers. A form of notice of motion will be found in the Appendix hereto, No. 28.

76. Except by consent of the adverse party, or by order of the judge, the notice of motion shall be filed *twenty-four hours* at least before the time at which the motion is made.

77. When the motion comes on for hearing, the judge, after hearing the parties, or, in the absence of any of them, on proof that the notice of motion has been duly served, may make such order as to him shall seem fit.

78. The judge may, on due cause shown, vary or rescind any order previously made.

TENDERS.

79. A party desiring to make a tender in satisfaction of the whole or any part of the adverse party's claim, shall pay into court the amount tendered by him, and shall file a notice of the terms on which the tender is made.

80. Within a *week* from the filing of the notice the adverse party shall file a notice, stating whether he accepts or rejects the tender, and if he shall not do so, he shall be held to have rejected it. Forms of notice of tender and of notice accepting or rejecting it will be found in the Appendix hereto, Nos. 29 and 30.

81. Pending the acceptance or rejection of a tender, the proceedings shall be suspended.

EVIDENCE.

82. Evidence shall be given either by affidavit or by oral examination, or partly in one mode, partly in another.

83. Evidence on a motion shall in general be given by affidavit, and at the hearing by the oral examination of witnesses; but the mode or modes in which evidence shall be given, either on any motion or at the hearing, may be determined either by consent of the parties, or by order of the judge.

84. The judge may order any person who has made an affidavit in an action to attend for cross-examination thereon before the judge or the registrar, or a commissioner specially appointed.

85. Witnesses examined orally before the judge, the registrar, or a commissioner, shall be examined, cross-examined, and re-examined in such order as the judge, registrar, or commissioner may direct; and questions may be put to any witness by the judge, registrar, or commissioner, as the case may be.

86. If any witness is examined by interpretation, such interpretation shall be made by a sworn interpreter of the court, or by a person previously sworn according to the form in the Appendix hereto, No. 31.

OATHS.

87. The judge may appoint any person to administer oaths in Vice-Admiralty proceedings generally, or in any particular proceedings. Forms of appointments to administer oaths will be found in the Appendix hereto, No. 32.

88. If any person tendered for the purpose of giving evidence objects to take an oath, or is objected to as incompetent to take an oath, or is by reason of any defect of religious knowledge or belief incapable of comprehending the nature of an oath, the Judge or person authorized to administer the oath shall, if satisfied that the taking of an oath would have no binding effect on his conscience, permit him, in lieu of an oath, to make a declaration. Forms of oath, and of declaration in lieu of oath, will be found in the Appendix hereto, Nos. 33 and 34.

AFFIDAVITS.

89. Every affidavit shall be divided into short paragraphs, numbered consecutively, and shall be in the first person.

90. The name, address, and description of every person making an affidavit shall be inserted therein.

91. The names of all the persons making an affidavit, and the dates when and the places where it is sworn, shall be inserted in the jurat.

92. When an affidavit is made by any person who is blind, or who from his signature or otherwise appears to be illiterate, the person before whom the affidavit is sworn shall certify that the affidavit was read over to the deponent, and that the deponent appeared to understand the same, and made his mark or wrote his signature thereto in the presence of the person before whom the affidavit was sworn.

93. When an affidavit is made by a person who does not speak the English language, the affidavit shall be taken down and read over to the deponent by interpretation either of a sworn interpreter of the court, or of a person previously sworn faithfully to interpret the affidavit. A form of jurat will be found in the Appendix hereto, No. 35.

94. Affidavits may, by permission of the judge, be used as evidence in an action, saving all just exceptions:

- (1.) If sworn to, in the United Kingdom of Great Britain and Ireland, or in any possession, before any person authorized to administer oaths in the said United Kingdom or in such possession respectively;
- (2.) If sworn to, in any place not being a part of Her Majesty's dominions, before a British minister, consul, vice-consul, or notary public, or before a judge or magistrate, the signature of such judge or magistrate, being authenticated by the official seal of the court to which he is attached.

95. The reception of any affidavit as evidence may be objected to, if the affidavit has been sworn before the solicitor for the party on whose behalf it is offered, or before a partner or clerk of such solicitor.

EXAMINATION OF WITNESSES BEFORE TRIAL.

96. The judge may order that any witness who cannot conveniently attend at the trial of the action shall be examined previously thereto, before either the judge or the registrar, who shall have power to adjourn the examination from time to time,

and from place to place, if he shall think necessary. A form of order for examination of witnesses will be found in the Appendix hereto, No. 36.

97. If the witness cannot be conveniently examined before the judge or the registrar, or is beyond the limits of the possession, the judge may order that he shall be examined before a commissioner specially appointed for the purpose.

98. The commissioner shall have power to swear any witnesses produced before him for examination, and to adjourn, if necessary, the examination from time to time, and from place to place. A form of commission to examine witnesses will be found in the Appendix hereto, No. 37.

99. The parties, their counsel and solicitors, may attend the examination, but, if counsel attend, the fees of only one counsel on each side shall be allowed on taxation, except by order of the judge.

100. The evidence of every witness shall be taken down in writing, and shall be certified as correct by the judge, or registrar, or by the commissioner, as the case may be.

101. The certified evidence shall be lodged in the registry, or, if taken by commission, shall forthwith be transmitted by the commissioner to the registry, together with his commission. A form of return to commission to examine witnesses will be found in the Appendix hereto, No. 38.

102. As soon as the certified evidence has been received in the registry it may be taken up and filed by either party, and may be used as evidence in the action, saving all just exceptions.

SHORTHAND WRITER.

103. The judge may order the evidence of the witnesses whether examined before the judge, or the registrar, or a commissioner, to be taken down by a shorthand writer, who shall have been previously sworn faithfully to report the evidence, and a transcript of the shorthand writer's notes, certified by him to be correct and approved by the judge, registrar, or commissioner, as the case may be, shall be lodged in or transmitted to the registry as the certified evidence of such witnesses. A form of oath to be administered to the shorthand writer will be found in the Appendix hereto, No. 39.

PRINTING.

104. The judge may order that the whole of the pleadings and written proofs, or any part thereof, shall be printed before the trial; and the printing shall be in such manner and form as the judge shall order.

105. Preliminary Acts, if printed, shall be printed in parallel columns.

ASSESSORS.

106. The judge, on the application of any party, or without any such application if he considers that the nature of the case requires it, may appoint one or more assessors to advise the court upon any matters requiring nautical or other professional knowledge.

107. The fees of the assessors shall be paid in the first instance by the plaintiff, unless the judge shall otherwise order.

SETTING DOWN FOR TRIAL.

108. An action shall be set down for trial by filing a notice of trial. A form of notice of trial will be found in the Appendix hereto, No. 40.

109. If there has not been any appearance, the plaintiff may set down the action for trial, on obtaining from the judge leave to proceed *ex parte*—

(a) In an action *in personam*, or an action against proceeds in court, after the expiration of *two weeks* from the service of the writ of summons;

(b) In an action *in rem* (not being an action against proceeds in court), after the expiration of *two weeks* from the filing of the warrant.

110. If there has been an appearance, either party may set down the action for trial—

(a) After the expiration of *one week* from the entry of the appearance, unless an order has been made for pleadings, or an application for such an order is pending;

(b) If pleadings have been ordered, when the last pleading has been filed, or when the time allowed to the adverse party for filing any pleading has expired without such pleading having been filed.

In collision cases the Preliminary Acts may be opened as soon as the action has been set down for trial.

111. Where the writ of summons has been indorsed with a claim to have an account taken, or the liability has been admitted or determined, and the question is simply as to the amount due, the judge may, on the application of either party, fix a time within which the accounts and vouchers, and the proofs in support thereof, shall be filed, and at the expiration of that time either party may have the matter set down for trial.

TRIAL.

112. After the action has been set down for trial, the registrar shall send notice to the parties of the day on which it will be tried.

113. At the trial of a contested action the plaintiff shall in general begin. But if the burden of proof lies on the defendant, the judge may direct the defendant to begin.

114. If there are several plaintiffs or several defendants, the judge may direct which plaintiff or which defendant shall begin.

115. The party beginning shall first address the court, and then produce his witnesses, if any. The other party or parties shall then address the court, and produce their witnesses, if any, in such order as the judge may direct, and shall have a right to sum up their evidence. In all cases the party beginning shall have the right to reply, but shall not produce further evidence, except by permission of the judge.

116. Only one counsel shall in general be heard on each side; but the judge, if he considers that the nature of the case requires it, may allow two counsel to be heard on each side.

117. If the action is uncontested, the judge may, if he thinks fit, give judgment on the evidence adduced by the plaintiff.

REFERENCES.

118. The judge may, if he thinks fit, refer the assessment of damages and the taking of any account to the registrar, either alone or assisted by one or more merchants as assessors.

119. The rules as to evidence, and as to the trial, shall apply *mutatis mutandis* to a reference to the registrar, and the registrar may adjourn the proceedings from time to time, and from place to place, if he shall think necessary.

120. Counsel may attend the hearing of any reference, but the costs so incurred shall not be allowed on taxation unless the registrar shall certify that the attendance of counsel was necessary.

121. When a reference has been heard, the registrar shall draw up a report in writing of the result, showing the amount, if any, found due, and to whom, together with any further particulars that may be necessary. A form of the report will be found in the Appendix hereto, No. 41.

122. When the report is ready, notice shall be sent to the parties, and either party may thereupon take up and file the report.

123. Within *two weeks* from the filing of the registrar's report, either party may file a notice of motion to vary the report, specifying the items objected to.

124. At the hearing of the motion the judge may make such order thereon as to him shall seem fit, or may remit the matter to the registrar for further inquiry or report.

125. If no notice of motion to vary the report is filed within *two weeks* from filing the registrar's report, the report shall stand confirmed.

COSTS.

126. In general costs shall follow the result; but the judge may in any case make such order as to the costs as to him shall seem fit.

127. The judge may direct payment of a lump sum in lieu of taxed costs.

128. If any plaintiff (other than a seaman suing for his wages or for the loss of his clothes and effects in a collision), or any defendant making a counterclaim is not resident in the possession, the judge may, on the application of the adverse party, order him to give bail for costs.

129. A party claiming an excessive amount, either by way of claim or of set-off or counterclaim, may be condemned in all costs and damages thereby occasioned.

130. If a tender is rejected, but is afterwards accepted, or is held by the judge to be sufficient, the party rejecting the tender shall, unless the judge shall otherwise order, be condemned in the costs incurred after tender made.

131. A party, who has not admitted any fact which in the opinion of the judge he ought to have admitted, may be condemned in all costs occasioned by the non-admission.

132. Any party pleading at unnecessary length or taking any unnecessary proceeding in an action may be condemned in all costs thereby occasioned.

TAXATION OF COSTS.

133. A party desiring to have a bill of costs taxed shall file the bill, and, as soon as conveniently may be, the registrar shall send to the parties notice of the time at which the taxation will take place.

134. At the time appointed, if either party is present, the taxation shall be proceeded with.

135. Within *one week* from the completion of the taxation application may be made to the judge to review the taxation.

136. Costs may be taxed either by the judge or by the registrar, and as well between solicitor and client, as between party and party.

137. If in a taxation between solicitor and client more than *one-sixth* of the bill is struck off, the solicitor shall pay all the costs attending the taxation.

APPRAISEMENT AND SALE, &c.

138. The judge may, either before or after final judgment, order any property under the arrest of the court to be appraised, or to be sold with or without appraisal, and either by public auction or by private contract.

139. If the property is deteriorating in value, the judge may order it to be sold forthwith.

140. If the property to be sold is of small value, the judge may, if he thinks fit, order it to be sold without a commission of sale being issued.

141. The judge may, either before or after final judgment, order any property under arrest of the court to be removed, or any cargo under arrest on board ship to be discharged.

142. The appraisal, sale, and removal of property, the discharge of cargo, and the demolition and sale of a vessel condemned under any Slave Trade Act, shall be effected under the authority of a commission addressed to the marshal. Forms of commissions of appraisal, sale, appraisal and sale, removal, discharge of cargo, and demolition and sale, will be found in the Appendix hereto, Nos. 42 to 47.

143. The commission shall, as soon as possible after its execution, be filed by the marshal, with a return setting forth the manner in which it has been executed.

144. As soon as possible after the execution of a commission of sale the marshal shall pay into court the gross proceeds of the sale, and shall with the commission file his accounts and vouchers in support thereof.

145. The registrar shall tax the marshal's account, and shall report the amount at which he considers it should be allowed; and any party who is interested in the proceeds may be heard before the registrar on the taxation.

146. Application may be made to the judge on motion to review the registrar's taxation.

147. The judge may, if he thinks fit, order any property under the arrest of the court to be inspected. A form of order for inspection will be found in the Appendix hereto, No. 48.

DISCONTINUANCE.

148. The plaintiff may, at any time, discontinue his action by filing a notice to that effect, and the defendant shall thereupon be entitled to have judgment entered for his costs of action on filing a notice to enter the same. The discontinuance of an action by the plaintiff shall not prejudice any action consolidated therewith or any counterclaim previously set up by the defendant. Forms of notice of discontinuance and of notice to enter judgment for costs will be found in the Appendix hereto, Nos. 49 and 50.

CONSENTS.

149. Any consent in writing signed by the parties may, by permission of the registrar, be filed, and shall thereupon become an order of court.

APPEALS.*

150. A party desiring to appeal shall, within one month from the date of the decree or order appealed from, file a notice of appeal, and give bail in such sum, not exceeding 300*l*., as the Judge may order, to answer the costs of the appeal. A form of notice of appeal will be found in the Appendix hereto, No. 51.

151. Notwithstanding the filing of the notice of appeal, the Judge may, at any time before service of the inhibition, proceed to carry the decree or order appealed from into effect, provided that the party in whose favour it has been made gives bail to abide the event of the appeal, and to answer the costs thereof, in such sum as the Judge may order.

152. An appellant desiring to prosecute his appeal is to cause the registrar to be served with an inhibition and citation, and a motion for process, or is to take such other steps as may be required by the practice of the Appellate Court.

153. On service of the inhibition and citation all proceedings in the action will be stayed.

154. On service of the motion for process the registrar shall forthwith prepare the process at the expense of the party ordering the same.

155. The process, which shall consist of a copy of all the proceedings in the action, shall be signed by the registrar and sealed with the seal of the court, and shall be transmitted by the registrar to the registrar of the Appellate Court.

* Under the Act 26 and 27 Vict. c. 24, by s. 22. "The appeal from a decree or order of a Vice-Admiralty Court lies to Her Majesty in Council; but no appeal shall be allowed, save by permission of the judge, from any decree or order not having the force or effect of a definite sentence or final order."

By s. 23. "The time for appealing from any decree or order of a Vice-Admiralty Court shall, notwithstanding any existing enactment to the contrary, be limited to six months from the date of the decree or order appealed from; and no appeal shall be allowed where the petition of appeal to Her Majesty shall not have been lodged in the registry of the High Court of Admiralty and of appeals within that time, unless Her Majesty in Council shall, on the report and recommendation of the Judicial Committee of the Privy Council, be pleased to allow the appeal to be prosecuted, notwithstanding that the petition of appeal has not been lodged within the time prescribed."

Rules (Nos. 148-53) relate only to the proceedings to be taken in the Vice-Admiralty Courts. The procedure in the Appellate Court is regulated by the Rules for appeals in ecclesiastical and maritime causes established by Order in Council of the 11th December, 1855. See p. 94.

PAYMENTS INTO COURT.

156. All moneys to be paid into court shall be paid upon receivable orders to be obtained in the registry to the account of the registrar at some bank in the possession, to be approved by the judge, or with the sanction of the local government, into the Treasury of the possession. A form of receivable order will be found in the Appendix hereto, No. 52.

157. A bank receipt for the amount shall be filed, and thereupon the payment into court shall be deemed to be complete.

PAYMENTS OUT OF COURT.

158. No money shall be paid out of court except upon an order signed by the Judge. On signing a receipt to be prepared in the registry, the party to whom the money is payable under the order will receive a cheque for the amount, signed by the registrar, upon the bank in which the money has been lodged, or an order upon the Treasury in such form as the local government shall direct. A form of order for payment out of court will be found in the Appendix hereto, No. 53.

CAVEATS.

159. Any person desiring to prevent the arrest of any property may file a notice undertaking, within three days after being required to do so, to give bail to any action or counterclaim that may have been, or may be, brought against the property, and thereupon the registrar shall enter a caveat in the caveat warrant book hereinafter mentioned. Forms of notice and of caveat warrant will be found in the Appendix hereto, Nos. 54 and 55.

160. Any person desiring to prevent the release of any property under arrest shall file a notice, and thereupon the registrar shall enter a caveat in the caveat release book hereinafter mentioned. Forms of notice and of caveat release will be found in the Appendix hereto, Nos. 56 and 57.

161. Any person desiring to prevent the payment of money out of court shall file a notice, and thereupon the registrar shall enter a caveat in the caveat payment book hereinafter mentioned. Forms of notice and of caveat payment will be found in the Appendix hereto, Nos. 58 and 59.

162. If the person entering a caveat is not a party to the action, the notice shall state his name and address, and an address within three miles of the registry at which it shall be sufficient to leave all documents required to be served upon him.

163. The entry of a caveat warrant shall not prevent the issue of a warrant, but a party at whose instance a warrant shall be issued for the arrest of any property in respect of which there is a caveat warrant outstanding, shall be condemned in all costs and damages occasioned thereby, unless he shall show to the satisfaction of the judge good and sufficient reason to the contrary.

164. The party at whose instance a caveat release or caveat payment is entered shall be condemned in all costs and damages occasioned thereby, unless he shall show to the satisfaction of the judge good and sufficient reason to the contrary.

165. A caveat shall not remain in force for more than *six months* from the date of entering the same.

166. A caveat may at any time be withdrawn by the person at whose instance it has been entered, on his filing a notice withdrawing it. A form of notice of withdrawal will be found in the Appendix hereto, No. 60.

167. The judge may overrule any caveat.

SUBPŒNAS.

168. Any party desiring to compel the attendance of a witness shall serve him with a subpoena, which shall be prepared by the party and issued under the seal of the court. Forms of subpoenas will be found in the Appendix hereto, Nos. 61 and 62.

169. A subpoena may contain the names of any number of witnesses, or may be issued with the names of the witnesses in blank.

170. Service of the subpoena must be personal, and may be made by the party or his agent, and shall be proved by affidavit.

ORDERS FOR PAYMENT.

171. On application by a party to whom any sum has been found due, the judge may order payment to be made out of any money in court applicable for the purpose.

If there is no such money in court, or if it is insufficient, the judge may order that the party liable shall pay the sum found due, or the balance thereof, as the case may be, within such time as to the judge shall seem fit. The party to whom the sum is due may then obtain from the registry and serve upon the party liable an order for payment under seal of the court. A form of order for payment will be found in the Appendix hereto, No. 63.

ATTACHMENTS.

172. If any person disobeys an order of the court, or commits a contempt of court, the judge may order him to be attached. A form of attachment will be found in the Appendix hereto, No. 64.

173. The person attached shall without delay be brought before the judge, and if he persists in his disobedience or contempt, the judge may order him to be committed. Forms of order for committal and of committal will be found in the Appendix hereto, Nos. 65 and 66.

The order for committal shall be executed by the marshal.

EXECUTION.

174. Any decree or order of the Court may be enforced in the same manner as a decree or order of the Supreme Court of the possession may be enforced.

INSTRUMENTS, &c.

175. Every warrant, release, commission, attachment, and other instrument to be executed by any officer of, or commissioner acting under, the authority of the court shall be prepared in the registry and signed by the registrar, and shall be issued under the seal of the court.

176. Every document issued under the seal of the court shall bear date on the day of sealing, and shall be deemed to be issued at the time of the sealing thereof.

177. Every document requiring to be served shall be served within *six months* from the date thereof, otherwise the service shall not be valid.

178. Every instrument to be executed by the marshal shall be left with the marshal by the party at whose instance it is issued, with written instructions for the execution thereof.

NOTICES FROM THE REGISTRY.

179. Any notice from the registry may be either left at or sent by post to the address for service of the party to whom notice is to be given.

FILING.

180. Documents shall be filed by leaving the same in the registry, with a minute stating the nature of the document, and the date of filing it. A form of minute on filing any document will be found in the Appendix hereto, No. 67.

181. Any number of documents in the same action may be filed with one and the same minute.

182. No document, except preliminary acts, bail bonds, documents issued from the registry, and minutes, shall be filed without a certificate indorsed thereon, signed by the party filing the same, that a copy thereof has been served upon the adverse party, if any.

TIME.

183. If the time for doing any act or taking any proceeding in an action expires on a Sunday, or on any other day on which the registry is closed, and by reason thereof such act or proceeding cannot be done or taken on that day, it may be done or taken on the next day on which the registry is open.

184. Where, by these rules or by any order made under them, any act or proceeding is ordered or allowed to be done within or after the expiration of a time limited from or after any date or event, such time, if not limited by hours, shall not include the day of such date or of the happening of such event, but shall commence on the next following day.

185. The judge may, on the application of either party, enlarge or abridge the time prescribed by these rules or forms or by any order made under them for doing any act or taking any proceeding, upon such terms as to him shall seem fit, and any such enlargement may be ordered although the application for the same is not made until after the expiration of the time prescribed.

SITTINGS OF THE COURT.

186. The judge shall appoint proper and convenient times for sittings in court and in chambers, and may adjourn the proceedings from time to time and from place to place as to him shall seem fit.

REGISTRY.

187. The registry shall be open to suitors during fixed hours to be appointed by the judge.

188. The registrar shall obey all the lawful directions of the judge. He shall attend all sittings whether in court or in chambers, and shall take minutes of all the proceedings. He shall have the custody of all records of the court. He shall collect for the judge's use the fees payable to him. He shall not act as counsel or solicitor in the court.

MARSHAL.

189. The marshal shall execute by himself or his officer all instruments issued from the court which are addressed to him, and shall make returns thereof.

190. Whenever, by reason of distance or other sufficient cause, the marshal cannot conveniently execute any instrument in person, he shall employ some competent person as his officer to execute the same.

HOLIDAYS.

191. The registry and the marshal's office shall be closed on Sundays, Good Friday, Easter Monday, Easter Tuesday, and Christmas Day, and on such days as are appointed by law or by the Governor of the possession to be kept as holidays or fast days.

RECORDS OF THE COURT.

192. There shall be kept in the registry a book, to be called the minute book, in which the registrar shall enter in order of date, under the head of each action, and on a page numbered with the number of the action, a record of the commencement of the action, of all appearances entered, all documents issued or filed, all acts done, and all orders and decrees of the court, whether made by the judge, or by the registrar, or by consent of the parties in the action. Forms of minute of order of court, of minute on examination of witnesses, of minute of decree, and of minutes in an action for damage by collision, will be found in the Appendix hereto, Nos. 68 to 71.

193. There shall be kept in the registry a caveat warrant book, a caveat release book, and a caveat payment book, in which all such caveats respectively and the withdrawal thereof shall be entered by the registrar.

194. Any solicitor may, free of charge, inspect the minute and caveat books.

195. The parties to an action may, while the action is pending, and for *one year* after its termination, inspect, free of charge, all records in the action.

196. Except as provided by the two last preceding rules, no person shall be entitled to inspect the records in a pending action without the permission of the registrar.

197. In an action which is terminated, any person may, on payment of a search fee, inspect the records in the action.

COPIES.

198. Any person entitled to inspect any document in an action shall, on payment of the proper charges for the same, be entitled to an office copy thereof under seal of the court.

FORMS.

199. The forms in the Appendix to these rules shall be followed with such variations as the circumstances may require, and any party using any other forms shall be liable for any costs occasioned thereby.

FEES.

200. Subject to the following rules, the fees set forth in the tables of fees in the Appendix hereto shall be allowed on taxation.

201. Where the fee is per folio, the folio shall be counted at the rate of seventy-two words, and every numeral, whether contained in columns or otherwise written, shall be counted and charged for as a word.

202. Where the sum in dispute does not exceed £50, or the value of the *res* does not exceed £100, one-half only of the fees set forth in the Table hereto annexed shall be charged and allowed.

203. Where costs are awarded to a plaintiff, the expression "sum in dispute" shall mean the sum recovered by him in addition to the sum, if any, counter-claimed from him by the defendant; and where costs are awarded to a defendant, it shall mean the sum claimed from him in addition to the sum, if any, recovered by him.

204. The judge may, in any action, order that half-fees only shall be allowed.

205. If the same practitioner acts as both counsel and solicitor in an action, he shall not for any proceeding be allowed to receive fees in both capacities, nor to receive a fee as counsel where the act of a solicitor only is necessary.

REPEALING CLAUSE.

206. From and after the 1st day of January, 1884, except in regard to actions commenced before that day, the under-mentioned rules and regulations, together with all forms thereto annexed, and all tables of fees now in force in any court shall be repealed, viz.:

(a) The rules and regulations touching the practice to be observed in suits and proceedings in the several courts of Vice-Admiralty abroad, established by an Order in Council of the 27th June, 1832.

(b) The twenty-fifth section of rules and regulations touching the practice to be observed in suits and proceedings in the several Courts of Vice-Admiralty abroad, substituted in lieu of section 25 in the former rules and regulations, and established by an Order in Council of the 25th June, 1851.

(c) The additional rules and regulations for the several courts of Vice-Admiralty abroad, established by an Order in Council of the 6th July, 1859.

(d) Any of the above-mentioned Rules and Regulations, as extended by subsequent Orders in Council to other Vice-Admiralty Courts.

CASES NOT PROVIDED FOR.

207. In all cases not provided for by these Rules the practice of the Admiralty Division of the High Court of Justice of England shall be followed.

COMMENCEMENT OF RULES.

208. These rules shall come into operation on the 1st day of January, 1884, and shall apply to all actions commenced on or after that day. Actions commenced before that day may, by consent of parties, and with permission of the judge, be continued under these rules on such terms as to the judge shall seem fit.

APPENDIX.

I. FORMS.

Rule 199.

No. 1.

TITLE OF ACTION IN REM.

Rule 4.

No. [here insert the number of the action].

A.B., Plaintiff,
against

- (a.) The Ship
or (b.) The Ship and freight.
or (c.) The Ship her cargo and freight.
or (if the action is against cargo only),
(d.) The cargo on the Ship [state name of ship on board of which the cargo now is or lately was laden].
or (if the action is against the proceeds realised by the sale of the Ship or Cargo),
(e.) The proceeds of the Ship
or (f.) The proceeds of the cargo on the Ship
or as the case may be.

Action for [state nature of action, whether for damage by collision, wages, hollomry, &c., as the case may be].

No. 2.

TITLE OF ACTION IN PERSONAM.

Rule 4.

No. [here insert the number of the action]

A.B., Plaintiff,

against

The Owners of the Ship [or as the case may be].
Action for [state nature of action as in preceding form].

No. 3.

TITLE OF ACTION IN THE NAME OF THE CROWN.

Rule 4.

No. [insert number of action].

Our Sovereign Lady the Queen.

[add, where necessary, in Her Office of Admiralty.]

against

- (a.) The Ship [or as the case may be],
or,
(b.) A.B., &c. [the person or persons proceeded against].
Action for [state nature of action].

No. 4.

WRIT OF SUMMONS IN REM.

Rule 5.

In the Vice-Admiralty Court of

(L.S.) [Here insert title of action.]

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India.

To the owners and all others interested in the Ship [her cargo and freight, &c., or as the case may be].

We command you that, within one week after the service of this writ, exclusive of the day of such service, you do cause an appearance to be entered for you in our Vice-Admiralty Court of [state name of court] in the above-named action; and take notice that in default of your so doing the said action may proceed, and judgment may be given in your absence.

Given at [state name of court] in our said Court, under the seal thereof, this [state day] day of [state month] 18 [state year].

Memorandum to be subscribed on the Writ.

This writ may be served within six months from the date thereof, exclusive of the day of such date, but not afterwards.

The Defendant (or Defendants) may appear hereto by entering an appearance (or appearances) either personally or by solicitor at the registry of the said court situate at [state name of court].

No. 5.

WRIT OF SUMMONS IN PERSONAM.

Rule 5.

In the Vice-Admiralty Court of

(L.S.) [Here insert title of action.]

VICTORIA, by the grace of God, &c.

To C.D., of [state name of court], and E.F., of [state name of court].
We command you that, within one week after the service of this writ, exclusive of the day of such service, you do cause an appearance to be entered for you in our Vice-Admiralty Court of [state name of court] in the above-named action; and take notice that in default of your so doing the said action may proceed, and judgment may be given in your absence.

Given at [state name of court] in our said Court, under the seal thereof, this [state day] day of [state month] 18 [state year].

Memorandum to be subscribed on the Writ.

This writ may be served within six months from the date thereof, exclusive of the day of such date, but not afterwards.

The Defendant (or Defendants) may appear hereto by entering an appearance (or appearances) either personally or by solicitor at the registry of the said court situate at [state name of court].

No. 6.

INDORSEMENTS TO BE MADE ON FILE WRIT BEFORE ISSUE THEREOF.

Rule 6.

(1.) The plaintiff claims [insert description of claim as given in Form No. 7.]

(2.) This writ was issued by the Plaintiff in person, who resides at [state Plaintiff's place of residence, with name of street and number of house, if any.]

or,

This writ was issued by C.D., of [state place of business] solicitor for the Plaintiff.

(3.) All documents required to be served upon the said Plaintiff in the action may be left for him at [insert address for service within three miles of the registry.]

or,

Where the action is in the name of the Crown.

(1.) A.B., &c., claims [insert description of claim as given in Form No. 7.]

(2.) This writ was issued by A.B. [state name and address of person prosecuting in the name of the Crown, or his solicitor, as the case may be.]

(3.) All documents required to be served upon the Crown in this action may be left at [insert address for service within three miles of the registry.]

No. 7.

INDORSEMENTS OF CLAIM.

Rule 5.

(1.) Damage by Collision :

The Plaintiffs, as owners of the Ship "Mary" [her cargo and freight, &c., or as the case may be] claim the sum of £ [state sum] against the Ship "Jane" for damage occasioned by a collision which took place [state where] on the [state day] day of [state month] 18 [state year]; and for costs.

(2.) Salvage :

The Plaintiffs, as the owners, masters, and crew of the Ship "Mary," claim the sum of £ [state sum] for salvage services rendered by them to the Ship "Jane," [her cargo and freight, &c., or as the case may be] on the [state day] day of [state month] 18 [state year], in or near [state where the services were rendered]; and for costs.

(3.) Pilotage :

The Plaintiff claims the sum of £ [state sum] for pilotage of the Ship "Jane" on the [state day] day of [state month] 18 [state year], from [state where pilotage commenced] to [state where pilotage ended]; and for costs.

(4.) Towing :

The Plaintiffs, as owners of the Ship "Mary," claim the sum of £ [state sum] for towing services rendered by the said Ship to the Ship "Jane" [her cargo and freight, &c., or as the case may be], on the [state day] day of [state month] 18 [state year], at or near [state where the services were rendered]; and for costs.

Rule 6

(5.) Master's wages and disbursements :

The Plaintiff claims the sum of £ [state sum], for his wages and disbursements as master of the Ship "Mary," and to have an account taken thereof; and for costs.

(6.) *Seamen's wages :*

The Plaintiffs, as seamen on board the Ship "Mary," claim the sum of £ , for wages due to them, as follows; and for costs:

to A.B., the mate, £30 for two months wages from the day of ;
to C.D., able seaman £ &c., &c. ;
[and the Plaintiffs claim to have an account taken thereof.]

(7.) *Necessaries, repairs, &c. :*

The Plaintiffs claim the sum of £ , for necessaries supplied (or repairs done, &c. as the case may be) to the Ship "Mary" at the port of on the day of ; and for costs [and the Plaintiffs claim to have an account taken thereof].

(8.) *Possession :*

(a) The Plaintiff, as sole owner of the Ship "Mary" of the port of , claims possession of the said Ship.

(b) The Plaintiff, as owner of 48-64th shares of the Ship "Mary" of the port of , claims possession of the said Ship as against C.D., owner of 16-64th shares of the same Ship.

(9.) *Mortgage :*

The Plaintiff, under a mortgage dated the day of , claims against the proceeds of the Ship "Mary" the sum of £ , as the amount due to him for principal and interest, and for costs.

(10.) *Claims between Co-Owners :*

(a) The Plaintiff, as part owner of the Ship "Mary" claims against C.D., part owner of the same Ship, the sum of £ as part of the earnings of the said Ship due to the Plaintiff, and for costs; and to have an account taken thereof.

(b) The Plaintiff, as owner of 24-64th shares of the Ship "Mary," being dissatisfied with the management of the said Ship by his co-owners, claims that his co-owners shall give bail in the sum of £ , the value of his said shares, for the safe return of the Ship to this colony [or possession].

(11.) *Bottomry :*

The Plaintiff, as assignee of a bottomry bond, dated the day of , and granted by C.D., as master of the Ship "Mary" of , to A.B. at the port of , claims the sum of £ against the Ship "Mary" [her cargo and freight, &c., or as the case may be] as the amount due to him under the said bond, and for costs.

(12.) *Derelict :*

A.B. claims to have the Derelict Ship "Mary" [or cargo, &c., or as the case may be] condemned as forfeited to Her Majesty, in Her Office of Admiralty.

(13.) *Piracy :*

A.B., Commander of H.M.S. "Torch," claims to have the Chinese junk "Tecumseh" and her cargo condemned as forfeited to Her Majesty as having been captured from pirates.

(14.) *Slave Trade :*

A.B., Commander of H.M.S. "London" claims to have the vessel, name unknown [together with her cargo and 12 slaves], seized by him on the day of 18 , condemned as forfeited to Her Majesty, on the ground that the said vessel was at the time of her seizure engaged in or fitted out for the Slave Trade, in violation of existing treaties between Great Britain and Zanzibar (or of the Act 5 Geo. IV. c. 113, or as the case may be).

or
C.D., the owner of the vessel [and cargo, or as the case may be] captured by H.M.S. "London" on the day of 18 , claims to have the said vessel [and cargo, or as the case may be] restored to him [together with costs and damages for the seizure thereof].

(15.) *Under Pacific Islanders Protection Act :*

A.B., as Commander of H.M.S. "Lynx," claims to have the British Ship "Mary" and her cargo condemned as forfeited to Her Majesty, for violation of the Pacific Islanders Protection Acts, 1872 and 1875.

(16.) *Under Foreign Enlistment Act :*

A.B. claims to have the British Ship "Mary," together with the arms and munitions of war on board thereof, condemned as forfeited to Her Majesty for violation of the Foreign Enlistment Act, 1870.

(17.) *Under Customs Acts :*

A.B. claims to have the Ship "Mary" [or as the case may be] condemned as forfeited to Her Majesty for violation of [state Act under which forfeiture is claimed].

(18.) *Recovery of pecuniary forfeiture or penalty :*

A.B. claims judgment against the Defendants for penalties for violation of [state Act under which penalties are claimed].

No. 8.

CERTIFICATE OF SERVICE TO BE INDORSED ON THE WRIT AFTER SERVICE THEREOF.

Rule 18.

This writ was served by X.Y. [here state the mode in which the service was effected, whether on the owner, or on the ship, cargo, or freight, &c., as the case may be] on the day of 18

(Signed) X.Y.

No. 9.

APPEARANCE.

Rule 22.

(1.) *By Defendant in person.*

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I appear in this action.

Dated this day of 18 (Signed) C.D., Defendant.

My address is
My address for service is

APPEARANCE.

(2.) *By Solicitor for Defendant.*

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I appear for C.D. of [insert address of C.D.] in this action.

Dated this day of 18 (Signed) X.Y., Solicitor for C.D.

My place of business is
My address for service is

No. 10.

INDORSEMENT OF SET-OFF OR COUNTER-CLAIM.

Rule 22.

The Defendant [or, if he be one of several Defendants, the Defendant C.D.] owner of the ship "Mary" [or as the case may be] claims from the Plaintiff [or claims to set-off against the Plaintiff's claim] the sum of for state the nature of the set-off or counter-claim and the relief or remedy required as in Form No. 7, mutatis mutandis] and for costs.

No. 11.

AFFIDAVIT TO LEAD WARRANT.

Rule 20.

In the Vice-Admiralty Court of

[Title of Action.]

I, A.B., [state name and address] make oath and say that I have a claim against the ship "Mary" for [state nature of claim].

And I further make oath and say that the said claim has not been satisfied, and that the aid of this Court is required to enforce it.

On the day of 18 the said A.B. was duly sworn to the truth of this affidavit at (Signed) A.B.

Before me,
E.F. &c.
or,

Where the action is in the name of the Crown,

I, A.B., &c., [state name and address of person suing in the name of the Crown] make oath and say that I claim to have the Ship "Mary" and her cargo [or the vessel, name unknown, or the cargo ex the Ship "Mary," &c., or as the case may be] condemned to Her Majesty—

(a.) as having been fitted out for or engaged in the Slave Trade in violation of [state Act or Treaty alleged to have been violated];
or (b.) as having been captured from pirates;
or (c.) as having been found Derelict;
or (d.) for violation of [state Act alleged to have been violated] or as the case may be.

I further make oath and say that the aid of this Court is required to enforce the said claim.

On the day of 18 the said A.B. was duly sworn to the truth of this affidavit at (Signed) A.B.

Before me,
E.F. &c.

ANSWER AND COUNTER-CLAIM.

In the Vice-Admiralty Court of

[Title of Action.]

1. The defendants are the owners of the Belgian screw steamship "Julia David," of about 1,274 tons register, and worked by engines of 140 horse power nominal, with a crew of thirty hands, which left Havre on the 2nd of September, 1876, with a general cargo, bound to Alicante and other ports in the Mediterranean.

2. About 2.45 a.m. of the 4th of September, 1876, the "Julia David," in the course of her said voyage, was in the Bay of Biscay. The weather was thick, with a drizzling rain, and banks of fog and a stiff breeze blowing from S.S.W., with a good deal of sea. The "Julia David," under steam alone, was steering S.S.W. $\frac{1}{2}$ W. by bridge steering compass, or S.W. $\frac{1}{2}$ W. magnetic, and was making about five knots an hour. Her regulation lights were duly exhibited and burning brightly, and a good look-out was being kept on board her.

3. In the circumstances aforesaid those on board the "Julia David" saw the green and masthead lights of a steamship, the "Sarpedon," about two miles off, and about two points on the starboard bow. The "Julia David" was kept on her course, but after a short time the "Sarpedon" opened her red light and caused danger of collision. The helm of the "Julia David" was thereupon put hard a-port, and her engines stopped and almost immediately reversed full speed, but, nevertheless, the "Sarpedon" came into collision with the "Julia David," striking with the port side her stem and port bow, and doing her considerable damage.

4. The vessels separated immediately. The engines of the "Julia David" were then stopped, and her pumps sounded. She was making much water, and it was found necessary to turn her head away from the wind and sea. As soon as it could be done without great danger, she was steamed in the direction in which those on board her believed the "Sarpedon" to be, but when day broke and no traces of the "Sarpedon" could be discovered, the search was given up, and the "Julia David," being in a very disabled state, made her way to a port of refuge.

5. Save as hereinbefore appears, the several statements contained in the petition are denied.

6. A good look-out was not kept on board the "Sarpedon."

7. The helm of the "Sarpedon" was improperly ported.

8. Those on board the "Sarpedon" improperly neglected or omitted to keep her on her course.

9. Those on board the "Sarpedon" did not observe the provisions of Article 16 of the "Regulations for Preventing Collisions at Sea."

10. The collision was occasioned by some or all of the matters and things alleged in the 6th, 7th, 8th, and 9th paragraphs hereof, or otherwise by the default of the "Sarpedon," or those on board her.

11. No blame in respect of the collision is attributable to the "Julia David" or to any of those on board her.

And by way of counterclaim the defendants say that the collision caused great damage to the "Julia David."

And they claim—

1. The condemnation of the plaintiffs [and their bail] in the damage caused to the "Julia David" and in the costs of this action.
2. To have an account taken of such damage with the assistance of merchants.
3. Such further and other relief as the nature of the case may require.

Dated the day of 18 .
(Signed) C.D., &c., Defendants.

REPLY.

In the Vice-Admiralty Court of

[Title of Action.]

The Plaintiffs deny the several statements contained in the answer and counter-claim [or, as the case may be].

Dated the day of 18 .
(Signed) A.B., &c., Plaintiffs.

(2.) In an Action for Salvage;
a. (The "Crosby.")

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18 .

1. The "Asia" is an iron screw steam-ship of 902 tons net register tonnage, fitted with engines of 120 horse-power nominal, is of the value of £15,000, and was at the time of the services hereinafter stated manned with a crew of twenty-three hands under the command of George Hook Dawn, her master.

2. At about 9 a.m. on the 29th April, 1877, while the "Asia"

—which was in ballast proceeding on a voyage to Nikolav to load a cargo of grain—was between Odessa and Ochakov, those on board her saw a steam-ship ashore on a bank situated about ten miles to the westward of Ochakov. The "Asia" immediately steamed in the direction of the distressed vessel which made signals for assistance.

3. On nearing the distressed vessel, which proved to be the "Crosby," one of the "Asia's" boats was sent to the "Crosby," in charge of the second mate of the "Asia," and subsequently the master of the "Crosby" boarded the "Asia," and at the request of the master of the "Crosby" the master of the "Asia" agreed to endeavour to tow the "Crosby" afloat.

4. The "Crosby" at this time was fast aground, and was lying with her head about N.N.W.

5. The master of the "Asia" having ascertained from the master of the "Crosby" the direction in which the "Crosby" had got upon the bank, the "Asia" steamed up on the starboard side of the "Crosby" and was lashed to her.

6. The "Asia" then set on ahead and attempted to tow the "Crosby" afloat, and so continued towing without effect until the hawser which belonged to the "Asia" broke.

7. The masters of the two vessels being then both agreed in opinion that it would be necessary to lighten the "Crosby" before she could be got afloat, it was arranged that the cargo from the "Crosby" should be taken on board the "Asia."

8. The "Asia" was again secured alongside the "Crosby" and the hatches being taken off cargo was then discharged from the "Crosby" into the "Asia," and this operation was continued until about 6 p.m., by which time about 100 tons of such cargo had been so discharged.

9. When this had been done both vessels used their steam, and the "Asia" tried again to get the "Crosby" off, but without success. The "Asia" then towed with a hawser ahead of the "Crosby," and succeeded in getting her afloat, upon which the "Crosby" steamed to an anchorage and then brought up.

10. The "Asia" steamed after the "Crosby" and again hauled alongside of her and commenced putting the transhipped cargo again on board the "Crosby," and continued doing so until about 6 a.m. of the 30th of April, by which time the operation was completed, and the "Crosby" and her cargo being in safety the "Asia" proceeded on her voyage.

11. By the services of the Plaintiffs the "Crosby" and her cargo were rescued from a very dangerous and critical position, as in the event of had weather coming on whilst she lay aground she would have been in very great danger of being lost with her cargo.

12. The "Asia" encountered some risk in being lashed alongside the "Crosby," and she ran risk of also getting aground and of losing her charter, the blockade of the port of Nikolav being at the time imminent.

13. The value of the hawser of the "Asia" broken as herein stated was £40.

14. The "Crosby" is an iron screw steam-ship of 1,118 tons net (1,498 gross) register tonnage. As saved the "Crosby" and her cargo and freight have been agreed for the purposes of this action at the value of £41,092.

The Plaintiffs claim—

1. Such an amount of salvage, regard being had to the said agreement, as the Court may think fit to award.
2. The condemnation of the Defendants [and their bail] in the salvage and in costs.
3. Such further and other relief as the case may require.

Dated the day of 18 .
(Signed) A.B., &c., Plaintiffs.

ANSWER.

In the Vice-Admiralty Court of

[Title of Action.]

1. The Defendants admit that the statement of facts contained in the Petition is substantially correct, except that the reshipping of the cargo on board the "Crosby" was completed by 4 a.m. on the 30th April.

2. The Defendants submit to the judgment of the Court to award such a moderate amount of salvage to the Plaintiffs under the circumstances aforesaid as to the said Court shall seem meet.

(Signed) C.D., &c., Defendants.

REPLY.

In the Vice-Admiralty Court of

[Title of Action.]

The Plaintiffs deny the statement contained in the 1st paragraph of the answer, that the shipment of the cargo was completed by 4 a.m. on the 30th April.

Dated the day of 18 .
(Signed) A.B., &c., Plaintiffs.

b. (*The "Newcastle."*)

PETITION.

In the Vice-Admiralty Court of

[*Title of Action.*]

Writ issued 18 .

1. The "Emu" is a steam-tug belonging to the Whitby Steam Boat Company, of six tons register, with engines of 40 horse-power nominal, and was at the time of the circumstances hereinafter stated manned by a crew of five hands.

2. Just before midnight on the 22nd of July, 1876, when the "Emu" was lying in Whitby harbour, her master was informed that a screw steamship was ashore on Kettle Ness Point. He at once got up steam, but was not able, owing to the tide, to leave the harbour till about 1.45 a.m. of the 23rd.

3. About 2 a.m. the "Emu" reached the screw steamship, which was the "Newcastle," which was fast upon the rocks, with a kedge and warp out. The wind was about N., blowing fresh; the sea was smooth, but rising; the tide was flood.

4. The master of the "Emu" offered his services, which were at first declined by the master of the "Newcastle"; shortly afterwards the kedge warp broke, and the "Newcastle" swung square upon the land and more upon the rocks. The master of the "Newcastle" then asked the master of the "Emu" to tow him off, and after some conversation it was agreed that the remuneration should be settled on shore.

5. About 3 a.m. those on board the "Emu" got a rope from the "Newcastle" on board and began to tow. After some towing this rope broke. The tow line of the "Newcastle" was then got on board the "Emu," and the "Emu" kept towing and twisting the "Newcastle," but was unable to get her off till about 5 a.m., when it was near high water. The master of the "Emu" then saw that it was necessary to try a click or jerk in order to get the "Newcastle" off, and accordingly, at the risk of straining his vessel, he gave a strong click in a northerly direction, and got the "Newcastle" off.

6. The master of the "Emu" then asked if the "Newcastle" was making water, and was told a little only, but as he saw that the hands were at the pumps he kept the "Emu" by the "Newcastle" until she was abreast of Whitby. He then inquired again if any assistance was wanted, and being told that the "Newcastle" was all right, and should proceed on her voyage, he steamed the "Emu" back into Whitby harbour about 7 a.m.

7. About 8 a.m. a gale from N.E., which continued all that day and the next, came on to blow with a high sea. If the "Newcastle" had not been got off before the gale came on she would have gone to pieces on the rocks.

8. By the services aforesaid the "Newcastle" and her cargo and the lives of those on board her were saved from total loss.

9. The "Newcastle" is a screw steamship of 211 tons register, and was bound from Newcastle to Hull with a general cargo and nineteen passengers. The value of the "Newcastle," her cargo and freight, including passage money, are as follows:—

The "Newcastle," £3,000; her cargo, £1,500; freight and passage money, £65;—in all, £4,565.

The Plaintiffs claim—

1. The condemnation of the Defendants [and their bail] in such an amount of salvage remuneration as to the Court may seem just, and in the costs of this action.
2. Such further and other relief as the nature of the case may require.

Dated the day of 18 .
(Signed) A.B., &c., Plaintiffs.

ANSWER.

In the Vice-Admiralty Court of

[*Title of Action.*]

1. At about 6.45 p.m. on the 22nd of July, 1876, the iron screw steamship "Newcastle," of 211 tons register, propelled by engines of 45 horse-power, and manned by twelve hands, her master included, whilst proceeding on a voyage from Newcastle to Hull, with cargo and passengers, ran aground off Kettle Ness Point, on the coast of Yorkshire.

2. The tide at this time was first quarter ebb, the weather was calm, and the sea was smooth, and the "Newcastle," after grounding as aforesaid, sat upright and lay quite still, heading about E.S.E. Efforts were then made to get the "Newcastle" again afloat by working her engines, but it was found that this could not be done in the then state of the tide.

3. At about 10 p.m. of the said day a kedge, with a warp attached to it, was carried out from the "Newcastle" by one of her own boats and dropped to seaward, and such warp was afterwards hove taut and secured on board the "Newcastle" with the view of its being hove upon when the flood tide made. Several cobbles came to the "Newcastle" from Runswick, and the men in them offered their assistance, but their services, not being required, were declined.

4. At about 2 a.m. the following morning the steam tug "Emu," whose owners, master, and crew are the Plaintiffs in this action, came to the "Newcastle" and offered assistance, which was also declined.

5. The flood tide was then making, and by about 2.45 a.m. the "Newcastle" had floated forward, and attempts were made to get the stern of the "Newcastle" also afloat, and the warp attached to the aforesaid kedge was attempted to be hove in, but the said warp having parted, the master of the "Newcastle" endeavoured ineffectually to make an agreement with the master of the "Emu" to assist in getting the "Newcastle" afloat, and at about 3 a.m. a rope was given to the "Emu" from the port bow of the "Newcastle," and directions were given to the "Emu" to keep the head of the "Newcastle" to the eastward in the same way as it had been kept by the aforesaid kedge anchor and warp. The "Emu" then set ahead and almost immediately the said rope was broken. A coir hawser was thereupon given to the "Emu," and those on board her were directed not to put any strain on it, but to keep the "Emu" paddling ahead sufficiently to steady the head of the "Newcastle," and to keep her head to the eastward. This the "Emu" did and continued to do until about 4.45 a.m., when the "Newcastle," by means of her own engines, was moved off from the ground, and the "Emu" was brought broad on the port bow of the "Newcastle," and the "Emu" had to stop towing and to shift the rope from her port bollard, where it was fast to her towing hook, but the "Newcastle" continuing to go ahead, the said rope had to be let go on board the "Emu," and it was then hauled in on board the "Newcastle." The "Newcastle," under her own steam, then commenced proceeding south, the wind at the time being N.N.W. and light, and the weather fine. It was afterwards ascertained that the "Newcastle" was making a little water in her afterhold, and her hand pumps were then worked, and they kept the "Newcastle" free.

6. The "Emu" proceeded back with the "Newcastle" as far as Whitby, and the "Newcastle" then continued on her voyage and arrived in the Humber at about 2.45 p.m. of the same day.

7. During the time aforesaid the master, crew, and passengers of the "Newcastle" remained on board the "Newcastle," and no danger was incurred in their so doing.

8. Save as herein appears the Defendants deny the truth of the several statements contained in the Petition.

9. The Defendants have paid into Court and tendered to the Plaintiffs for their services the sum of £100, and have offered to pay their costs, and the Defendants submit that such tender is sufficient.

Dated day of 18 .
(Signed) C.D. &c., Defendants.

(3) *In an Action for distribution of salvage:*

PETITION.

In the Vice-Admiralty Court of

[*Title of Action.*]

Writ issued 18 .

1. Describe briefly the salvage services, stating the part taken in them by the Plaintiffs, and the capacity in which they were serving.

2. The sum of £ has been paid by the owners of the ship, &c. [*state name of ship or other property salvaged*] to the Defendants, as owners of the ship [*state name of salvaging ship*] and has been accepted by them in satisfaction of their claim for salvage, but the said Defendants have not paid and refuse to pay any part of that sum to the Plaintiffs for their share in the said salvage services.

The Plaintiffs claim—

1. An equitable share of the said sum of £ , to be apportioned among them as the Court shall think fit and the costs of this action.
2. Such other relief as the nature of the case may require

Dated the day of 18 .
(Signed) A.B., &c., Plaintiffs.

(4) *In an Action for master's wages and disbursements:*

a. (*The Princess.*)

PETITION.

In the Vice-Admiralty Court of

[*Title of Action.*]

Writ issued 18 .

1. The Plaintiff, on the 10th day of February, 1877, was appointed by the owner of the British barque "Princess," proceeded against in this action, master of the said barque, and it was agreed between the Plaintiff and the said owner that the wages of the Plaintiff as master should be £10 per month.

2. The Plaintiff acted as master of the said barque from the said 10th day of February until the 25th day of October, 1877, and there is now due to him for his wages as master during that time the sum of £85.

SCHEDULE referred to above.

Wages due to <i>A.B.</i> , mate, from the	18	days at
to the 18 months and		
£ per month.	£	:
	:	:
Less received on account...	£	:
	:	:
Balance due ...	£	:
	:	:

Wages due to <i>C.D.</i> , able seaman, from the	18	days,
to the 18 months and		
at £ per month.	£	:
	:	:
Less received on account ...	£	:
	:	:
Balance due ...	£	:
	:	:

[so on with the wages due to the other Plaintiffs].

The Plaintiffs claim—

1. The several sums so due to them respectively with the costs of this action.
2. Such double pay as they may be entitled to under sec. 187, of the Merchant Shipping Act, 1854.
3. Such other relief as the nature of the case may require.

Dated the day of 18
(Signed) *A.B.*, &c., Plaintiffs.

(6.) In an Action for bottomry :

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18

1. In the month of July, 1876, the Italian barque "Roma Capitale" was lying in the port of Rangoon in the Pegu Division of British Burmah, and Pietro Ozilia, her master, being in want of funds, was compelled to borrow on bottomry of the said barque and her freight from the Cassa Marittima di Genova the sum of £3,478 7s. 11d. for the necessary and indispensable repairs, charges, and supplies of the said vessel in the said port of Rangoon, and to enable her to prosecute her voyage from Rangoon to Akyab and thence to

2. Accordingly by a bond of bottomry, dated the 11th day of the said month of July and duly executed by him, the said Pietro Ozilia, in consideration of the sum of £3,478 7s. 11d., lent by the said Cassa Marittima di Genova upon the said adventure upon the said barque and freight at the maritime premium of 23 per cent., bound himself and the said barque and the freight to become payable in respect of the said voyage to pay the said Cassa Marittima di Genova, their successors or assigns, the sum of £4,278 8s. 7d. (which included the principal charges and the maritime interest due thereon), within 30 days after the said barque should arrive at her port of discharge; and the said bond provided that the said Cassa Marittima di Genova should take upon themselves the maritime risk of the said voyage.

3. The "Roma Capitale" has since successfully prosecuted her said intended voyage for which the aforesaid bond was granted, and arrived at as her port of discharge on or about the 30th day of March, 1877.

4. Before the issue of the writ in this action the said bond became due and payable, and was duly endorsed by the said Cassa Marittima di Genova to the Plaintiffs who thereby became and are legal holders thereof, and the said sum of £4,278 8s. 7d. is now due and owing thereon to the Plaintiffs.

The Plaintiffs claim—

1. A declaration for the force and validity of the said bond.
2. The condemnation of the said barque "Roma Capitale" and her freight in the sum of £4,278 8s. 7d., with interest thereon at £4 per cent. per annum from the time when the said bond became payable, and in costs.
3. A sale of the said barque and the application of the proceeds of her sale and of her freight in payment to the Plaintiffs of the said amount and interest and costs.
4. Such further and other relief as the case may require.

Dated the day of 188
(Signed) *A.B.*, &c., Plaintiffs.

(7.) In an Action for mortgage :

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18

1. The above-named brigantine or vessel "Juniper" is a British ship belonging to the port of , of the registered tonnage of 109 tons or thereabouts, and at the time of the mortgage hereinafter mentioned, Thomas Brock, of was the registered owner of the said brigantine.

2. On the 4th day of July, 1876, 32-64th parts or shares of the said brigantine were mortgaged by the said Thomas Brock to the Plaintiff, to secure the payment by the said Thomas Brock to the Plaintiff, of the sum of £400, together with interest thereon at the rate of 5 per cent. per annum, on or before the 1st day of July, 1877.

3. The said mortgage of the "Juniper" was made by an instrument dated the 4th day of July, 1876, in the form prescribed by the 66th section of the Merchant Shipping Act, 1854, and was duly registered in accordance with the provisions of the said Act.

4. No part of the said principal sum or interest has been paid, and there still remains due and owing to the Plaintiff on the said mortgage security the principal sum of £400, together with a large sum of money for interest and expenses, and the Plaintiff, although he has applied to the said Thomas Brock for payment thereof, cannot obtain payment without the assistance of this Court.

The Plaintiff claims—

1. Judgment for the said principal sum of £400, together with interest and expenses.
2. To have an account taken of the amount due to the Plaintiff.
3. Payment out of the proceeds of the said brigantine now remaining in Court, of the amount found due to the Plaintiff, together with costs.
4. Such further and other relief as the nature of the case may require.

Dated the day of 18
(Signed) *A.B.*, Plaintiff.

(3.) In an action between co-owners (for account) :

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18

1. The "Horlock" is a sailing ship of about 40 tons register, trading between and .

2. By a bill of sale duly registered on the 11th day of June, 1867, the Defendant, John Horlock, who was then sole owner of the above-named ship "Horlock" transferred to Thomas Worraker, of , 32-64th parts or shares of the ship for the sum of £320.

3. By a subsequent bill of sale duly registered on the 16th December, 1876, the said Thomas Worraker transferred his said 32-64th shares of the ship to George Wright, the Plaintiff, for the sum of £175.

4. The Defendant, John Horlock, has had the entire management and the command of the said ship from the 11th day of June, 1867, down to the present time.

5. The Defendant has from time to time up to and including the 24th September, 1874, rendered accounts of the earnings of the ship to the afore-mentioned Thomas Worraker, but since the said 24th September, 1874, the Defendant has rendered no accounts of the earnings of the ship.

6. Since the 16th December, 1876, the ship has continued to trade between and , and the Plaintiff has made several applications to the Defendant, John Horlock, for an account of the earnings of the ship, but such applications have proved ineffectual.

7. The Plaintiff is dissatisfied with the management of the ship, and consequently desires that she may be sold.

The Plaintiff claims—

1. That the Court may direct the sale of the said ship "Horlock."
2. To have an account taken of the earnings of the said ship, and that the Defendant may be condemned in the amount which shall be found due to the Plaintiff in respect thereof, and in the costs of this action.
3. Such further or other relief as the nature of the case may require.

Dated the day of 18
(Signed) *A.B.*, Plaintiff.

ANSWER.

In the Vice-Admiralty Court of

[Title of Action.]

1. The Defendant denies the statements contained in paragraph 2 of the petition.

2. The Defendant further says that he never at any time signed any bill of sale transferring any shares whatever of the said ship "Horlock" to the said Thomas Worraker, and further says that if any such bill was registered as alleged on the 11th June in the said 2nd paragraph (which the Defendant denies) the same was made and registered fraudulently and without the knowledge, consent, or authority of the Defendant.

3. The Defendant does not admit the statements contained in the 3rd paragraph of the petition, and says that if the said Thomas Worraker transferred any shares of the said ship to the Plaintiff as alleged (which the Defendant does not admit), he did so wrongfully and unlawfully, and that he had not possession of or any right to or in respect of the said shares.

4. The Defendant denies the statements contained in paragraph 5 of the petition, and says that he never rendered any such accounts as alleged therein.

5. The Defendant does not admit the statements contained in paragraph 6 of the petition.

Dated the day of 18 .
(Signed) C.D., Defendant.

REPLY.

In the Vice-Admiralty Court of

[Title of Action.]

The Plaintiff denies the several statements in the Answer.

Dated the day of 18 .
(Signed) A.B., Plaintiff.

(9.) In an Action for Possession :

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18 .

1. The Plaintiffs are registered owners of 44-64th shares in the British ship "Native Pearl," and such shares are held by them respectively as follows:—

Morgan Pursall Griffiths is owner of 16-64th shares, Edmund Nicholls of 8-64th shares, William Meager of 4-64th shares, Isaac Butler of 8-64th shares, and William Herbert of 8-64th shares.

2. The only owner of the said ship other than the Plaintiffs is John Nicholas Richardson, who is the registered owner of the remaining 20-64th shares of the said ship, and has hitherto acted as managing owner and ship's husband of the said ship, and has possession of and control over the said ship and her certificate of registry.

3. The Defendant, the said John Nicholas Richardson, has not managed the said ship to the satisfaction of the Plaintiffs, and has, by his management of her, occasioned great loss to the Plaintiffs; and the Plaintiffs in consequence thereof before the commencement of this action gave notice to the Defendant to cease acting as managing owner and ship's husband of the said ship, and revoked his authority in that behalf, and demanded from the Defendant the possession and control of the said ship and of her certificate of registry, but the Defendant has refused and still refuses to give possession of the said ship and certificate to the plaintiffs, and the Plaintiffs cannot obtain possession of them without the assistance of this Court.

4. The Defendant has neglected and refused to render proper accounts relating to the management and earnings of the said ship, and such accounts are still outstanding and unsettled between the Plaintiffs and the Defendant.

The Plaintiffs claim—

1. Judgment giving possession to the Plaintiffs of the said ship and of her certificate of registry.
2. To have an account taken, with the assistance of merchants, of the earnings of the ship.
3. A sale of the Defendant's shares in the said ship.
4. Payment out of the proceeds of such sale of the balance (if any) found due to the Plaintiffs and of the costs of this action.
5. Such further and other relief as the nature of the case may require.

Dated the day of 18 .
(Signed) A.B. &c., Plaintiffs.

(10.) In an Action for Necessaries :

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18 .

1. The Plaintiffs at the time of the occurrences hereinafter mentioned carried on business at the port of as bonded store and provision merchants and ship chandlers.

2. The "Sfactoria" is a Greek ship, and in the months of June, July, August, and September, 1874, was lying in the said port of under the command of one George Lazzaro, a foreigner, her master and owner, and in the said month of September she proceeded on her voyage to

3. The Plaintiffs, at the request and by the direction of the said master, supplied during the said months of June, July, August, and September, 1874, stores and other necessaries for the necessary use of the said ship upon the said then intended voyage to the value of £412 16s. 9d., for which sum an acceptance was given by the said George Lazzaro to the Plaintiffs; but on the 4th day of February, 1875, the said acceptance, which then became due, was dishonoured, and the said sum of £412 16s. 9d., with interest thereon from the said 4th day of February, 1875, still remains due and unpaid to the Plaintiffs.

4. In the month of August aforesaid the Plaintiffs, at the request of the said master, advanced to him the sum of £100 for the necessary disbursements of the said ship at the said port of , and otherwise on account of the said ship; and also at his request paid the sum of £11, which was due for goods supplied for the necessary use of the said ship on the said voyage; and of the sums so advanced and paid there still remains due and unpaid to the Plaintiffs the sum of £61, with interest thereon from the 5th day of January, 1875, on which last-mentioned day a promissory-note given by the said George Lazzaro to the said Plaintiffs for the said sum of £61 was returned to them dishonoured.

5. The Plaintiffs also at the said master's request, between the 1st of September, 1874, and the commencement of this action, paid various sums amounting to £84 17s. for the insurance of their said debt.

6. The said goods were supplied and the said sums advanced and paid by the Plaintiffs upon the credit of the said ship, and not merely on the personal credit of the said master.

The Plaintiffs claim—

1. Judgment for the said sums of £412 16s. 9d., £61, and £84 17s., together with interest thereon.
2. That the Defendant [and his bail] be condemned therein, and in costs:

or

2. A sale of the said ship, and payment of the said sums and interest out of the proceeds of such sale, together with costs.
3. Such further and other relief as the case may require.

Dated the day of 18 .
(Signed) A.B. &c., Plaintiffs.

(11.) In an Action for condemnation of a ship or cargo, &c.:

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18 .

State briefly the circumstances of the seizure, or, if an Affidavit of the circumstances has been filed, refer to the Affidavit.

A.B. [State name of person suing in the name of the Crown.] claims—

The condemnation of the said ship [and her cargo, and of the said 7 slaves, or as the case may be], on the ground that the said ship, &c., was at the time of the seizure thereof fitted out for or engaged in the Slave Trade [or as having been captured from pirates, or for violation of the Act s. or as the case may be].

Dated the day of 18 .
(Signed) A.B.

(12.) In an Action for Restitution of a Ship or Cargo :

PETITION.

In the Vice-Admiralty Court of

[Title of Action.]

Writ issued 18 .

State briefly the circumstances of the seizure.

C.D. [State name of person claiming restitution] claims—

The restitution of the said vessel [and her cargo, or as the case may be] together with costs and damages for the seizure thereof [or as the case may be].

Dated the day of 18 .
(Signed) C.D., &c., Plaintiffs.

(13.) *In a Piracy case, where the captors intend to apply for Bounty, add—*

A.B. further prays the Court to declare—

- (1.) That the persons attacked or engaged were pirates.
- (2.) That the total number of pirates so engaged or attacked was _____ of whom _____ were captured.
- (3.) That the vessel [or vessels and boats] engaged [or were] _____ [and _____].

Dated the _____ day of _____ 18 .
(Signed) *A.B.*

(14.) *In an Action for recovery of any pecuniary forfeiture or penalty :*

PETITION.

In the Vice-Admiralty Court of
[Title of Action.]

Writ issued _____ 18 .

State briefly the circumstances, and the Act and section of Act under which the penalty is claimed.

I, *A.B.* claim to have the Defendant condemned in a penalty of £ _____, and in the costs of this action.

Dated the _____ day of _____ 18 .
(Signed) *A.B.*

No. 22.

INTERROGATORIES.

Rule 63.

In the Vice-Admiralty Court of
[Title of Action.]

Interrogatories on behalf of the Plaintiff *A.B.* [or Defendant *C.D.*] for the examination of the Defendant *C.D.* and *E.F.* [or Plaintiff *A.B.*, or as the case may be].

1. Did not, &c.
2. Have not, &c.

The Defendant *C.D.* is required to answer the interrogatories numbered _____

The Defendant *E.F.* is required to answer the interrogatories numbered _____

Dated the _____ day of _____ 18 .
(Signed) *A.B.* [or *C.D.*, as the case may be].

No. 23.

Rule 63.

ANSWERS TO INTERROGATORIES.

In the Vice-Admiralty Court of
[Title of Action.]

The answers of the Defendant *C.D.* [or Plaintiff *A.B.* &c.] to the interrogatories filed for his examination by the Plaintiff *A.B.* [or Defendant *C.D.* &c.]

In answer to the said interrogatories I, the abovenamed *C.D.* [or *A.B.* &c.], make oath and say as follows:—

1. _____
2. _____

&c. &c. &c.

On the _____ day of _____ 18 , the said *C.D.* or *A.B.* &c. was duly sworn to the truth of this affidavit at _____ Before me, *E.F.*, &c.

No. 24.

Rule 65.

AFFIDAVIT OF DISCOVERY.

In the Vice-Admiralty Court of
[Title of Action.]

I, the Defendant *C.D.* [or Plaintiff *A.B.*, &c.], make oath and say as follows:

1. I have in my possession or power the documents relating to the matters in question in this action, set forth in the first and second parts of the first schedule hereto.

2. I object to produce the documents set forth in the second part of the said first schedule on the ground that [state grounds of objection, and verify the facts as far as may be].

3. I have had, but have not now, in my possession or power the documents relating to the matters in question in this action as set forth in the second schedule hereto.

4. The last-mentioned documents were last in my possession or power on [state when].

5. [Here state what has become of the last-mentioned documents, and in whose possession they now are.]

6. According to the best of my knowledge, information, and belief, I have not now, and never had in my possession, custody, or power, or in the possession, custody, or power of my solicitor or agent, or of any other person or persons on my behalf, any deed, account, book of account, voucher, receipt, letter, memo-

randum, paper, or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this action, or any of them, or wherein any entry has been made relative to such matters, or any of them, other than and except the documents set forth in the said first and second schedules hereto.

SCHEDULE No. 1.

Part 1.

[Here set out documents.]

Part 2.

[Set out documents.]

SCHEDULE No. II.

[Set out documents.]

On the _____ day of _____ 18 , the said *C.D.* [or *A.B.* &c.] was duly sworn to the truth of this affidavit at _____ Before me, *E.F.*, &c.

(Signed) *C.D.* [or *A.B.*]

No. 25.

Rule 60.

NOTICE TO PRODUCE.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that the Plaintiff *A.B.* [or Defendant *C.D.*] requires you to produce for his inspection, or before the day of _____, the following documents.

[Here describe the documents required to be produced.]

Dated _____ day of _____ 18 .
(Signed) *A.B.*, Plaintiff,
[or *C.D.*, Defendant.]

To *C.D.* Defendant,
[or as the case may be.]

No. 26.

Rule 63.

NOTICE TO ADMIT DOCUMENTS.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that the Plaintiff *A.B.* [or Defendant *C.D.*] in this action proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the Defendant [or Plaintiff], his solicitor or agent, at _____ on _____, between the hours of _____ and _____; and the Defendant [or Plaintiff] is hereby required, within *forty-eight hours* from the last-mentioned hour, to admit that such of the said documents as are specified as originals were respectively written, signed, or executed, as they purport respectively to have been; that such as are specified as copies are true copies; and that such documents as are stated to have been served, sent, or delivered, were so served, sent, or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence in this action.

Description of Documents.	Dates.	Time and mode of service or delivery, &c.
[Here briefly describe documents.] (1) Originals. (2) Copies.	[Here state the date of each document.]	[Here state whether the original or a duplicate was sent by post, or served or delivered, and when and by whom.]

Dated the _____ day of _____ 18 .
(Signed) *A.B.*, Plaintiff [or *C.D.*, Defendant.]

To *C.D.*, Defendant,
[or as the case may be].

No. 27.

Rule 63.

NOTICE TO ADMIT FACTS.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that the Plaintiff *A.B.* [or Defendant *C.D.*] demands admission of the undermentioned facts, saving all just exceptions:—

1. } Here state briefly the facts of which admission is demanded.
2. }

Dated the _____ day of _____ 18 .
(Signed) *A.B.*, Plaintiff [or *C.D.*, Defendant.]

To *C.D.*, Defendant,
[or as the case may be.]

No. 28.

Rule 75.

NOTICE OF MOTION.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that on [state day of week] the day of , the Plaintiff [or Defendant] will [by counsel, or by his solicitor, if the motion is to be made by counsel or solicitor] move the Judge in Court [or in Chambers, as the case may be] to order that [state nature of order to be moved for. In a notice of motion to vary a report of the Registrar, the items objected to must be specified.]

Dated the day of 18 (Signed) A.B., Plaintiff [or C.D., Defendant].

No. 29.

Rule 80.

NOTICE OF TENDER.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I have paid into Court, and tender in satisfaction of the Plaintiff's claim [or, as the case may be] [if the tender is for costs also, add including costs] the sum of [state sum tendered both in letters and figures, and on what terms, if any, the tender is made.]

Dated the day of 18 (Signed) C.D., Defendant.

No. 30.

Rule 80.

NOTICE ACCEPTING OR REJECTING TENDER.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I accept [or reject] the tender made by the Defendant in this action.

Dated the day of 18 (Signed) A.B., Plaintiff.

No. 31.

Rule 86.

INTERPRETER'S OATH.

You swear that you are well acquainted with the English and languages, and that you will faithfully interpret between the Court and the witnesses.

So help you GOD.

No. 32.

Rule 87.

APPOINTMENT TO ADMINISTER OATHS.

(1.) In Vice-Admiralty Proceedings generally :

In the Vice-Admiralty Court of

(L.S.)

To [State name and address of Commissioner.]

I hereby appoint you to be a Commissioner to administer oaths in all Vice-Admiralty proceedings in this Court.

(Signed) A.B., Judge.

(2.) In any particular proceeding.

In the Vice-Admiralty Court of

(L.S.)

[Title of Action.]

To [State name and address of Appointee]

I hereby authorize you to administer an oath [or oaths as the case may be] to [state name of person or persons to whom, and proceeding in which the oath is to be administered, or as the case may be.]

(Signed) A.B., Judge.

No. 33.

Rule 88.

FORM OF OATH TO BE ADMINISTERED TO A WITNESS.

You swear that the evidence given by you shall be the truth, the whole truth, and nothing but the truth.

So help you GOD.

FORM OF DECLARATION IN LIEU OF OATH.

I solemnly promise and declare that the evidence given by me shall be the truth, the whole truth, and nothing but the truth.

No. 34.

Rule 88.

FORM OF OATH TO BE ADMINISTERED TO A DEPONENT.

You swear that this is your name and handwriting, and that the contents of this affidavit are true.

So help you GOD.

FORM OF DECLARATION IN LIEU OF OATH TO BE MADE BY A DEPONENT.

I solemnly declare that this is my name and handwriting, and that the contents of this deposition are true.

No. 35.

Rule 93.

FORM OF JURAT.

(Where Deponent is sworn by Interpretation.)

On the day of 18, the said A.B. was duly sworn to the truth of this affidavit by the interpretation of C.D., who was previously sworn, that he was well acquainted with the English and languages, and that he would faithfully interpret the said affidavit at Before me, E.F., &c.

(Signed) A.B.

No. 36.

Rule 96.

ORDER FOR EXAMINATION OF WITNESSES.

In the Vice-Admiralty Court of

[Title of Action.]

On the day of 18 Before Judge.

It is ordered that [state the names of the witnesses so far as it can be done], witnesses for the Plaintiff [or Defendant], shall be examined before the Judge [or Registrar], at [state place of examination], on [state day of week], the day of instant [or as the case may be], at o'clock in the noon.

(Signed) E.F., Registrar.

No. 37.

Rule 98.

COMMISSION TO EXAMINE WITNESSES.

In the Vice-Admiralty Court of

(L.S.) [Title of Action.]

VICTORIA, &c.

To [state name and address of Commissioner] greeting.

Whereas the Judge of our Vice-Admiralty Court of has decreed that a commission shall be issued for the examination of witnesses in the above-named action. We, therefore, hereby authorize you upon the day of 18, at , in the presence of the parties, their counsel, and solicitors, or, in the absence of any of them, to swear the witnesses who shall be produced before you for examination in the said action, and cause them to be examined, and their evidence to be reduced into writing. We further authorise you to adjourn, if necessary, the said examination from time to time, and from place to place, as you may find expedient. And we command you, upon the examination being completed, to transmit the evidence duly certified, together with this Commission, to the registry of our said Court.

Given at seal thereof, this in our said Court, under the day of 18

(Signed) E.F.,

Commission to examine witnesses. Registrar.

Taken out by

No. 38.
Rule 101.

RETURN TO COMMISSION TO EXAMINE WITNESSES.
In the Vice-Admiralty Court of

[Title of Action.]

I, A.B., the Commissioner named in the Commission hereto annexed, bearing date the day of 18, hereby certify as follows:

(1.) On the day of 18 I opened the said Commission at , and in the presence of [state who were present, whether both parties, their counsel, or solicitors, or as the case may be], administered an oath to and caused to be examined the under-named witnesses who were produced before me on behalf of the [state whether Plaintiff or Defendant] to give evidence in the above-named action, viz.:

[Here state names of witnesses.]

(2.) On the day of 18 I proceeded with the examinations at the same place [or at some other place, as the case may be], and in the presence of [state who were present as above,] administered an oath to and caused to be examined the under-named witnesses who were produced before me on behalf of [state whether Plaintiff or Defendant] to give evidence in the said action, viz.:

[State names of witnesses.]

(3.) Annexed hereto is the evidence of all the said witnesses certified by me to be correct.

Dated the day of 18
(Signed) G.H.,
Commissioner.

No. 39.
Rule 103.

SHORTHAND WRITER'S OATH.

You swear that you will faithfully report the evidence of the witnesses to be produced in this action.

So help you GOD.

No. 40.
Rule 103.

NOTICE FOR HEARING.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I set down this action for hearing.

Dated the day of 18
(Signed) A.B., Plaintiff
[or C.D., Defendant.]

No. 41.
Rule 121.

REGISTRAR'S REPORT.

In the Vice-Admiralty Court of

(L.S.) [Title of Action.]

To the Honorable the Judge of the Vice-Admiralty Court of

Whereas by your decree of the 18 you were pleased to pronounce in favour of the Plaintiff [or Defendant], and to condemn the Defendant [or Plaintiff] and the ship [or as the case may be] in the amount to be found due to the Plaintiff [or Defendant] [and in costs], and you were further pleased to order that an account should be taken, and to refer the same to the registrar [assisted by merchants] to report the amount due:

Now, I do report that I have [with the assistance of here state names and description of assessors if any] carefully examined the accounts and vouchers and the proofs brought in by the Plaintiff [or Defendant] in support of his claim [or counterclaim], and having on the day of heard the evidence of [state names] who were examined as witnesses on behalf of the Plaintiff and of [state names] who were examined as witnesses on behalf of the Defendant [and having heard the solicitors (or counsel) on both sides, or as the case may be] I find that there is due to the Plaintiff [or Defendant] the sum of £ [state sum in letters and figures] together with interest thereon as stated in the schedule hereto annexed. I am also of opinion that the Plaintiff [or Defendant] is entitled to the costs of this reference [or as the case may be].

Dated 18
(Signed) E.F.,
Registrar.

SCHEDULE annexed to the foregoing report.

No.	Claimed.			Allowed.		
	£	s.	d.	£	s.	d.
1						
2						
3						
4						
5						
&c.)						
Total ...						

With interest thereon from the day of 18, at the rate of per cent. per annum until paid.
(Signed) E.F.,
Registrar.

No. 42.
Rule 149.

COMMISSION OF APPRAISEMENT.

In the Vice-Admiralty Court of

(L.S.) [Title of Action.]

VICTORIA, &c.
To the Marshal of our Vice-Admiralty Court of Greeting.

Whereas the Judge of our said Court has ordered that [state whether ship or cargo, and state name of ship and, if part only of cargo, state what part] shall be appraised.

We, therefore, hereby command you to reduce into writing an inventory of the said ship or cargo, &c., [as the case may be], and having chosen one or more experienced person or persons to swear him or them to appraise the same according to the true value thereof, and upon a certificate of such value having been reduced into writing, and signed by yourself and by the appraiser or appraisers, to file the same in the registry of our said Court, together with this commission.

Given at , in our said Court, under the seal thereof, this day of 18

(Signed) E.F.,
Commissioner of Appraisement. Registrar.

No. 43.
Rule 142.

COMMISSION OF SALE.

In the Vice-Admiralty Court of

(L.S.) Title of Action.

VICTORIA, &c.
To the Marshal of our Vice-Admiralty Court of Greeting.

Whereas the Judge of our said Court has ordered that [state whether ship or cargo and state name of ship, and if part only of cargo, what part] shall be sold: We therefore hereby command you to reduce into writing an inventory of the said [ship or cargo, &c., as the case may be], and to cause the said [ship or cargo, &c.] to be sold by public auction for the highest price that can be obtained for the same:

And we further command you, as soon as the sale has been completed, to pay the proceeds arising therefrom into our said Court, and to file an account sale signed by you, together with this Commission.

Given at , in our said Court, under the seal thereof, this day of 18

(Signed) E.F.,
Commission of sale. Registrar.

No. 44.
Rule 142.

COMMISSION OF APPRAISEMENT AND SALE.

In the Vice-Admiralty Court of

(L.S.) [Title of Action.]

VICTORIA, &c.
To the Marshal of our Vice-Admiralty Court of Greeting.

Whereas the Judge of our said Court has ordered that [state whether ship or cargo, and state name of ship, and if part only of cargo, what part] shall be appraised and sold: We

therefore hereby command you to reduce into writing an inventory of the said [ship or cargo, &c., as the case may be], and having chosen one or more experienced person or persons to swear him or them to appraise the same according to the true value thereof, and when a certificate of such value has been reduced into writing and signed by yourself and by the appraiser or appraisers, to cause the said [ship or cargo, &c., as the case may be] to be sold by public auction for the highest price, not under the appraised value thereof, that can be obtained for the same.

And we further command you, as soon as the sale has been completed, to pay the proceeds arising therefrom into our said Court, and to file the said certificate of appraisement and an account sale signed by you, together with this commission.

Given at _____, in our said Court, under the seal thereof, this _____ day of _____ 18 _____.

(Signed) E.F.,
Registrar.
Commission of appraisement and sale.
Taken out by _____

No. 45.
Rule 142.

COMMISSION OF REMOVAL.

In the Vice-Admiralty Court of
(L.S.) [Title of Action.]

VICTORIA, &c.

To the Marshal of our Vice-Admiralty Court of Greeting.

Whereas the Judge of our said Court has ordered that the [state name and description of ship] shall be removed from to _____ on a policy of insurance in the sum of £ _____ being deposited in the registry of our said Court: And whereas a policy of insurance for the said sum has been so deposited: We, therefore, hereby command you to cause the said ship to be removed accordingly: And we further command you, as soon as the removal has been completed, to file a certificate thereof, signed by you, in the said registry, together with this commission.

Given at _____, in our said Court, under the seal thereof, this _____ day of _____ 18 _____.

(Signed) E.F.,
Registrar.
Commission of Removal.
Taken out by _____

No. 46.
Rule 142.

COMMISSION FOR DISCHARGE OF CARGO.

In the Vice-Admiralty Court of
(L.S.) [Title of Action.]

VICTORIA, &c.

To the Marshal of our Vice-Admiralty Court of Greeting.

Whereas the Judge of our said court has ordered that the cargo of the ship _____ shall be discharged: We therefore hereby command you to discharge the said cargo from on board the said ship, and to put the same into some fit and proper place of deposit: And we further command you, as soon as the discharge of the said cargo has been completed, to file your certificate thereof in the registry of our said court, together with this commission.

Given at _____ in our said court, under the seal thereof, this _____ day of _____ 18 _____.

(Signed) E.F.,
Registrar.
Commission for discharge of cargo.
Taken out by _____

No. 47.
Rule 142.

COMMISSION FOR DEMOLITION AND SALE.

(In a Slave Trade case.)

In the Vice-Admiralty Court of
(L.S.) [Title of Action.]

VICTORIA, &c.

To the Marshal of our Vice-Admiralty Court of greeting.

We hereby command you, in pursuance of the decree of the Judge of our said court to that effect, to cause the tonnage of the vessel _____ to be ascertained by rule No. 1 of the 21st section of the Merchant Shipping Act, 1854 [or by such rule as shall for the time being be in force for the admasurement of British vessels], and further to cause the said vessel to be broken up, and the materials thereof to be publicly sold in separate parts (together with her cargo, if any) for the highest price that can be obtained for the same.

And we further command you, as soon as the sale has been completed, to pay the proceeds arising therefrom into our said court, and to file an account sale signed by you, and a certificate signed by you of the admasurement and tonnage of the vessel, together with this commission.

Given at _____, in our said court, under the seal thereof, this _____ day of _____ 18 _____.

(Signed) E.F.,
Registrar.
Commission for demolition and sale.
Taken out by _____

No. 48.
Rule 147.

ORDER FOR INSPECTION.

In the Vice-Admiralty Court of
[Title of Action.]

On the _____ day of _____ 18 _____

Before _____ Judge.

The Judge, on the application of [state whether Plaintiff or Defendant] ordered that the ship _____ should be inspected by [state whether by the marshal or by the assessors of the court, or, as the case may be] and that a report in writing of the inspection should be lodged by him [or them] in the Registry.

(Signed) E.F.,
Registrar.

No. 49.
Rule 148.

NOTICE OF DISCONTINUANCE.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that this action is discontinued.

Dated the _____ day of _____ 18 _____

(Signed) A.B., Plaintiff.

No. 50.
Rule 148.

NOTICE TO ENTER JUDGMENT FOR COSTS.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I apply to have judgment entered for my costs in this action.

Dated this _____ day of _____ 18 _____

(Signed) C.D., Defendant

No. 51.
Rule 150.

NOTICE OF APPEAL.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I, A.B., Plaintiff [or Defendant] appeal from the decree [or order] of the judge of the said Court made the _____ day of _____ 18 _____

Dated the _____ day of _____ 18 _____

(Signed) A.B., Plaintiff,
[or Defendant.]

No. 52.
Rule 156.

RECEIVABLE ORDER.

Registry of the Vice-Admiralty Court,

No. _____
£ _____ 18 _____

[Title of Action.]

Sir,

I have to request that you will receive from [state name of person paying in the money] the sum of _____ pounds shillings and _____ pence, on account in the above-named action, and place the same to the credit of the account of the Registrar of the Vice-Admiralty Court of _____

(Signed) E.F.,
Registrar.

To the Manager of [state name or style of bank to which the payment is to be made.]
Or to the Treasurer of the Possession.

No. 53.
Rule 158.

ORDER FOR PAYMENT OUT OF COURT.

In the Vice-Admiralty Court of

[Title of Action.]

I _____, Judge of the Vice-Admiralty Court of _____, hereby order payment of the sum of [state sum in letters and figures], being the amount [state whether found due for damages or costs, or tendered in the action]

or, as the case may be] to be made to [state name and address of party or solicitor to whom the money is to be paid] out of the [proceeds of sale of ship, &c., or as the case may be] now remaining in court.

Dated the _____ day of _____ 18 _____
 Witness, (Signed) J.K., Judge.
 E.F.,
 Registrar.

No. 54.
 Rule 150.

NOTICE FOR CAVEAT WARRANT.

In the Vice-Admiralty Court of

Take notice that I, A.B., of _____ apply for a caveat against the issue of any warrant for the arrest of [state name and nature of property], and I undertake, within three days after being required to do so, to give bail to any action or counterclaim that may have been or may be brought against the same in this Court in a sum not exceeding [state sum in letters] pounds, or to pay such sum into Court.

My address for service is _____
 Dated the _____ day of _____ 18 _____
 (Signed) A.B.

No. 55.
 Rule 150.

CAVEAT WARRANT.

In the Vice-Admiralty Court of

[State Name of Ship, &c.]

Caveat entered this _____ day of _____ 18 _____ against the issue of any warrant for the arrest of [state name and nature of property] without notice being first given to [state name and address of person to whom and address at which notice is to be given], who has undertaken to give bail to any action or counterclaim that may have been or may be brought in the said Court against the said [state name and nature of property].

On withdrawal of caveat add—

Caveat withdrawn the _____ day of _____ 18 _____

No. 56.
 Rule 160.

NOTICE FOR CAVEAT RELEASE.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I, A.B., Plaintiff [or Defendant] in the above-named action, apply for a caveat against the release of [state name and nature of property].

[If the person applying for the caveat is not a party to the action, he must also state his address and an address for service within three miles of the registry.]

Dated the _____ day of _____ 18 _____
 (Signed) A.B.

No. 57.
 Rule 160.

CAVEAT RELEASE.

In the Vice-Admiralty Court of

[Title of Action.]

Caveat entered this _____ day of _____ 18 _____ against the issue of any release of [state name and nature of property] by [state name and address of person entering caveat, and his address for service].

On withdrawal of caveat add—

Caveat withdrawn this _____ day of _____ 18 _____

No. 58.
 Rule 161.

NOTICE FOR CAVEAT PAYMENT.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I, A.B., Plaintiff [or Defendant] in the above-named action, apply for a caveat against the payment of any money [if for costs, add for costs, or as the case may be] out of the proceeds of the sale of [state whether ship or cargo, and name of ship, &c.] now remaining in Court, without notice being first given to me.

[If the person applying for the caveat is not a party to the action he must also state his address, and an address for service within three miles of the registry.]

Dated the _____ day of _____ 18 _____
 (Signed) A.B.

No. 59.
 Rule 161.

CAVEAT PAYMENT.

In the Vice-Admiralty Court of

[Title of Action.]

Caveat entered this _____ day of _____ 18 _____ against the payment of any money [if for costs, add for costs, or as the case may be] out of the proceeds of the sale of [state whether ship or cargo, and if ship state name of ship, &c.] now remaining in Court, without notice being first given to [state name and address of person to whom, and address at which notice is to be given].

On withdrawal of the caveat, add—

Caveat withdrawn this _____ day of _____

No. 60.
 Rule 160.

NOTICE FOR WITHDRAWAL OF CAVEAT.

In the Vice-Admiralty Court of

[Title of Action.]

Take notice that I withdraw the caveat [state whether caveat, warrant, release, or payment] entered by me in this action [or as the case may be].

Dated the _____ day of _____ 18 _____
 (Signed) A.B.

No. 61.
 Rule 168.
 SUBPOENA.

In the Vice-Admiralty Court of

(L.S.) _____ Title of Action.

VICTORIA, &c.

To _____ greeting.
 We command you that, all other things set aside, you appear in person before the Judge [or the Registrar, or G.H., a Commissioner appointed by an order of our said Court] at _____ on _____ day of _____ 18 _____, at _____ o'clock in the _____ noon of the same day, and so from day to day as may be required, and give evidence in the above-named action.

And herein fail not at your peril.

Given at _____, in our said Court, under the seal thereof, this _____ day of _____ 18 _____.

Subpoena.

Taken out by _____

No. 62.
 Rule 168.

SUBPOENA DUCES TECUM.

The same as the preceding form, adding before the words "And herein fail not at your peril," the words "and that you bring with you for production before the said Judge [or Registrar or Commissioner, as the case may be] the following documents, viz. :—

[Here state the documents required to be produced.]

No. 63.
 Rule 171.

ORDER FOR PAYMENT.

In the Vice-Admiralty Court of

(L.S.) _____ [Title of Action.]

On the _____ day of _____ 18 _____

Before _____

Judge.

It is ordered that A.B. [Plaintiff or Defendant, &c.,] do pay to C.D. [Defendant or Plaintiff, &c.] within _____ days from the date hereof the sum of £ _____ [state sum in letters and figures] being the amount [or balance of the amount] found due from the said A.B. to the said C.D. for [state whether for damages, salvage, or costs, or as the case may be] in the abovenamed action.

(Signed) E.F.,
 Registrar.

No. 64.
 Rule 172.

ATTACHMENT.

In the Vice-Admiralty Court of

(L.S.) _____ [Title of Action.]

VICTORIA, &c.

To the Marshal of our Vice-Admiralty Court of _____ greeting.

Whereas the Judge of our said Court has ordered [state name and description of person to be attached] to be attached for [state briefly the ground of attachment].

We, therefore, hereby command you to attach the said and to bring him before our said Judge.

Given at _____, in our said Court, under the sea thereof, this _____ day of _____ 18 _____.

(Signed) *E.F.*,
Registrar.

Attachment.
Taken out by _____

No. 65.

Rule 173.

ORDER FOR COMMITTAL.

In the Vice-Admiralty Court of

(L.S.) [Title of Action.]

On the _____ day of _____ 18 _____

Before _____

Judge.

Whereas *A.B.* [state name and description of person to be committed] has committed a contempt of Court in that [state in what the contempt consists] and, having been this day brought before the Judge on attachment, persists in his said contempt, it is now ordered that he be committed to prison for the term of _____ from the date hereof, or until he shall clear himself from his said contempt.

(Signed) *E.F.*,
Registrar.

No. 66.

Rule 173.

COMMITTAL.

To _____

Vice-Admiralty Court of } Receive into your custody the body
} [or bodies] of
herewith sent to you, for the cause hereinunder written, that is to say,—

For [state briefly the ground of attachment.]

Dated the _____ day of _____ 18 _____

(Signed) *J.K.*,
Judge.

Witness,

E.F.,
Registrar.

No. 67.

Rule 180.

MINUTE ON FILING ANY DOCUMENT.

In the Vice-Admiralty Court of

[Title of Action.]

I, *A.B.* [state whether Plaintiff or Defendant], file the following documents, viz.—

[Here describe the documents filed.]

Dated the _____ day of _____ 18 _____

(Signed) *A.B.*

No. 68.

Rule 102.

MINUTE OF ORDER OF COURT.

In the Vice-Admiralty Court of

[Title of Action.]

On the _____ day of _____ 18 _____

Before _____

Judge.

The Judge on the application of [state whether Plaintiff or Defendant] ordered [state purport of order].

No. 69.

Rule 102.

MINUTE ON EXAMINATION OF WITNESS.

In the Vice-Admiralty Court of

[Title of Action.]

On the _____ day of _____ 18 _____

Before _____

Judge.

A.B. [state whether Plaintiff or Defendant] produced as witnesses,

[Here state names of witnesses in full.]

who, having been sworn [or as the case may be] were examined orally [if by interpretation, add by interpretation of _____].

No. 70.

Rule 102.

MINUTE OF DECREE.

In the Vice-Admiralty Court of

[Title of Action.]

On the _____ day of _____ 18 _____

Before _____

Judge.

(1.) Decree for an ascertained sum :

The Judge having heard [state whether Plaintiff and Defendant, or their counsel or solicitors, or as the case may be], and having been assisted by [state names and descriptions of assessors, if any] pronounced the sum of [state sum in letters and figures] to be due to the Plaintiff [or Defendant], in respect of his claim [or counterclaim], together with costs [if the decree is for costs]. And he condemned—

(a.) In an Action in rem where Bail has not been given ;

the ship _____ [or cargo ex the ship _____, or proceeds of the ship _____, or of the cargo, ex the ship _____ or as the case may be] in the said sum [and in costs].

(b.) In an Action in personam, or in rem where Bail has been given.

the Defendant [or Plaintiff] and his bail [if bail has been given] in the said sum [and in costs].

(2.) Decree for a sum not ascertained :

The Judge having heard, &c. [as above] pronounced in favour of the Plaintiff's claim [or Defendant's counterclaim] and condemned the ship _____ or cargo, &c., or the Defendant [or Plaintiff] and his bail [if bail has been given] in the amount to be found due to the Plaintiff [or Defendant] [and in costs]. And he ordered that an account should be taken, and

(a.) If the amount is to be assessed by the Judge,

that all accounts and vouchers, with the proofs in support thereof, should be filed within _____ days [or as the case may be].

(b.) If the Judge refers the assessment to the Registrar,

referred the same to the Registrar [assisted by merchants], to report the amount due, and ordered that all accounts, &c. [as above].

(3.) Decree on dismissal of action :

The Judge, having heard, &c. [as above] dismissed the action [if with costs, add] and condemned the Plaintiff and his bail [if bail has been given] in costs.

(4.) Decree for condemnation of a derelict subject to salvage :

The Judge, having heard, &c. [as above] pronounced the sum of [state sum in letters and figures] to be due to *A.B.*, &c. for salvage, together with costs, and subject thereto condemned the said ship, _____ [or cargo or proceeds of ship or of cargo, &c., as the case may be] as a droit and perquisite of Her Majesty in her office of Admiralty.

(5.) Decree in action for possession :

The Judge having heard, &c., decreed that possession of the ship _____ should be given to the Plaintiff, and condemned the Defendant [and his bail] in costs.

(6.) Decree of condemnation in a slave trade action :

The Judge having heard, &c. [as above], pronounced that the vessel, name unknown [or as the case may be], seized by H.M.S. "Torch" on the _____ day of _____ 18 _____, had been at the time of her seizure engaged in or fitted out for the slave trade in contravention of the Treaties existing between Great Britain and _____ [or in violation of the Acts 5 Geo. IV, c. 113, and 36 & 37 Vict. c. 88., or as the case may be], and he condemned the said vessel [together with the slaves, goods, and effects on board thereof] as forfeited to Her Majesty [or condemned the said vessel and slaves as forfeited, &c., but ordered that the cargo should be restored to the claimant, or, as the case may be].

The Judge further ordered that the said slaves [or the slaves then surviving], consisting of _____ men _____ women, and _____ boys and _____ girls, should be delivered over to [state to whom, or how the slaves are to be disposed of]

If the vessel has been brought into port, add

The Judge further ordered that the tonnage of the vessel should be ascertained by the rule in force for the admeasurement of British vessels, and that the vessel should be broken up, and that the materials thereof should be publicly sold in separate parts, together with her cargo [if any] :

or

If the vessel has been abandoned or destroyed by the seizers prior to the adjudication, and the Court is satisfied that the abandonment or destruction was justifiable, add

The Judge further declared that, after full consideration by the Court of the circumstances of the case, the seizers had satisfied the Court that the abandonment [or destruction] of the vessel was inevitable or otherwise under the circumstances proper and justifiable.

(7.) Decree of Restitution in a slave trade action :

The Judge having heard, &c., pronounced that it had not been proved that the vessel was engaged in or fitted out for the slave trade, and ordered that the said vessel should be restored to the claimant, together with the goods and effects on board thereof ;

add, as the case may be,

but without costs or damages,

or

on payment by the said claimant of the costs incurred by the seizers in this action ;

or

and awarded to the said claimant costs and damages in respect of the detention of the said vessel, and [referred the same to the registrar (assisted by merchants) to report the amount thereof, and] directed that all accounts and vouchers with the proofs in support thereof, if any, should be filed within days.

(8.) Decree in case of capture from pirates :

The Judge having heard, &c., pronounced that the said junk "Tecumseh" [and her cargo] had been at the time of the capture thereof by H.M.S. "Torch" the property of pirates, and condemned the same as a droit and perquisite of Her Majesty in Her office of Admiralty.

or

pronounced that the said junk "Tecumseh" [and her cargo] had prior to her recapture by H.M.S. "Torch," &c., been captured by pirates from the claimant [state name and description of former owner] and he decreed that the same should be restored to the said claimant as the lawful owner thereof, on payment to the re-captors of one-eighth part of the true value thereof in lieu of salvage. The Judge also directed that the said junk [and her cargo] should be appraised ;

If the junk, &c., has been captured after an engagement with the pirates, and if there is a petition for bounty, add

The Judge further declared that the persons attacked or engaged by H.M.S. "Torch," &c., on the occasion of the capture of the said junk were pirates, that the total number of pirates so attacked or engaged was about , that of that number were captured, and that the only vessel engaged was H.M.S. "Torch" [or as the case may be].

(9.) Decree of condemnation under Pacific Islanders Protection Act :

The Judge have heard, &c., pronounced that the ship had been at the time of her seizure [or during the voyage on which she was met] employed [or fitted out for employment] in violation of the Pacific Islanders Protection Acts, 1872 and 1875, and he condemned the said ship [and her cargo, and all goods and effects found on board, or as the case may be,] as forfeited to Her Majesty.

The Judge further ordered that the said ship [and her cargo, and the said goods and effects.] should be sold by public auction, and that the proceeds should be paid into Court.

(10.) Decree of condemnation under Foreign Enlistment Act :

The Judge, having heard, &c., pronounced that the ship had been [built, equipped, commissioned, despatched, or used, as the case may be] in violation of the Foreign Enlistment Act, 1870, and he condemned the said ship and her equipment [and the arms and munitions of war on board thereof, or as the case may be] as forfeited to Her Majesty.

(11.) Decree of condemnation under Customs or Revenue Acts :

The Judge having heard, &c., condemned the ship [or cargo or proceeds, &c., as the case may be] as forfeited to Her Majesty for violation of the Act [state what Act.]

(12.) Decree for pecuniary forfeiture or penalty under Customs Act or other Act :

The Judge having heard, &c., pronounced the said goods to have been landed [or other illegal act to have been done] in violation of the Act [state what Act] and condemned the Defendant C.D. [the owner of the said goods, or as the case may be] in the penalty of £ imposed by the said Act [and in costs.]

No. 71.

Rule 102.

MINUTES IN AN ACTION FOR DAMAGE BY COLLISION.

A.B., &c.

against

The Ship "Mary."

No.

18		
Jan. 3		A writ of summons [and a warrant] was [or were] issued to X.Y. on behalf of A.B., &c., the owners of the ship "Jane" against the ship "Mary" [and freight, or as the case may be] in an action for damage by collision. Amount claimed £1,000.
" 5		Y.Z. filed notice of appearance on behalf of C.D., &c., the owners of the ship "Mary."
" 6		X.Y. filed writ of summons.
" "		The Marshal filed warrant.
" 7		Y.Z. filed bailbond to answer judgment as against the Defendants [or as the case may be] in the sum of £1,000, with affidavit of service of notice of bail.
" "		A release of the ship "Mary" was issued to Y.Z.
" 8		X.Y. filed preliminary Act [and notice of motion for pleadings.]
" "		Y.Z. filed preliminary Act.
" 10		The Judge having heard solicitors on both sides [or as the case may be], ordered pleadings to be filed.
" 11		X.Y. filed petition.
" 14		Y.Z. filed answer [and counterclaim].
" 15		X.Y. filed reply.
" 16		The Judge having heard solicitors on both sides [or as the case may be] ordered both Plaintiffs and Defendants to file affidavits of discovery, and to produce, if required, for mutual inspection, the documents therein set forth within three days.
" 18		X.Y. filed affidavit of discovery.
" 19		Y.Z. filed affidavit of discovery.
" 22		X.Y. filed notice of trial.
" 26		X.Y. produced as witnesses [state names of witnesses] who, having been sworn, were examined orally in Court, the said [state names] having been sworn and examined by interpretation of [state name of interpreter] interpreter of the language. Present [state names of assessors present, if any] assessors. Y.Z. produced as witnesses, &c. [as above].
		The Judge having heard [state whether Plaintiffs and Defendants, or their counsel or solicitors, as the case may be], and having been assisted by [state names and descriptions of assessors, if any], pronounced in favour of the Plaintiffs [or Defendants] and condemned the Defendants [or Plaintiffs] and their bail [if bail has been given] in the amount to be found due to the Plaintiffs [or Defendants] [and in costs]. And he ordered that an account should be taken, and referred the same to the Registrar [assisted by merchants] to report the amount due, and ordered that all accounts and vouchers, with the proofs in support thereof, should be filed within days [or as the case may be].
Feb. 5		X.Y. filed statement of claim, with accounts and vouchers in support thereof [numbered 1 to], and affidavits of [state names of deponents, if any].
" 8		Y.Z. filed accounts and vouchers [numbered 1 to] in answer to claim.
" 9		X.Y. filed notice for hearing of reference.
" 15		X.Y. [or Y.Z.] filed Registrar's report, &c.

Here insert address for service of documents required to be served on the Plaintiffs. | Here insert address for service of documents required to be served on the Defendants.

Note.—The above minutes are given as such as might ordinarily be required in an action in rem for damage by collision, where pleadings have been ordered. In some actions many of these minutes would be superfluous. In others additional minutes would be required.

II.—TABLES OF FEES TO BE TAKEN BY THE JUDGES, REGISTRARS, MARSHALS, AND PRACTITIONERS, &c., OF THE VICE-ADMIRALTY COURTS.

I.—BY THE JUDGE.

	£	s.	d.
On administering any oath or declaration in Court			
or in Chambers	0	5	0
On examination before him of any witness before trial	1	0	0
On any motion in Chambers	0	10	0
On any motion in Court	1	0	0
On a final decree in an uncontested action	1	0	0
On a final decree in a contested action	5	0	0
On the assessment of damages, or taking of any account, if assessed or taken by the Judge, according to the case	From	1	0
	To	5	0
On signing or certifying any document	0	5	0

II.—BY THE REGISTRAR.

	£	s.	d.
1. For preparing Instruments, &c.			
For sealing any writ of summons or other document required to be sealed	0	2	6
For preparing any warrant, release, commission, attachment, or other instrument, required to be sealed, or any bail bond	0	10	0
For preparing a receivable order or a receipt for money to be paid out of Court	0	5	0
For preparing and sending any notice	0	2	6
For preparing any other document, for every folio	0	2	0

Note.—The fees for preparing shall include drawing and fair copying or engrossing.

2. For Filing.

On filing any instrument or other document, except minutes and exhibits	0	5	0
---	---	---	---

3. For Evidence, &c.

For administering any oath or declaration, except before the Judge	0	2	6
For taking down and certifying the evidence of any witness examined before him, for every folio	0	1	6

4. For the trial, &c.

On a final decree in an uncontested action	0	10	0
On a final decree in a contested action	1	0	0
For attendance before the Judge when any order is made or act done, other than pronouncing a final decree	0	10	0

Note.—The above fees shall include the entry of the decree or order in the minute book.

5. For References.

For hearing any reference, according to the case, per day	From 1 0 0	To 5 0 0	
For preparing the report of a reference	1	0	0

6. For Taxations.

For taxing a bill of costs—			
If the bill does not exceed ten folios	0	10	0
For every folio beyond ten	0	1	0

7. For Office Copies, &c.

For an office copy of any document, for every folio (in addition to the fee for sealing)	0	1	0
For a search of the records by any person not a party to the action	0	2	6

Note.—No search-fee is to be charged to a party to the action, or to any serjeant.

III.—BY THE ASSESSORS.

For each nautical or other assessor, whether at the examination of witnesses or at the trial of an action, or upon any assessment of damages, or taking of an account, according to the case, per day	From 1 0 0	To 5 0 0
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Note.—The above fees shall be paid to the Registrar, for the assessors, and in the first instance by the party pertering the claim.

IV.—BY A COMMISSIONER TO EXAMINE WITNESSES.

For administering any oath or declaration	0	2	6
For taking down and certifying the evidence of any witness examined before him, for every folio	0	1	6

V.—BY A COMMISSIONER TO TAKE BAIL.

For attending the execution of any bail bond	0	10	0
For taking any affidavit of justification	0	2	6

VI.—BY THE MARSHAL.

For executing any warrant or attachment	1	0	0
For keeping possession of any ship, goods, or ship and goods (exclusive of any payments necessary for the safe custody thereof), for each day	0	2	6

Note.—No fee shall be allowed to the Marshal for the custody and possession of property under arrest, if it consists of money in a bank, or of goods stored in a bonded warehouse, or if it is in the custody of a Custom House officer or other authorised person.

On release of any ship, goods, or person from arrest	0	10	0
For attending the unhivery of cargo, for each day	2	0	0
For executing any commission of appraisement, sale, or appraisement and sale, exclusive of the fees, if any, paid to the appraiser and auctioneer	1	0	0
For executing any other commission or instrument	1	0	0
On the gross proceeds of any ship, or goods, &c., sold by order of the Court:—			
If not exceeding £100	1	0	0
For every additional £100 or part thereof	0	10	0

Note.—If the Marshal, being duly qualified, acts as auctioneer, he shall be allowed a double fee on the gross proceeds.

	£	s.	d.
On a final decree in an uncontested action	0	10	0
On a final decree in a contested action	1	0	0

Note.—If the Marshal or his officer is required to go any distance in execution of his duties, a reasonable sum may be allowed for travelling, boat-hire, or other necessary expenses in addition to the preceding fees.

VII.—BY THE SOLICITOR.

Retaining fee	0	10	6
For preparing a writ of summons (to include attendances in the registry for sealing the same)	0	10	0

For bespeaking and extracting any warrant or other instrument prepared in the registry (to include attendances)	0	10	0
---	---	----	---

For serving a writ of summons or subpoena	0	5	0
---	---	---	---

For taking instructions for a petition or answer	1	0	0
For drawing a petition or answer	1	0	0

For taking instructions for any further pleading	0	5	0
For drawing any further pleading	0	10	0

For drawing any other document, for every folio	0	1	0
---	---	---	---

For fair-copying or engrossing any document, for every folio	0	0	6
--	---	---	---

For taking instructions for any affidavit (unless made by the solicitor or his clerk) or for interrogatories or answers, according to the nature or importance thereof	From 0 5 0	To 1 0 0
--	------------	----------

For taking instructions for brief	From 0 5 0	To 1 0 0
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For attending counsel in conference or consultation	0	10	0
For attending to fee counsel	0	10	0

For attendance on any motion before the Judge:—			
If with counsel	0	10	0
If without counsel	1	0	0

For attending the examination of witnesses before the trial for each day:—			
If with counsel	1	0	0
If without counsel	2	0	0

For attendance at the trial for each day	From 1 0 0	To 3 0 0
--	------------	----------

For attendance at the delivery of judgment if reserved	0	10	0
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For attendance at the hearing of a reference to the Registrar for each day:—			
If with counsel	From 1 0 0	To 2 0 0	
If without counsel	From 1 0 0	To 5 0 0	

For any other necessary attendance before the Judge, or in the registry, or on the Marshal, or on the adverse party or solicitor, in the course of the action	0	5	0
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Note.—Where more than one document can conveniently be filed, or one document can be filed and another bespoken, at the same time, the fee for one attendance only shall be allowed.

For any necessary letter to the adverse party	0	3	6
For serving any notice	0	2	6

For extracting and collating any office copy obtained from the registry, for every folio	0	0	4
For correcting the press, for every folio	0	0	2

For attending the taxation of any bill of costs, not exceeding ten folios	0	10	0
For every folio beyond ten	0	0	6

VIII.—BY COUNSEL.

Retaining fee	1	1	0
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For settling any pleading, interrogatories, or answers, &c.	From 1 1 0	To 4 4 0
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For any necessary consultation in the course of the action	From 1 1 0	To 2 2 0
--	------------	----------

For any motion	From 1 1 0	To 3 3 0
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For the examination of witnesses before the trial, for each day	From 2 2 0	To 4 4 0
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For the trial of an uncontested action	2	2	0
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For the trial of a contested action, for the first day	From 3 3 0	To 10 10 0
--	------------	------------

For each day after the first	From 2 2 0	To 5 5 0
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For attending judgment if reserved	From 1 1 0	To 2 2 0
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For the hearing of a reference to the Registrar, for each day	From 2 2 0	To 5 5 0
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Note.—Where the same practitioner acts as both counsel and solicitor he may for any proceeding in which a counsel's fee might be allowed, charge such fee in lieu of a solicitor's fee.

WITNESSES.

The allowance to witnesses for loss of time and travelling expenses shall be according to the scale for the time being in force in the Supreme Court of the possession by authority of the Judge or Judges of that Court.

APPEALS.

ORDER IN COUNCIL ESTABLISHING RULES FOR APPEALS.

AT THE COURT AT WINDSOR.

The 11th day of December, 1865.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY,

LOD PRESIDENT,

DUKE OF SOMERSET,

MR. SECRETARY CARDWELL.

Whereas there was this day read at the Board a Report from the Right Honourable the Lords of the Judicial Committee of the Privy Council, dated the 5th December instant, humbly setting forth, that by an Act passed in the Session of Parliament held in the 6th and 7th years of Her Majesty's Reign, intituled "An Act to make further Regulations for facilitating the hearing Appeals and other matters by the Judicial Committee of the Privy Council," it was, amongst other things, enacted, that it should be lawful for the said Judicial Committee from time to time to make such Rules, Orders, and Regulations respecting the practice and mode of proceeding in all Appeals from Ecclesiastical and Admiralty and Vice-Admiralty Courts, and the conduct and duties of the officers and practitioners therein, as to them should seem fit, and from time to time to repeal or alter such Rules, Orders, and Regulations; provided always, that no such Rules, Orders, or Regulations should be of any force or effect until the same should have been approved by Her Majesty in Council: And that the Lords of the said Judicial Committee have agreed humbly to report to Her Majesty their opinion that it is expedient that the following Rules should be established respecting the practice and mode of proceeding in all such Appeals as aforesaid, and therewith humbly submitting the same for the approval of Her Majesty in Council.

Her Majesty having taken the said Report into consideration was pleased, by and with the advice of Her Privy Council, to approve thereof, and of the Rule set forth therein, in the words following, *videlicet* :—

Rules for Appeals in Ecclesiastical and Maritime Causes.

1. In the construction of these Rules the following terms shall (if not inconsistent with the context or subject-matter) have the respective meanings hereinafter assigned to them; that is to say :—

"Appeal" shall mean an Appeal to Her Majesty in Council in any Ecclesiastical or Maritime Cause :

"Judicial Committee" shall mean the Judicial Committee of Her Majesty's Privy Council, as the same shall be constituted for hearing any such Appeal :

"Registry" shall mean the Registry of Her Majesty's Court of Appeals in Ecclesiastical and Maritime Causes :

"Registrar" shall mean the Registrar of Her Majesty in Ecclesiastical and Maritime causes :

"Solicitor" shall mean any Proctor, Solicitor, or Attorney entitled to practise before the Judicial Committee in any Appeal, or the Party himself when conducting the Appeal in person :

"Instrument" shall mean any Inhibition, Citation, Monition, Relaxation, Remission, Attachment, Sequestration, or other Document on Parchment issued under the Seal of Her Majesty in Ecclesiastical and Maritime Causes :

"Month" shall mean Calendar Month.

2. Any Solicitor, Attorney, or Proctor who shall be entitled to practise in the High Court of Chancery in England, in the Superior Courts of Common Law at Westminster, in the High Court of Admiralty of England, or in the Arches Court of Canterbury, shall be entitled to practise in any Appeal.

3. A Solicitor desiring to prosecute an Appeal shall leave in the Registry his Petition to Her Majesty in Council in duplicate, together with an Office Copy of the Decree or Order appealed from, if the Appeal has been *apud acta*, or the Instrument of Appeal, if the Appeal has been before a Notary or Witnesses. A Form of the Petition of Appeal is given in the Appendix, and is marked No. 1.

4. When the Registrar has ascertained that the Petition of Appeal has been referred to the Judicial Committee, he may, on the application of the Solicitor, issue the usual Inhibition and Citation, and Monition for Process. Forms of the Inhibition and Citation and of the Monition for Process are given in the Appendix, and are marked Nos. 2 and 3.

5. If, within *one month* from the date of the Petition of Appeal being referred to the Judicial Committee, the Solicitor for the Appellant shall not take out the Inhibition and Citation and the Monition for Process, the Appeal shall stand dismissed.

6. The Inhibition and Citation shall be served on the Registrar of the Court appealed from, as well as on the adverse Party. If proof is given to the satisfaction of the Registrar that service cannot be made upon the adverse Party, it may be served upon his Solicitor. It may also in any case be served upon the Solicitor instead of the Party, if the Solicitor is willing to accept such service. The Monition shall be served on the Registrar of the Court appealed from.

7. Within *one month* from the issue of the Inhibition and Citation and the Monition for Process, if the Appeal is from a Court in the United Kingdom, and within *four months* if from a Court out of the United Kingdom, the Solicitor for the Appellant shall return the same duly served, together with the Process, into the Registry, and if he shall not do so the Appeal shall stand dismissed.

8. The Solicitor for the Respondant may enter an appearance at any time after the Petition of Appeal has been referred to the Judicial Committee, and whether the Inhibition and Citation and the Monition for Process have been taken out or not. A Form of the Appearance is given in the Appendix, and is marked No. 4.

9. If the Respondant's Solicitor desires to adhere to the Appeal he shall within *one month* from the time of entering an appearance file in the Registry a Declaration of Adhesion, stating from what part of the Decree or Order of the Court below he desires to appeal. A Form of the Declaration of Adhesion is given in the Appendix, and is marked No. 5.

10. Within *one month* from the Process being brought in, the Solicitor for the Appellant shall bring into the Registry printed copies of the Appendix; and if he shall not do so the Appeal shall stand dismissed.

11. The Appendix shall be paged consecutively throughout, and shall have an index at the commencement. It shall contain a copy of all documents filed in the Court below material to the issue in the Appeal, and of the Judgment of the said Court given on the occasion of the Decree or Order appealed from, certified by the Reporter of the Court to be correct.

12. Within *one month* from the printed copies of the Appendix being brought in, the Solicitor for the Appellant shall bring into the Registry printed copies of his case; and if he shall not do so the Appeal shall stand dismissed.

13. Within *one month* from the printed copies of the Appendix being brought in, the Solicitor for the Respondant shall bring in printed copies of his case; and if he shall not do so the Appellant may notwithstanding proceed with his Appeal.

14. As soon as the time allowed for bringing in the cases has expired, the Appeal shall stand for hearing before the Judicial Committee, provided that where an appearance has not been entered a period of *four months* has expired from the bringing in of the Petition of Appeal.

15. Where the Appellant resides out of the United Kingdom, he shall, within *two months* after his solicitor has been served with a notice to that effect, give bail by two sufficient Sureties to answer the costs of the Appeal in the sum of *two hundred pounds*; and if he shall not do so, the Appeal shall stand dismissed. Forms of the Bail Bond, Affidavit of Justification, and Commission to take Bail, are given in the Appendix, and are marked Nos. 6, 7, and 8.

16. At any time before the Appeal is set down for Hearing before the Judicial Committee, the Registrar may, on the application of either Solicitor make an Order on the adverse Solicitor to file a Proxy from his party within such time as the Registrar shall appoint, and if the adverse Solicitor shall not within such time file his Proxy, Motion may be made to the Judicial Committee to enforce the Order either by dismissing the Appeal, or in such other way as the Judicial Committee shall direct. A Form of the Proxy is given in the Appendix, and is marked No. 9.

17. It shall be competent to the Appellant's solicitor at any stage of the proceedings to file in the Registry a Proxy from his Party, stating that he abandons the Appeal, and consents to be condemned in the costs thereof, and thereupon the Appeal shall stand dismissed. A Form of the Proxy of Abandonment is given in the Appendix, and is marked No. 10.

18. The Registrar may, on good cause shown, extend the time allowed by these Rules for doing any act.

19. When an Appeal by these Rules stands dismissed, the Appellant shall, unless there is a special agreement to the contrary, stand condemned in the costs of the Appeal.

20. When an Appeal by these Rules stands dismissed, either Solicitor may within *one fortnight* from that time file in the Registry a Notice of Motion to have the Appeal reinstated, and on the hearing of the Motion the Judicial Committee may, if it so think fit, direct the Appeal to be reinstated, subject to such Order as to the costs or otherwise as to it shall seem meet.

21. If Notice of Motion to have the Appeal reinstated be not given within the time prescribed by the preceding Rule, the Registrar may, on the application of either Solicitor, issue a Relaxation of the Inhibition. A Form of Relaxation of Inhibition is given in the Appendix, and is marked No. 11.

22. If, on the final hearing, the Judicial Committee shall order the cause to be remitted, the Registrar shall, on the application of either Solicitor, issue a remission. A form of the Remission is given in the Appendix, and is marked No. 12.

23. Neither Solicitor shall be entitled to plead specially, whether in objection to the jurisdiction, or in respect of *noviter venientia* or of any other matter, without leave having been first obtained from the Judicial Committee.

24. In case either Solicitor is allowed to plead, the Rules which are in force for the time being in the High Court of Admiralty in regard to Pleadings and Proofs shall, so far as they are applicable, and not inconsistent with these Rules, be the Rules in regard to Pleadings and Proofs in Appeals.

25. In case any matter is referred to the Registrar, or to the Registrar assisted by Merchants, to report upon, the same Rules which are in force for the time being in the High Court of Admiralty in regard to references shall, so far as they are applicable, be the Rules in regard to references in the Court of Appeal.

26. If a Party shall not pay any amount which shall have been found to be due from him within a fortnight after he shall have received notice from the adverse Solicitor demanding payment of the same, the Registrar may, on the application of the Solicitor, and on an affidavit being filed proving the notice, issue a Monition for payment thereof. A form of the Monition for payment is given in the Appendix, and is marked No. 13.

27. Upon the Monition being returned duly served, and an affidavit filed that the amount has not been paid, motion may be made to the Judicial Committee for an Attachment or a Sequestration, as the case may be. Forms of the Attachment, Superseas of Attachment, Sequestration, Relaxation of Sequestration, Sequestration of Benefice, and Relaxation of Sequestration of Benefice are given in the Appendix, and are marked Nos. 14, 15, 16, 17, 18, and 19.

28. When an Appendix or Case is brought in, sixty copies thereof shall be left in the Registry, and forty delivered to the adverse Solicitor, if any.

29. Save in an Appeal proceeding by default, no document shall be allowed to be filed without a certificate that a copy thereof has been previously served upon the adverse solicitor.

30. Any consent in writing between the Solicitors may, with the approval of the Registrar, be filed, and shall thereupon become an Order of Court.

31. The practice heretofore existing in regard to Libels of Appeal, setting down Causes on Motion by Counsel, and all acts and proceedings before Surrogates, are abolished. But the same fees shall be allowed for filing any document, returning any instrument, or doing any act by a Solicitor in the Registry, as have heretofore been allowed for doing any similar act before a Surrogate in Chambers.

32. The existing practice of the Court shall continue in force, save in so far as it is inconsistent with these Rules.

33. All instruments already issued or hereafter to be issued, and which are made returnable before the Judicial Committee, or before a Surrogate of the Judicial Committee, may be returned into the Registry.

34. These Rules shall come into operation on the 1st day of February, 1866, and shall apply to all Appeals prosecuted on or after that day, and to all proceedings which shall then remain to be had or done in Appeals prosecuted before that day.

AND HER MAJESTY is further pleased to order, and it is hereby ordered, that the foregoing Rules be punctually observed, obeyed, and carried into execution in all Appeals, or petitions and complaints in the nature of Appeals, brought to Her Majesty, or to Her Heirs and Successors, from the High Court of Admiralty of England, or from any of Her Majesty's Courts of Vice-Admiralty in any of Her Majesty's Colonies or Plantations abroad, or from any other Court of Admiralty Jurisdiction, and likewise from all Courts Ecclesiastical from which an Appeal lies to Her Majesty in Council:

Whereof the Right Honorable the Judge of the High Court of Admiralty in England, the Right Honorable the Dean of the Arches Court of Canterbury, the Commissary of the Exchequer Court of York, and all other Judges and Officers of the said Courts of Admiralty or Ecclesiastical Jurisdiction, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ARTHUR HELPS.

SCHEDULE annexed to the foregoing Order.

FORM NO. 1.

Petition of Appeal.

In Her Majesty's Court of Appeals.

From the [state Court appealed from.]

[State Title of Appeal.]

To the Queen's most Excellent Majesty:

The humble Petition of [state name and address of Solicitor], Solicitor for the above-named [state Appellant's name].

Sheweth,

That in a certain cause lately depending in the [state Court appealed from], promoted by [state name and description of Plaintiff in Court below] against [state name and description of Defendant and of Property, if any, proceeded against in Court below], the [state name of Judge], the Judge of the said Court did on the day of 18 decree or order [state purport of Decree or Order appealed from], from which Decree or Order an Appeal has been duly interposed.

Wherefore your Petitioner most humbly prays that your Majesty will be graciously pleased to reverse the said Decree or Order, or to make such Order in the premises as to Your Majesty shall seem meet.

Dated at this day of 18 .

[To be signed by the Solicitor.]

FORM NO. 2.

Inhibition and Citation.

In Her Majesty's Court of Appeals.

From the [state Court appealed from].

[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To all and singular our liege subjects, being literate persons whomsoever and wheresoever in and throughout our said United Kingdom and other our Dominions, and especially to our Officer lawfully appointed, greeting:

Whereas in a cause [state nature of Cause] lately depending in [state from what Court the cause is appealed], promoted by [state name and description of Plaintiff in Court below] against [state name and description of Defendant and of Property, if any, proceeded against in Court below], the [state name of Judge], the Judge of the said Court did, on the day of 18 [state purport of Decree or Order appealed from], from which said Decree or Order an Appeal has been duly made to us in Council on behalf of the said [state name of Appellant], and has by us been referred to the Judicial Committee of our said Council.

We do therefore hereby authorise and command, you jointly and severally to inhibit or cause to be inhibited the said [state name and title of Judge of Court below], from whom the said cause is appealed, his Registrar or Actuary, and the said [state name of Respondent] and all other persons whomsoever, that neither they nor any of them pending the said Appeal do or attempt anything to the prejudice of the said Appellant or of his said Appeal. And further that you cite or cause to be cited the said [state name of Respondent] and all other persons having any interest in the said Appeal, to enter an appearance in the Registry of our Court of Appeals for Ecclesiastical and Maritime Causes, situate at within days after service hereof. And that you warn them that if they do not enter an appearance as aforesaid, We shall proceed to determine the said appeal, or make such Order in the premises as to us shall seem meet.

Given at London under the Seal which we use in this behalf, the day of in the year of our Lord 18 .

(L.S.)
Inhibition and Citation.

A.B.,
H.M. Registrar.

Taken out by

FORM NO. 3.

Monition for Process.

In Her Majesty's Court of Appeals.

From the [state Court appealed from.]

[State Title of Cause.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To all and singular our liege subjects, being literate persons whomsoever and wheresoever in and throughout our said United Kingdom and other our Dominions and especially to our Officer lawfully appointed greeting:

Whereas in a cause lately depending in the [state Court appealed from], promoted by [state name and description of Plaintiff in Court below] against [state name and description of Defendant and of Property, if any, proceeded against in Court

below], the [state name of Judge], the Judge of the said Court, did, on the day of 18 [state purport of Decree or Order appealed from], from which Decree or Order an Appeal has been duly made to us in Council on behalf of the said [state name of Appellant], and has by us been referred to the Judicial Committee of our Privy Council: We do hereby authorise and command you jointly and severally to monish or cause to be monished the said [state name and title of Judge of Court below] his Registrar or Actuary, and all other persons in whose custody or control any of the proceedings which in any way relate to the said cause do now remain, that within days after service hereof they transmit or cause to be transmitted the whole proceedings had and done in the said cause, in a proper and authentic form, to the Registry of our Court of Appeals for Ecclesiastical and Maritime Causes situate in , together with these Presents.

Given at London, under the Seal which we use in this behalf, the day of in the year of our Lord 18 .
(L.S.) A. B.,
Monition for Process. H. M. Registrar.
Taken out by

FORM No. 4.
Appearance.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

I [state name and address of Solicitor] hereby certify that I am authorised to and do enter an Appearance in this Appeal on behalf of [state name, address, and description of Party].
Dated the day of 18
[To be signed by the Solicitor or by his Clerk for him.]

FORM No. 5.

Declaration of Adhesion.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

WHEREAS in a cause lately depending in [state Court appealed from], promoted by [state name and description of Plaintiff in Court below] against [state name and description of Defendant and of Property, if any, proceeded against in Court below], the [state name of Judge], the Judge of the said Court, did, on the day of 18 , decree or order [state purport of Decree or Order appealed from], from which Decree or Order an Appeal has been made to Her Majesty in Council on behalf of the said [state name of Appellant], and has by Her Majesty been referred to the Judicial Committee of Her said Council. Now I [state name], the Solicitor for the said [state name], the Respondent in the said Appeal, do hereby adhere to the same Appeal, and do dissent from the said Decree or Order in so far as [state part of Decree or Order from which Respondent's Solicitor dissents.]

Dated the day of 18
[To be signed by the Respondent's Solicitor or by his Clerk for him.]

FORM No. 6.
Bail Bond.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

WHEREAS in a Cause lately depending in [state Court appealed from], promoted by [state name and description of Plaintiff in Court below] against [state name and description of Defendant and Property, if any, proceeded against in Court below], an Appeal has been made to Her Majesty in Council on behalf of [state name of Appellant], and has by Her Majesty been referred to the Judicial Committee of Her said Council. Now therefore we [state names and descriptions of Sureties] hereby jointly and severally submit ourselves to the jurisdiction of the said Judicial Committee, and consent that if he the said [state name of Appellant] shall not pay what may be adjudged against him for the costs of the said Appeal, execution may issue forth against us, our heirs, executors, and administrators, goods and chattels, for a sum not exceeding [state sum in words and figures] pounds.

This Bail Bond was signed by the said and the Sureties, the day of 18 .
Before me, } Signature of Sureties.
[To be signed before the Registrar or one of the Clerks in the Registry, or before a Commissioner.]

FORM No. 7.

Affidavit of Justification.

In Her Majesty's Court of Appeals.
From the [state Court appealed from]
[State Title of Appeal.]

I [state name, address, and description], one of the proposed Sureties for [state name, address, and description of the person for whom Bail is to be given], make oath and say, That I am worth more than the sum of [] hundred pounds after payment of all my debts.

On the day of 18 ,
the said was duly sworn to
the truth of this Affidavit at } Signature of Surety.
Before me,
Commissioner.

FORM No. 8.

Commission to take Bail.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To [state name and address of Commissioner] greeting:

Whereas in the above-named Appeal now depending before the Judicial Committee of our Privy Council bail is required to be taken on behalf of [state name and description of Appellant], the Appellant, in the sum of two hundred pounds, to answer judgment so far as regards the costs of the said Appeal: We therefore hereby authorise you to take bail in the said sum on behalf of the said [state name of Appellant] from two sufficient Sureties, who may be produced before you for that purpose, upon the Bail Bond hereto annexed, and to swear the said Sureties to the truth of the annexed Affidavits as to their sufficiency; and we command you, upon the said Bail Bond and Affidavits being duly executed and signed by the said Sureties, to transmit the same, attested by you, into the Registry of our Court of Appeals for Ecclesiastical and Maritime Causes.

Given at London under the Seal which we use in this behalf, the day of in the year of our Lord 18 .
(L.S.) A. B.,
Commission for Bail. H. M. Registrar.
Taken out by

The Form of Oath to be indorsed on the Commission, and to be administered to each of the Sureties.

You swear that the contents of the Affidavit to which you have signed your name are true.
So help you GOD.

FORM No. 9.

Proxy.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

I [state name, address, and description], lately the [state whether Plaintiff or Defendant] in a Cause which was depending in the [state in what Court], and from the Decree in which an Appeal has been interposed to Her Majesty in Council, and now the [state whether Appellant or Respondent] in the said Appeal, do hereby appoint [state name and address of Solicitor] to appear and conduct all proceedings in my behalf in this Appeal.

Dated the day of 18
[To be signed by the Party.]
Witness,

FORM No. 10.

Proxy of Abandonment.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

I [insert name and description], the Appellant in the above-named Appeal, do hereby declare, That I abandon the same, and proceed no further therein, and I undertake to pay all costs that may have been incurred by the Respondent herein; and I authorize and direct you [insert name of Solicitor], my Solicitor in the said Appeal, to file this Proxy in the Registry of Her Majesty's Court of Appeals for Ecclesiastical and Maritime Causes.

Dated the day of 18
[To be signed by the Appellant.]
Witness,

FORM No. 11.

Relaxation of Inhibition.

In Her Majesty's Court of Appeals.

From the [state Court appealed from].

[State Title of Appeal.]

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To [state name and title of Judge of Court below], or his Surrogate, or some other competent Judge in this behalf, greeting:

Whereas in a cause lately depending in the said Court promoted by [state name and description of Plaintiff in Court below], against [state name and description of Defendant and Property, if any, proceeded against in Court below], an Appeal from an Order or Decree of the Judge of the said Court was made to us in Council on behalf of the said [state name of Appellant], and was by us referred to the Judicial Committee of our said Council: And whereas on the

day of 18, we did command that [you] the said [state name and title of Judge from whom the Cause was appealed], [you] Registrar or Actuary, and the said [state name of Respondent], and all other Persons whosoever, should be inhibited from attempting anything to the prejudice of the said Appellant or of his said Appeal: And whereas the said [state name of Appellant] has abandoned his said Appeal [or failed to prosecute his said Appeal within the time allowed by law], we do therefore hereby relax the said Inhibition, justice so requiring.

Given at London under the Seal which we use in this behalf, the day of _____ in the year of our Lord 18 _____

(L.S.) A.B.,
Relaxation of Inhibition. H. M. Registrar.
Taken out by _____

FORM No 12.

Remission.

In Her Majesty's Court of Appeals.

From the [state Court appealed from].

[State Title of Appeal.]

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To [state name and title of Judge of Court below], his Surrogate, or some other competent Judge in this behalf, greeting: Whereas in a cause lately depending in the said Court promoted by [state name and description of Plaintiff in Court below] against [state name and description of Defendant and of Property, if any, proceeded against in Court below], an Appeal from an Order or Decree of the Judge of the said Court was made to us in Council on behalf of the said [state name of Appellant], and was by us referred to the Judicial Committee of our said Council: And whereas our said Judicial Committee did on the day of 18 report to us against the said Appeal, and that the Decree or Order appealed from ought to be affirmed, and the cause remitted, with all its incidents (save the costs incurred in the said Appeal), to the Judge of the said Court from which the same was appealed [or, as the case may be]: And whereas on the day of _____ we were pleased, by and with the advice of our Privy Council, to approve of the said report, and to order that the same should be duly carried into execution (justice so requiring), we do therefore hereby authorize and command you to resume into your own hands the said cause, with all its incidents (save as aforesaid), and freely to proceed therein according to the exigence of the law and the tenor of the former proceedings, and to administer justice between the parties, any inhibition heretofore issued to the contrary notwithstanding.

Given at London, under the seal which we use in this behalf, this day of _____ in the year of our Lord 18 _____

(L.S.) A.B.,
Remission. H.M. Registrar.
Taken out by _____

FORM No. 13.

Monition for Payment.

In Her Majesty's Court of Appeals.

From the [state Court appealed from.]

[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To [state name and address of person to be monished], greeting:

Whereas in the above-named Appeal, now or lately depending before the Judicial Committee of Our Privy Council, the sum of [state sum in words] has been found due from you the said [state name of person to be monished] to [state name of person to whom the sum is due] for [state for what the sum is due]: We therefore hereby command you the said [state name of person monished] to pay within _____ days from the

service hereof (exclusive of the day of service) the said sum of [state sum in words] to the said [state name and address of person to whom the money is to be paid] accordingly, and hereof fail not.

Given at London, under the Seal which we use in this behalf, the day of _____ in the year of our Lord 18 _____

(L.S.) A.B.,
Monition to pay £ _____
Taken out by H.M. Registrar.

FORM No. 14.

Attachment.

In Her Majesty's Court of Appeals.

From the [state Court appealed from].

[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To all and singular our Justices of the Peace, Mayors, Sheriffs, Bailiffs, Marshals, Constables, and to all our Officers, Ministers, and others whomsoever, greeting:

Whereas in the above-named Appeal, now or lately depending before the Judicial Committee of our Privy Council, our said Judicial Committee has decreed [state name and description of person to be attached] to be attached for manifest contumacy and contempt in not having obeyed our Monition, bearing date the day of 18, heretofore issued by us in the said Appeal, requiring him to [state in what the contempt has consisted]. We therefore hereby command you to attach and arrest the said [state name of person to be attached], and to keep him under safe arrest until you shall receive further orders from us, or until the said [state name of person to be attached] shall have obeyed our said Monition, and cleared himself of his said contempt.

Given at London, under the Seal which we use in this behalf, the day of _____ in the year of our Lord 18 _____

(L.S.) A.B.,
Attachment. H.M. Registrar.
Taken out by _____

Indorsement.

In Her Majesty's } To receive into your custody the
Court of Appeals. } body of herewith sent you, for the
 } cause hereunder written, that is to say,

For his manifest contumacy and contempt in not having obeyed the within-mentioned Monition (or as the case may be).

A.B.,
H.M. Registrar.

FORM No. 15.

Supersedeas of Attachment.

In Her Majesty's Court of Appeals.

From the [state Court appealed from]

[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To the _____ or keeper of our prison called the _____ in our County of _____ his Deputy or Deputies, and all persons whomsoever in whose custody the body of the under-mentioned [state name of person attached] now is or remains, greeting:

Whereas the Judicial Committee of Our Privy Council has ordered that the attachment heretofore issued in the above-named appeal against the said [state name and description of person attached], bearing date the day of 18, be superseded [here state the conditions, if any, on which the Supersedeas is to issue]: We therefore hereby command that [here state the conditions as before] you forthwith release the said [state name of person attached], and hereof fail not.

Given at London, under the Seal which we use in this behalf, the day of _____ in the year of our Lord 18 _____

(L.S.) A.B.,
Supersedeas of Attachment. H.M. Registrar.
Taken out by _____

FORM No. 16.

Sequestration.

In Her Majesty's Court of Appeals.

From the [state Court appealed from].

[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To [state names, addresses, and descriptions of the Sequestrators], greeting:

Whereas in the above-named Appeal, now or lately depending before the Judicial Committee of our Privy Council, our said Judicial Committee has decreed process of Sequestration against the real and personal estate and effects of [state name, address, and description of person whose property is to be sequestered],

for manifest contumacy and contempt in not having obeyed our Monition bearing date the _____ day of _____ 18____, heretofore issued by us in the said Appeal, requiring him to [state in what the contempt has consisted]: We therefore, confiding in your prudence and fidelity, hereby command you [or two of you] that you do at certain proper and convenient days and hours enter upon all the messuages, lands, tenements, and real estate whatsoever and wheresoever situate within our dominions of the said [state name of person whose property is to be sequestered], and that you collect and receive into your hands the rents and profits of his said real estate and all his personal estate wheresoever lying within our dominions, and keep the same in your hands until you shall have levied [here state the sum, if any, to be levied, and any necessary directions as to the disposal thereof], or until the said [state name of person whose property is to be sequestered] shall have cleared his contempt [or as the case may be], and our said Judicial Committee shall make other order to the contrary; and that you from time to time report to us what you shall do in the premises.

Given at London, under the seal which we use on this behalf, this _____ day of _____ in the year of our Lord 18____.

(L.S.) _____ A.B.,
Sequestration. H.M. Registrar.
Taken out by _____

FORM No. 17.

Relaxation of Sequestration.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To [state names and addresses of Sequestrators], greeting:

Whereas the Judicial Committee of our Privy Council has ordered that the sequestration heretofore issued in the above-named Appeal against [state name of person whose property was sequestered], bearing date the _____ day of _____ 18____, be relaxed, We therefore hereby command that you release all the messuages, lands, tenements, and real estate whatsoever and wheresoever situate within our dominions of the said [state name of person whose property was sequestered], and desist henceforth from collecting or receiving the rents and profits of his said real estate; and further, that you release all his personal estate wheresoever lying within our dominions which may not have been already disposed of by you in accordance with the tenor of our said sequestration; and that you duly report to us what you shall have done in the premises.

Given at London, under the Seal which we use in this behalf, this _____ day of _____ in the year of our Lord 18____.

(L.S.) _____ A.B.,
Relaxation of Sequestration. H.M. Registrar.
Taken out by _____

FORM No. 18.

Sequestration of Benefice.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To

the Right Reverend Father in God _____ by Divine permission Lord Bishop of _____, greeting:

Whereas in the above-named Appeal, now or lately depending before the Judicial Committee of our Privy Council, our said Judicial Committee has decreed Process of Sequestration against [state name of the person whose benefice is to be sequestered], Rector of the Rectory [or Vicar of the Vicarage] and Parish Church of _____ in the county of _____ and within your diocese: We therefore hereby command that you enter into the said Rectory [or Vicarage] and Parish Church of _____ and take and sequester the same into your possession, together with the rents, tithes, rent-charges in lieu of tithes, oblations, obventions, fruits, issues, and profits thereof, and all other Ecclesiastical goods in your diocese of and belonging to the said Rectory [or Vicarage] and Parish Church, and to the said _____ as Rector [or Vicar] thereof; and that you hold the same in your possession until [state here the purpose for which the sequestration is made, and any other necessary directions, according to the circumstances], and until our said Judicial Committee shall make other order to the contrary; and that you from time to time report to us what you shall do in the premises.

Given at London under the Seal which we use in this behalf, this _____ day of _____ in the year of our Lord 18____.

(L.S.) _____ A.B.,
Sequestration of Benefice H.M. Registrar.
Taken out by _____

FORM No. 19.

Relaxation of Sequestration of Benefice.

In Her Majesty's Court of Appeals.
From the [state Court appealed from].
[State Title of Appeal.]

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To the Right Reverend Father in God _____ by Divine permission Lord Bishop of _____, greeting:

Whereas the Judicial Committee of Our Privy Council has ordered that the Sequestration heretofore issued in the above-named Appeal against [state name of person whose benefice was sequestered], Rector of the Rectory [or Vicar of the Vicarage] and Parish Church of _____ in the county of _____ and within your diocese, bearing date the _____ day of _____ 18____, be relaxed: We therefore hereby command that you release the said Rectory [or Vicarage] and Parish Church, together with the rents, tithes, rent-charges in lieu of tithes, oblations, obventions, fruits, issues, and profits thereof, and all other ecclesiastical goods in your diocese of and belonging to the said Rectory [or Vicarage] and Parish Church and to the said _____ as Rector [or Vicar] thereof, except such as may have been already disposed of by you in accordance with the tenor of our said sequestration; and that you duly report to us what you shall do in the premises.

Given at London under the Seal which we use in this behalf, this _____ day of _____ in the year of our Lord 18____.

(L.S.) _____ A.B.,
Relaxation of Sequestration of Benefice. H.M. Registrar.
Taken out by _____

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PRICKLY-PEAR DESTRUCTION BILL (No. 2).
(MESSAGE No. 90.)

Ordered by the Legislative Assembly to be printed, 5 September, 1884.

AUGUSTUS LOFTUS,
Governor.

Message No. 90.

In accordance with the provisions contained in 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 a Bill to provide for the eradication of the Prickly-pear.

*Government House,
Sydney, 5th September, 1884.*

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BATHURST PRESBYTERIAN CHURCH GRANT RESUMPTION BILL.
(MESSAGE No. 30.)

Ordered by the Legislative Assembly to be printed, 25 March, 1884.

AUGUSTUS LOFTUS,
Governor.

Message No. 30.

In accordance with the provisions contained in 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 a Bill to authorize the resumption by Her Majesty of a portion of the Presbyterian Church Grant in the City of Bathurst, for the purpose of widening a lane between the said grant and the Public School site, and to declare the Trusts on which the purchase money of the land resumed shall be held, and for other purposes.

Government House,

Sydney, 25th March, 1884.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND BOILERS INSPECTION BILL.

(MESSAGE No. 5.)

Ordered by the Legislative Assembly to be printed, 24 October, 1883.

AUGUSTUS LOFTUS,
Governor.

Message No. 5.

In accordance with the provisions contained in 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 a Bill for the Inspection and Regulation of Steam-boilers employed on land and for other purposes in connection therewith.

Government House,

Sydney, 24th October, 1883.

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GUNPOWDER AND EXPLOSIVES RATES BILL.
(MESSAGE No. 97.)

Ordered by the Legislative Assembly to be printed, 30 September, 1884.

AUGUSTUS LOFTUS,
Governor.

Message No. 97.

In accordance with the 54th clause of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of amending the "Gunpowder and Explosives Consolidation Act of 1876."

*Government House,
Sydney, 30th September, 1884.*

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SALE OF GUNPOWDER AT SHOALHAVEN.

(INSPECTORS, LICENSED PREMISES, DATES OF SHIPMENT, &c.)

Ordered by the Legislative Assembly to be printed, 5 August, 1884.

Question.

2. MR. HUMPHERY to ask THE COLONIAL TREASURER,—
- (1.) Will he give the name or names of the Inspector or Inspectors appointed for the district of Shoalhaven under the Gunpowder Act during and since 1881?
 - (2.) The number of licensed premises under the Act approved in the district of Shoalhaven since 1880, and the locality of such premises, and names of licensees?
 - (3.) The dates of shipment of powder from the Ordnance Stores for Shoalhaven since 1880, the names of persons to whom shipped, and the quantities of powder or other explosives so shipped?

Answer.

The Returns attached hereto will give the information asked for in the foregoing questions.

No. 1.

Edric V. Morrisett, Superintendent of Police.	
Charles J. P. Lydiard,	do
John W. Orridge,	do
George Read,	do
John D. Brown,	do
Edward M. Battye,	do
Charles Sanderson,	do
James Ryeland,	do
John D. Mearns, Inspector of Police.	
Charles Thorpe,	do
Richard F. Creaghe,	do
Patrick Brennan,	do
Charles E. Harrison,	do
James Stephenson, Sub-Inspector of Police.	
Edward Grainger,	do
William Wright,	do
George C. Carter,	do
Thomas Garvin,	do
William T. Baker,	do
Alexander B. Walker,	do
Martin Brennan,	do
Walter C. Casey,	do
Mark E. D. Ford,	do
Philip Smith,	do
Nelson B. Hitch,	do
John Carroll,	do
Daniel Byrne,	do
Charles W. Brayne, Sergeant of Police.	

No. 2.

CERTIFICATES of approval issued as follows.

No.	Name.	Locality.
1	W. Barron	Yalwall.
2	W. Barron	Yalwall.
3	W. Barron	Yalwall.
4	G. Hayes	Bomaderry.
5	J. M'Arthur & Co.	Terrara.
6	J. M'Arthur & Co.	Terrara.
7	J. M'Arthur & Co.	Terrara.
8	J. M'Arthur & Co.	Terrara.
9	J. M'Arthur & Co.	Terrara.
10	E. Pooley	Terrara.
11	E. Pooley	Terrara.
12	E. Pooley	Yalwall.
13	E. Pooley	Terrara.
14	J. Pooley	Yalwall.
15	J. Pooley	Terrara.
16	J. Wilson & Co.	Terrara.
17	J. Wilson & Co.	Broughton's Creek.
18	J. Wilson & Co.	Broughton's Creek.
19	J. Wilson & Co.	Broughton's Creek.
20	J. Wilson & Co.	Broughton's Creek.

No. 3.

NONE; but shipments to Shoalhaven were made from Goat Island Magazines, from 1880, as under.

No. of packages.	Weight.	Qualities.	Date.	For whom.
1880.				
12	Each 50 lbs.	Blasting	14 February	Not stated by shippers.
12	" 48 "	do	7 April	do
13	" 50 "	do	13 July	do
6	" 48 "	do	9 October	do
1	" " "	Canister	9 October	do
1881.				
5	" 48 "	Blasting	8 January	do
12	" " "	do	26 February	do
5	" " "	do	23 April	do
3	" 50 "	Lithofracteur	23 April	do
5	" 48 "	Blasting	23 April	do
16	" 50 "	do	21 July	do
2	" 48 "	Dynamite	21 July	do
2	" " "	Blasting	21 July	do
12	" 50 "	do	21 July	do
11	" " "	do	21 July	do
10	" " "	do	21 July	E. Pooley, Terrara.
2	" 48 "	Dynamite	5 August	M'Arthur & Co., Terrara.
5	" 56 "	do	5 August	Not stated by shippers.
2	" 50 "	do	27 August	do
1882.				
8	" " "	Blasting	5 April	do
5	" " "	Dynamite	8 April	do
3	" " "	Blasting	6 June	{ JB
1	" " "	Canister	6 June	{ W
5	" 48 "	Blasting	6 June	{ JB
5	" " "	Dynamite	6 June	{ W
19	" 50 "	Blasting	6 June	Not stated by shippers.
1	" 48 "	Canister	6 June	do
4	" 56 "	Dynamite	6 June	do
5	" 48 "	Blasting	6 June	do
1	" 50 "	Canister	26 September	do
			26 September	do
1883.				
8	" 48 "	Blasting	11 January	do
5	" 50 "	Dynamite	11 January	do
5	" 48 "	Blasting	11 May	J. M'Arthur.
1	" " "	Canister	11 May	do
8	" 50 "	Blasting	14 July	Not stated by shippers.
5	" " "	Dynamite	14 July	do
1884.				
5	" 48 "	Blasting	4 January	do
1	" " "	Canister	4 January	do
6	" 50 "	Blasting	29 May	W. Barron, Burrier.
6	" " "	Dynamite	29 May	do
5	" " "	Blasting	18 June	J Green, Nowra, via Wollongong.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

EMPLOYMENT OF EUROPEAN CREWS IN COASTING VESSELS.

(PETITION OF CHAIRMAN OF PUBLIC MEETING OF CITIZENS OF SYDNEY.)

Received by the Legislative Assembly, 21 October, 1884.

The humble Petition of citizens of Sydney, assembled in public meeting, at the Masonic Hall, on
October 3rd, 1884.

RESPECTFULLY SHOWETH :—

That owing to the immense number of persons who travel by sea to and from this Colony, and the desirability of training a large proportion of the youth of New South Wales to a seafaring life, there is urgent necessity why the Legislative Assembly should pass an enactment making it imperative upon all vessels engaged in the coastal trade of New South Wales to carry European crews, and to withhold passenger certificates from all vessels which fail to comply with such a law.

And your Petitioners humbly pray that your Honorable House will introduce such a measure without delay.

And your Petitioners will ever pray.

J. WRIGHT,
Chairman.

1883-4.

NEW SOUTH WALES.

EXEMPTION OF NORWEGIAN SHIPS FROM REMEASUREMENT FOR TONNAGE.

(DESPATCH.)

Presented to Parliament by Command.

The Treasury, New South Wales,
20th May, 1884.

His Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, enclosing copy of an Order of the Queen in Council, dated 2nd February, 1884, exempting Norwegian ships from re-measurement for tonnage, and revoking the Order in Council of the 17th May, 1876.

GEORGE R. DIBBS.

(Circular.)

Downing-street,
23th February, 1884.

Sir,

I have the honor to transmit to you, for information and publication in the Colony under your Government, a copy of an Order of the Queen in Council, dated the 2nd of February last, exempting Norwegian ships from re-measurement for tonnage in this country, and revoking the Order in Council of the 17th of May, 1876, enclosed in the Earl of Carnarvon's Circular Despatch of the 13th of July of that year.

I have, &c.,

DERBY.

The Officer Administering
the Government of New South Wales.At the Court at Osborne House, Isle of Wight, the 2nd day
of February, 1884.*Present :*

The Queen's Most Excellent Majesty in Council.

WHEREAS by the "Merchant Shipping Act Amendment Act, 1862," it is enacted that "whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the principal Act have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty, by Order in Council, to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificates of registry, or other national papers, and thereupon it shall no longer be necessary for such ships to be re-measured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted in their certificates of registry, or other papers, in the same manner, to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificate of registry of British ships is to be deemed the tonnage of such ships."

And whereas by "The Merchant Shipping Act, 1876," it is enacted that "where Her Majesty has power under the Merchant Shipping Act, 1854, or any Act passed, or hereafter to be passed, amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter, or add to any Order so made":

And whereas it was made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under "The Merchant Shipping Act, 1854," had been adopted by the Royal Norwegian Government, and came into force in Norway, on the 1st day of April, 1876:

And whereas by Order in Council dated the 17th day of May, 1876, Her Majesty was pleased by and with the advice of Her Privy Council to direct that the merchant ships belonging to the said Kingdom of Norway, the measurement whereof had after the said 1st day of April, 1876, been ascertained and denoted in the registers, and other national papers of such ships, testified by the dates thereof, should be deemed to be of the tonnage denoted in such registers, or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships: Provided nevertheless, that should the owner or master of any Norwegian steamship desire the deduction for engine room in his ships to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the Norwegian rule, the engine room should be measured and the deduction calculated according to the British rules:

And whereas it has been made to appear to Her Majesty that a new Royal Ordinance, which came into operation on the 5th day May, 1883, stipulates that the certificates of tonnage of Norwegian steamships may show the net tonnage calculated according to British rules:

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 17th day of May, 1876, should be revoked, and a new Order in Council made and substituted in lieu thereof:

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is pleased to direct that the said recited Order of the 17th May, 1876, shall be, and the same is hereby revoked, and in lieu thereof, and in substitution therefor, Her Majesty is hereby pleased by and with the advice of Her Privy Council to direct as follows:—

1. As regards sailing ships: that merchant sailing ships of the said Kingdom of Norway, the measurement whereof shall, after the said 1st day of April, 1876, have been ascertained and denoted in the certificates of registry, or other national papers of such sailing ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry, or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships.
2. As regards steam ships: that merchant ships belonging to the said Kingdom of Norway which are propelled by steam or any other power requiring engine-room the measurement

whereof shall, after the said 1st day of April, 1876, have been ascertained and denoted in the certificates of registry, or other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry, or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships: Provided, nevertheless, that if the owner or master of any such Norwegian steamship desires the deduction for engine room in such ship to be estimated under the rules for engine room measurement and deduction applicable to British ships, instead of under the Norwegian rule, the engine room shall be measured, and the deduction calculated, according to the British rules; and that in the event of the net registered tonnage of such steam ships estimated under the British rules being denoted in the said certificates of registry, or other national papers, the same shall be deemed to be of the tonnage so denoted therein.

C. L. PEEL.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

BOTANIC GARDENS.

(PAPERS RESPECTING CHARGE AGAINST DIRECTOR OF.)

Ordered by the Legislative Assembly to be printed, 16 October, 1883.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 16th October, 1883, That there be laid upon the Table of this House,—

“Copies of all papers, depositions, reports, legal opinions, or other documents referring to the case against Mr. Moore, of the Botanic Gardens, tried at the Water Police Court, in June last, by Mr. Marsh, whose decision was reversed by the letter of the Colonial Secretary which was sent to Mr. Moore, and afterwards published in the newspapers.”

(Mr. Abigail.)

No. 1.

Messrs. Coonan & Ryan, Solicitors, to The Director of the Botanic Gardens.

Sir,

Sydney, 21 December, 1882.

We have been consulted by Mr. John Charles Dunlop, of the “Police Office Hotel,” York-street, in this city, with reference to your unwarrantable and ungentlemanly conduct towards himself and his wife while they were sitting in the Botanical Gardens yesterday afternoon, at about half-past 5 o’clock, which has caused our client’s wife, who has been for some time past in a very delicate state of health, great pain of body and mind. We therefore have now to request that you will at once give a full and ample apology for the very disgraceful manner in which you behaved, to be used as our clients may be advised, and pay £2 2s., our costs, otherwise we shall institute very unpleasant proceedings against you.

Yours obediently,
COONAN & RYAN.

No. 2.

The Director of the Botanic Gardens to Messrs. Coonan & Ryan, Solicitors.

Gentlemen,

Botanic Gardens, 21 December, 1882.

In reply to your rather strongly worded letter received by me to-day, I may at once state that I am somewhat at a loss to understand from your letter to which of the two couples reference is made, that in my public capacity I felt called on to speak to about 5 o’clock yesterday afternoon, for conduct which seemed to me to be most unbecoming—whether to the couple lying on the upper lawn, who were hugging and kissing each other in a most indelicate manner, or to the couple who were on the seat under the willow-tree near a pond, the woman being locked in the man’s arms, with their heads in contact; but in either case, the positions in which I found them were highly improper in a public garden, as it will not, I presume, be contended for one moment that an establishment of this kind is a suitable place for such displays of uxorious affection as those referred to.

I decline, therefore, to admit any culpability on my part, or to apologize, or to pay any costs.

I am, &c.,
CHARLES MOORE.

No. 3.

*Information—(General Purposes).*New South Wales, Sydney, }
to wit. } 15 V. 4, S. 6.

BE it remembered, that on this 9th day of March, in the year of our Lord one thousand eight hundred and eighty-three, at Sydney, in the Colony of New South Wales, John Charles Dunlop, of "Police Office Hotel," York-street, Sydney, of said Colony, appears before me, the undersigned, one of Her Majesty's Justices, duly assigned to keep the Peace of our Lady the Queen in and for the Colony of New South Wales, and informs me, that on the 20th day of December, in the year of our Lord one thousand eight hundred and eighty-two, in a certain place ordinarily open to the public, to wit, the Botanical Gardens, in the city of Sydney, one Charles Moore did use insulting words to this complainant, to wit, "What the hell sort of a position is this to be sitting in?" "I don't care a damn who you are or what you are, I'll have you ejected from the Gardens," whereby a breach of the Peace might have been occasioned, contrary to the Act in such case made and provided; whereupon the said John Charles Dunlop prays that I, the said Justice, will proceed in the premises according to law.

Exhibited at Sydney, in the said Colony, on the day }
first above written, before me,— }

JOHN C. DUNLOP.

P. C. LUCAS,
Justice of the Peace.

No. 4.

Depositions.

Not guilty.

Mr. Coonan : John Charles Dunlop, on oath, states :—I am a publican; I was in the Police Force for some years; I remember the evening of 20th December last; my wife was then and is now in very delicate health, and was under the treatment of Dr. M'Kenzie; we were in the habit of going to the Gardens every day; on the day in question we entered the Gardens and had just sat down on a seat; just before that my wife took one of the fainting fits for which the doctor was treating her; she asked me to assist her to a seat, and she laid her head on my shoulder in a faint; defendant came along and said to me, "What sort of a position is this to be in?" or "What the hell sort of conduct is this in the public Gardens?" I asked him who he was, and tried to explain to him the cause of our sitting on the seat; defendant said he was Curator of the Gardens, he didn't care a damn who she was or what she was, he would have us ejected from the Gardens; he then called at the top of his voice for one of the gardeners to go and fetch the bailiff; it was at about 5:30 p.m.; the gardener came to defendant and ran back to get the bailiff; defendant turned and went away then; the bailiff knew me; I saw a letter purporting to come from defendant—there is no truth in that.

The Bench : I was sitting on the seat and my wife's head was lying on my shoulder; she was in a faint, sitting on the seat.

Mr. Edmunds : I was sitting with my wife; I was not drooping my head over her; my wife has been under the doctor since September last; I had no time to explain to defendant; defendant said, before I had time to speak, "What the hell sort of a position is this to be in in the public Gardens?" before I had time to answer he said, "What the hell sort of conduct is this in the public Gardens?" my wife was not lying across my body, her head was lying on my shoulder; I supported her to the seat; her face was in against my shoulder, it was partly concealed; the gardener might have been 30 yards away; defendant was very excited.

Sworn at Sydney, 30th March, 1883.

JOHN C. DUNLOP.

Jane Dunlop, on oath, states :—I am wife of last witness; I remember the evening of 20th December last; we were in the Gardens together; I became suddenly unwell and sat down under the willow-tree; I was suddenly taken unwell; we had scarcely sat down when a gentleman came up behind and called out, "Sit up," and "What the hell sort of conduct is this in the public Gardens?" my husband tried to explain; he said "he didn't care a damn who I was or what I was, by God he would have us ejected from the Gardens"; he was stamping the whole time with his feet; a man came up, and defendant told him to go and have those people ejected from the Gardens for misconducting themselves; defendant then went away.

The Bench : I have been under Dr. M'Kenzie's treatment from September, and was then under his treatment.

Mr. Edmunds : I was sitting on the seat; he first said "Sit up" (very rudely); he came up behind; when he came near us he said, "What sort of a position is this to be in?" my husband attempted to make a reply; my husband asked him who he was, and he said he was the Curator of the Gardens, and responsible for any misconduct there; I was very unwell while the defendant was there; I attempted to raise my head and couldn't do so; my husband told me to sit still; he said, "This is my wife, and she is unwell"; and defendant said "he didn't care a damn who I was or what I was"; defendant afterwards went away; he left instructions with the gardener for the bailiff to have us ejected; the bailiff came up, but didn't eject us; I asked my husband to support me; defendant said he would have us ejected for misconduct, after my husband had told him I was his wife.

The Bench : I remained on the seat twenty minutes after defendant left; my husband did not use any improper language to defendant; I was married 5th September, 1882.

JANE DUNLOP.

Sworn at Sydney, 30th March, 1883.

James M'Farlane, on oath, states :—I am employed in the Botanical Gardens; I remember the evening I was sent for by the defendant before Christmas; Dunlop and his wife were in the Gardens; I heard defendant talking, but didn't know what he was saying; I was 65 yards away from defendant; he shouted

shouted out to me ; I went up to him ; he was no more excited than usual ; defendant told me to go and get the bailiff and remove the couple that was under the willow-tree out of the Gardens ; the couple under the tree was Mr. Dunlop and his wife ; I had never seen them before till then.

Mr. Edmunds : I heard defendant talking, but I couldn't say who to ; he said to me, "There's a couple under the willow-tree—have them removed from the Gardens"; I see couples occasionally in the Gardens.

JAMES M'FARLANE.

Sworn at Sydney, 30th March, 1883.

Charles Peters, on oath, states :—I am bailiff in the Gardens ; I remember the evening of 20th December last ; Mr. M'Farlane came for me ; from what I was told, I went to the lower Gardens to see if a lady and gentleman were there, and if there to eject them ; I found them there ; I didn't eject them ; I know Dunlop by sight ; they were coming up to meet me.

The Bench : Mrs. Dunlop was very pale ; she was leaning on complainant's arm, walking slowly.
C. PETERS.

Sworn at Sydney, 30th March, 1883.

Defence.

Charles Moore, on oath, states :—I am Director of the Botanical Gardens of this city ; I have had that position for thirty-four years ; it is part of my duty to see that order and decency is observed in the Gardens ; I remember the occasion complained of in December last ; on that evening I was going my usual afternoon round ; a little before 5 I found, under the willow-tree, a man and a woman on the seat ; the man had his face close to the woman's ; I said, "What sort of position is this to be in ?" they both turned round and looked at me ; he said, "This is my wife, and I have a right to do this"; I said, "I don't care if she is your wife fifty times, this is no place for such endearments"; he then said something to the effect that he would continue to do it if he chose ; I then said if he continued in this position I would have him ejected from the Gardens ; he had not, up to that time, said a word about sickness ; I had not seen the lady's face till she turned round to look at me ; I walked some distance away and called M'Farlane ; I had no further conversation with complainant ; I did not make use of the word "hell"; I didn't say, "I don't care a damn who you are, or what you are, such endearments would not be allowed there"; not a word was said to me about sickness ; I spoke to them because of the position in which I found them.

The Bench : They had their heads together, his arm round her neck.

Mr. Edmunds : I was not more excited than I am now ; I swear he had his arm round her ; the signature to the letter is mine ; I don't know where his other arm was ; I am not aware that I have ever paid for any indiscretion of mine ; I have never been a defendant before in my life ; I brought a case against Cassidy, but it was dismissed ; I did not tell M'Farlane to go for the bailiff to eject the people under the willow-tree ; I met Peters coming up, and told him if they continued in that position to eject them ; I received a letter on 21st December last ; the answer read is mine to that letter, and is signed by me ; I went away after giving instructions to the bailiff.

Sworn at Sydney, 30th March, 1883.

C. MOORE.

Adjourned till 2 p.m.

20s. + 4s. 10d. + 21s. ; in default seven days. G., 31/3/83.

No. 5.

Newspaper Reports upon case Dunlop v. Moore.

The Attorney-General.—A.S., 31/3/83. The Secretary to the Attorney-General.—B.C., 31/3/83, C.W.

Minute of the Attorney-General.

THIS case has been referred to me by the Colonial Secretary, but I am unable to perceive in what way I can deal with it. I should like Mr. Edmunds, to whom a brief was handed for the protection of Mr. Moore, to furnish me with a short report of the case at his convenience. Mr. Moore, I perceive from the depositions, denies altogether the use of the language of provocation deposed to by the prosecutor and his wife.—W.B.D., A.-G., 3/4/83.

No. 6.

The Secretary to the Attorney-General to Walter Edmunds, Esq.

Sir,

Attorney-General's Department, Sydney, 4 April, 1883.

I have the honor, by direction of the Attorney-General, to invite you to have the goodness to favour him at your early convenience with a short report of the case Dunlop v. Moore, heard at the Water Police Court on the 30th March last, in which case it is understood a brief was handed to you on behalf of Mr. Moore.

I have, &c.,
W. W. STEPHEN,
Secretary.

No. 7.

The Director of the Botanic Gardens to The Principal Under-Secretary.

Sir,

Botanic Gardens, Sydney, 3 April, 1883.

On Friday last I was charged at the Water Police Court with using language, while in the performance of my public duty, to a man and his wife, said to be calculated to provoke a breach of the peace, and I was pronounced guilty of the offence by the presiding Magistrate, Mr. Marsh, who inflicted a fine of 20s. and costs, or seven days' imprisonment. To

To have had such an unjust judgment given against me in open Court for the alleged use of the abominable language attributed to me, viz., "What the hell sort of a position is this to be sitting in?—I don't care a damn who you are or what you are—I'll have you ejected from the Garden," is most degrading, and I feel the disgraceful situation which I am placed in most acutely. I have now been before the public in my present capacity for thirty-four years, and have had to deal with many hundreds of cases similar to this, and until now without a single complaint having been made against me.

Had I at any time made use of such atrocious language to visitors as that charged against me in this case it is certain that it would have become known long ere this; but not even one of the employes in this establishment, some of whom have been here over a quarter of a century, have ever heard me, even in my most angry moments, utter the word "hell," and to this they are willing to testify in any manner that may be desired. I have therefore up to the present flattered myself that in the performance of my public duties I had given the utmost satisfaction to the public. It is consequently very distressing to me that, on the unsupported evidence of Dunlop and his wife, I should have been found guilty of uttering such vile language, notwithstanding that I had in Court given my most solemn denial to having used the words complained of.

Conscious of my own innocence in this regard, the absence of any proper reason for using any other words than those admitted in my evidence, viz., "What sort of a position is this to be in?—I don't care if she is your wife fifty times, this is no place for such endearments," and taking into consideration my hitherto unblemished character, I ask the Government with perfect confidence to take such steps as may seem best calculated to place my reputation as high as it stood before this event occurred. With this I forward a copy of the Court depositions, together with a letter from Messrs. Coonan & Ryan, and a copy of my reply thereto, which is all the information that can be furnished in the case.

See pages 2 & 3

The sentence of the Magistrate I feel to be so serious to me, both as regards my public and social standing, that the injury cannot well be calculated.

I have been informed that the man Dunlop was in the Police Force; and as there are some rumours affecting his character, which may or may not be true, I would ask that, before any decision be arrived at by the Government, a confidential report respecting him be obtained from the Inspector-General of Police.

I have, &c.,

CHARLES MOORE.

The Attorney-General.—A.S., 11/4/83.
12/4/83.

The Secretary to the Attorney-General.—C.W., B.C.,

No. 8.

The Secretary to the Attorney-General to The Principal Under-Secretary.

Sir,

Attorney-General's Department, Sydney, 27 April, 1883.

The Attorney-General has had under his consideration the papers in connection with the case Dunlop v. Moore, referred to this office on the 31st March. On the 3rd April the Attorney-General referred the matter to Mr. W. Edmunds, barrister-at-law, who was instructed to appear for the protection of Mr. Moore at the Police Court, for the purpose of obtaining from Mr. Edmunds a report of the case. I have the honor, by the Attorney-General's direction, to forward you a copy of this report, the original having been placed with the rest of the papers; and he thinks it is due to Mr. Moore, as an old Civil Servant of high character, and occupying a responsible position, that he should be informed of this report.

24th April, 1883.

I have, &c.,

W. W. STEPHEN,

Secretary.

[Enclosure.]

Dunlop v. Moore.

Sir,

Chambers, Wentworth Court, 24 April, 1883.

In reply to your letter of the 4th April instant, I have much pleasure in sending you a report on the above case.

Notwithstanding the Magistrate's decision, I am of opinion that the charge should have been dismissed.

The following are the reasons on which my opinion is based:—

1. That the evidence was insufficient to prove that the objectionable words "hell" and "damn" were used by the defendant.

2. That those coarse words being omitted, Mr. Moore's language was justified by the circumstances disclosed in the prosecutor's case. The prosecutor and his wife, it is true, gave positive evidence that the words charged in the information were spoken by the defendant; but, as modifying the force of that evidence, it must be observed that a period of three months and a half elapsed from the time of the occurrence to the hearing of the charge; and further, that during the alleged conversation between the prosecutor and the defendant Mrs. Dunlop was in a fainting state—"very ill, unable to hold up her head." (*Vide depositions*, pp. 2-12.)

There are, moreover, strong reasons for doubting the accuracy of the evidence of Mr. and Mrs. Dunlop as regards these particular words.

Firstly.—There is Mr. Moore's absolute denial on oath that he uttered the words. (*Depositions*, p. 22.)

Secondly.—There are considerable discrepancies between the words charged in the information and the statements of the prosecutor and his wife. The information charges that the defendant said—"What the hell sort of a position is this to be sitting in? I don't care a damn who you are or what you are; I'll have you ejected from the Gardens." The prosecutor's evidence is that the defendant said—"What sort of a position is this to be in?" or "What the hell sort of conduct is this in the public Gardens?" (*Depositions*, p. 3.) This alternative reply of the prosecutor to his solicitor's question appeared to me very marked at the trial. The evidence of the prosecutor's wife is that the defendant said—"What the hell sort of conduct is this in the public Gardens? He didn't care a damn who I was or what I was; by God he would have me ejected from the Gardens." (*Depositions*, p. 9.) The objectionable phrase "by God" is here added for the first time.

Thirdly.—

Thirdly.—The probability of the case is in favour of the defendant. In the discharge of his duties as Director of the Gardens, he has very many times had occasion to reprove persons for indecorum, and, except this one, no charge was ever made against him of using insulting language. (*Deposition, p. 24.*) It seems to me improbable that on this occasion his demeanour could become so exceptionally offensive and his language so objectionably coarse.

3. Those offensive words being omitted, the remaining expressions of the defendant were, in my opinion, justified by the circumstances.

Ordinarily Mr. Moore would be bound, in the performance of his duty, to rebuke persons sitting in the Gardens in the position in which the prosecutor and his wife were observed, and to threaten such persons with expulsion for their breach of decorum. The prosecutor, on being informed that the defendant was Director of the Gardens (*deposition, pp. 3-11*) should at once have given the cause of his wife's leaning her head upon his shoulder. He said only—"She is my wife," and told her not to move. He did not say, as he should have at once said, that his wife was ill. The prosecutor admits that his wife's illness was not mentioned. (*Deposition, pp. 3-5.*) Mrs. Dunlop's evidence was to the same effect, although such does not distinctly appear from the depositions. (*Depositions, pp. 10, 11.*) I think therefore that it is sufficiently apparent from the evidence, as it is also an obvious inference from the probability of the case, that Mr. Moore was unaware of the illness of Mrs. Dunlop when he remonstrated with the prosecutor. The rebuke and the threat of expulsion, excepting of course the words which, as already stated, in my belief were not uttered, were therefore justified by the occasion.

I remain, &c.,
W. EDMUNDS.

Minute of the Colonial Secretary.

In communicating Mr. Edmunds' opinion to Mr. Moore, I desire to say that I feel my strong faith in his rectitude and proper demeanour entirely unchanged by the untoward verdict. It is one of those cases which unfortunately occasionally occur which seem to me to be an entire miscarriage of justice, which I am sure would have been more truly served by a dismissal of the case. I do not see that any steps can now be taken in the matter, but Mr. Moore has my entire sympathy.—A.S., 24/5/83.

The Director of the Botanic Gardens.—B.C., 25 May, /83, C.W.

I have read the minute, which is most gratifying to me. It would, however, in a great measure remove the sting of the very unjust verdict if the Colonial Secretary would kindly permit the minute to be made public.—C. MOORE, 4th June, 1883.

The Colonial Secretary will perhaps have no objection to Mr. C. Moore making use of his minute.—C.W., 12/6/83. Mr. Moore is quite welcome to make any use of it he likes.—A.S. The Director of the Botanic Gardens.—B.C., 13th June, /83, C.W.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

NATIONAL PARK.

(TRUSTEES' REPORT TO 31ST DECEMBER, 1883.)*

Ordered by the Legislative Assembly to be printed, 26 August, 1884.

To the Honorable the Minister for Lands.

Sir,

Sydney, 26 May, 1884.

The Trustees of the National Park have the honor to submit to you this Report of the works done in connection with the formation of the Park; and, in so doing, deem it desirable to describe, in general terms, its extent, situation, and aspect, as well as to particularize the several improvements made or in progress, at the end of last year.

An area of about 18,000 acres was originally dedicated for the National Park, as shown by Government Gazette notification of 26 April, 1879, and the—

“Honorable Sir John Robertson, K.C.M.G., M.P.,
Honorable Robert Wisdom, M.P.,
Angus Cameron, Esquire, M.P.,
Andrew Hardie M'Culloch, Esquire, M.P.,
Honorable John Lucas, M.P.,
Walter Lamb, Esquire, J.P.,
Charles York, Esquire, J.P.,
Joseph Graham, Esquire, J.P.,
Charles Moore, Esquire, F.L.S.,
Walter Bradley, Esquire, and
George Frederick Want, Esquire,”—

Trustees.

were appointed Trustees under the provisions of the Public Parks Act of 1854. Subsequently Edward Bingham Woodhouse, Esquire, J.P. (in place of Walter Lamb, Esquire, J.P., resigned), the Honorable James Squire Farnell, M.P. (in place of Charles York, Esquire, J.P., deceased), and John Williams, Esquire, J.P. (in place of the Honorable John Lucas, M.P., resigned), were appointed Trustees.

On 3rd August, 1880, an extended area for the Park, making the whole 36,300 acres, was dedicated and notified in the Government Gazette. The boundaries of the whole area have been surveyed and permanently marked.

The National Park, on its boundaries, has frontage of $7\frac{1}{2}$ miles to the Ocean (with a good boat-harbour at Wattamolla Inlet, and good fishing grounds), $3\frac{1}{2}$ miles to Port Hacking, $1\frac{1}{2}$ mile to Woronora River, $1\frac{3}{4}$ mile to the former main road to Illawarra, *via* Woronora River, and 8 miles to the main road now in use to Illawarra. There are within the boundaries of the Park about 7 miles of the Illawarra Railway, and Port Hacking River flows through it for $9\frac{1}{2}$ miles of its course, 5 miles being navigable for boats. The upper four of these 5 miles is made practically a fresh-water lake, by the construction of a dam below the confluence with Kangaroo Creek. The other principal watercourses within the Park are Bola Creek, Kangaroo Creek, South-west Arm Creek, and Cabbage-tree Creek. South-west Arm Creek is navigable for $2\frac{1}{2}$ miles of its course, and, at high tide, Cabbage-tree Creek is navigable for boats for $1\frac{1}{2}$ mile. Since the construction of the dam above alluded to, the whole of Kangaroo Creek is fresh water, $1\frac{1}{2}$ mile being in the main navigable.

Alterations in Trust.
Extended area dedicated, 3 August, 1880
Frontages of the National Park—Principal watercourses, &c., included within its boundaries.

The

* It is intended to furnish in future a report as soon after 31st December each year as may be found practicable.

Situation of
National Park.

The northerly boundary of the Park is distant, by road or railway (in course of construction), 15 miles from the Sydney Railway Station, and about 17 miles from Liverpool, partly by George's River and partly by road. The southerly boundary is about 8 miles from Clifton, about 17 miles from Bulli, and about 25 miles from Wollongong, each by road; Campbelltown is distant by bridle-track about 18 miles from the westerly boundary of the Park.

Aspect.

The Park generally may be described as high table-land, from which, at numerous places, excellent and extensive views are obtained of the ocean, Port Hacking, Botany Bay, Sydney, Randwick, &c., with deep gorges, and rich flats covered with beautiful foliage, bordering running streams of the purest fresh water.

The high table-lands to some extent consist of comparatively barren stony heaths, and of fair to good land, the latter in areas suitable for formation of recreation, review, and encampment grounds, or of plantations of ornamental trees, &c., and readily accessible, situated at elevations of from about 350 feet to about 900 feet above high-water-mark. The valleys of the principal watercourses, notably of Port Hacking River and Bola Creek, are to a large extent covered with rich foliage, including cabbage-tree and bangalo palms, tree-ferns, Christmas, myrtle, and other handsome shrubs, numerous large well-grown blackbutt, woollybutt, turpentine, and other noble forest timber trees rising at the part southerly and south-easterly above the confluence of Bola Creek with Port Hacking River, to heights up to nearly 200 feet, and bordering and adjacent beautiful streams, having occasional long reaches of deep, shaded, pure, cool, fresh water.

Order of effecting
improvements

The operations of the Trust have hitherto been confined to—

1. Opening up the Park, by clearing and forming roads, and the construction of culverts and bridges where most required.
2. Rendering the upper and most beautiful part of Port Hacking River, within the Park, as far as practicable, permanently navigable, by removal of snags, detached rocks, and other obstructions in the channel, and, by dam construction, raising the water level, and changing Port Hacking River for 4 miles, and Kangaroo Creek for 1½ mile, from salt- to fresh-water, useful for acclimatisation and other purposes.
3. Clearing and beautifying the rich flats adjacent the confluence of Kangaroo Creek with Port Hacking River, so as to afford sites for main camp, for cultivation, and for paddock for horses required in connection with the works.
4. Clearing a large area on the table-land, called "Loftus Heights" in honor of His Excellency the Governor, between the main road to Illawarra and Port Hacking River, adjacent the site for platform on the Illawarra Railway at 16¾ miles from Sydney, to afford sites for recreation and military encampment and review grounds.
5. And the completion of necessary surveys, to enable the fencing of the boundaries of the Park.

Arrangements for
care of Park, and
prevention of
removal or destruc-
tion of indigenous
growth, prevention
of destruction of
game birds, &c.

A caretaker and two rangers have been employed from the first to prevent removal from the Park or destruction of the plants, palms, tree-ferns, Christmas bushes, &c., which are indigenous, and for preventing destruction or injury of game.

Principal
improvements
effected—Main
Camp and
clearing and
other improve-
ments adjacent
confluence of
Kangaroo Creek
with Port
Hacking River.

Adjacent the confluence of Kangaroo Creek with Port Hacking River three rich flats of land have been cleared to the extent of about 10 acres in all, in such a manner as to afford site for a main camp, &c.; this camp consists of a weatherboard pavilion of two rectangular rooms each about 2½ feet by about 20 feet, caretaker's cottage, stables, stores, and the fencing of cultivation paddock, horse paddock and yards. In the clearing, care was taken to leave a row of trees to retain the banks of the river and creek, and for ornament, and a number of the most handsome of the trees back from the river and creek have also been left. Adjoining and northerly from the main camp about 100 acres are enclosed by fencing, &c., for a run for the horses required in connection with the works.

Roads.

Roads as under have been formed or cleared :—

1. From the Main Camp to the Main Road from Illawarra to Sydney, at the site for the platform on the Illawarra Railway, at 16¾ miles from Sydney Railway Station; length 2 miles, formed, including very heavy works for a considerable proportion of the distance.
2. From the Main Camp over the Dam, along the right (easterly) bank of Port Hacking River and of Bola Creek, crossing Bola Creek, passing by the easterly side of the isolated high hill or mountain known as "The Island"; thence again close to right bank of Port Hacking River, and on to the southernmost boundary of the Park. It is so formed and being
formed

formed as to make a beautiful drive for vehicles and a very pleasant walk ; at frequent intervals pretty and extensive glimpses of the river and the handsome palm and fern foliage bordering come into view. The work on this road is substantial, and necessarily heavy on account of the broken nature of the country. It is still in progress ; length cleared from Main Camp to southernmost boundary of Park, $8\frac{1}{2}$ miles ; length formed, with necessary culverts, bridges, and approaches, 3 miles.

3. From opposite Kangaroo Creek confluence to summit of main range between Port Hacking River and its south-west arm or branch, and thence to Wattamolla Boat Harbour, on the sea-coast, 8 miles ; cleared.
4. From the southernmost boundary of Park, near Garie, *via* Simpson's Farm, to Jibbon Beach, 10 miles ; cleared.
5. From No. 4 Road (above) to sea beach at Garie, 1 mile ; cleared.
6. From No. 4 Road to Port Hacking, near Costen's Point, 2 miles ; cleared.
7. From No. 6 Road to Port Hacking, at the Spit, $1\frac{1}{4}$ mile ; cleared.
8. From No. 3 Road to Port Hacking, near "Wentworth Fountain," $2\frac{1}{2}$ miles ; cleared.
9. From No. 7 Road to Grafton-street, in the township of Sutherland, $1\frac{3}{4}$ mile ; cleared.

Total, 5 miles cleared and formed, and 32 miles cleared only. General total, 37 miles.

A bridle-track, of about 18 miles long, has also been cleared as an approach from Campbelltown.

The channel of Port Hacking River above the dam, formerly, on account of the numerous snags, &c., was scarcely navigable for even the smallest boats, excepting at high-water, has been cleared to a width of not less than 30 feet at the part between its confluence with Kangaroo Creek and the "Lower Peach Trees," and to a width of not less than 10 feet for an additional $\frac{1}{2}$ mile above, towards the "Upper Peach Trees." Since the completion of that useful work the dam has been constructed across Port Hacking River. The length of the dam is 300 feet, and the average width at base about 100 feet, providing a road 33 feet wide on top. It has a by-wash cut out of the solid rock on the easterly side, and a timber bridge built over, and a flood-gate built in the by-wash. The dam was completed during the year 1883 so far as the funds available permitted, and in that year withstood two heavy freshes in the river. After the first fresh the area backed up became fresh water of aggregate length $5\frac{1}{2}$ miles (Port Hacking River, 4 miles, and its tributary, Kangaroo Creek, $1\frac{1}{4}$ mile), navigable for steam launches of moderate draught. The roadway over the dam has proved of great service, as affording the only way for carting appliances and materials for the road and other works on the easterly or right-hand side of the river. Twice before the completion of the dam unusually heavy floods came down the river, and carried away and destroyed considerable quantities of the wood-work and earth-work.

Effect of snagging upper part of Port Hacking River, and of construction of dam across that river.

It is intended to stock the River and Kangaroo Creek with fresh-water fish ; and it is anticipated that the perch already in the river will now rapidly increase.

Toward the cost of the dam Honorable Thomas Holt contributed £100, Honorable Sir John Robertson £50, Honorable John Lucas £50, and Walter Bradley, Esquire, £50.

Subscriptions received towards cost of the dam.

The clearing on "Loftus Heights" included on 31st December, 1883, nearly 80 acres, and 91 acres additional were marked out on the ground, in blocks of from 5 acres to 15 acres, for clearing under contract. In the agreements for clearing under contract, it is stipulated that all good shelter well-grown and handsome (selected) trees, Christmas bushes, waratahs, gigantic lilies, and other plants and shrubs of an ornamental nature shall be left. The timber from the 80 acres cleared was dwarf, ill-grown, and not ornamental, and the general aspect of the Park has been much improved by its removal. The area comprised in the land cleared and the land to be cleared is advantageously situated ; its elevation reaches to about 450 feet above high-water-mark ; it slopes gently to the north, north-east, and east, having a creek through the centre, nearly always running, and with fine rocky holes, several of which hold water in times of the most severe droughts.

Clearing at "Loftus Heights" (near site for railway platform, 10 $\frac{1}{2}$ miles from Sydney.)

To afford shade to the creek, clearing will not be permitted to extend to within about 30 feet of each side of that creek. From the area already cleared extensive and pleasant views are obtained of the ocean, Port Hacking, Botany Bay, and extending also to Randwick and Sydney. Comparatively sheltered from the westerly winds—hot in summer and cold in winter—the area, which is readily accessible, should prove a desirable site for military encampments and reviews, for athletic sports, and for almost any recreation purposes. A considerable proportion of the area is suitable for plantations of ornamental trees.

The

Proposed work
of enclosing the
Park.

The work of enclosing the Park has awaited the necessary re-surveying and re-marking of old abutting boundaries. Proprietors of adjoining lands will be required to pay their legal share of the cost of the fencing.

Expenditure and
estimate of value
of works effected,
&c.

The Schedule hereto specifies all money received to 31st December, 1883, in connection with the National Park, and states the estimated values of the principal improvements, plant, &c.

I have the honor to be,

Sir,

Your obedient servant,

JOHN ROBERTSON,

Chairman, National Park Trust.

SCHEDULE to First Report of National Park Trust.

Funds received since dedication of Park.		Estimated value of improvements, steam-launch, boats, tools, appliances, &c., on 31st December, 1883.	
For general improvements:—	£ s. d.		£ s. d.
Estimates-in-Chief, 1879.....	2,000 0 0	Pavilion	220 0 0
Do do 1881.....	1,000 0 0	Caretaker's cottage	150 0 0
Supplementary Estimates, 1881.....	500 0 0	Stables, stores, and outhouses	180 0 0
Estimates-in-Chief, 1882.....	2,000 0 0	Forge, smithy, tools, and plant	220 0 0
Do do 1883.....	2,000 0 0	Dam	2,000 0 0
For clearing land and snagging:—		Training wall, Port Hacking River, below dam	80 0 0
Supplementary Estimates, 1882	750 0 0	Snagging, Port Hacking River, above dam	500 0 0
For snagging and otherwise improving Port Hacking River:—		Boat-house and jetty	40 0 0
Estimates-in-Chief, 1883.....	500 0 0	Dock, Port Hacking River, below dam	60 0 0
For enclosing National Park:—		Steam-launch.....	300 0 0
Estimates-in-Chief, 1883	1,500 0 0	Boats and punts	100 0 0
Subscriptions towards cost of dam:—		Roads	3,500 0 0
Hon. T. Holt, £100; Hon. Sir J. Robertson, £50; J. Lucas, Esq., £50; W. Bradley, Esq., £50	250 0 0	Clearing on flats, near main camp, 10 acres	100 0 0
T. F. Clayton, royalty for right to collect grass-tree gum, 12 months, from April, 1883	175 0 0	Clearing on Loftus Heights, 80 acres.....	400 0 0
C. Millar and E. Millar, for firewood	19 11 0	Fencing	70 0 0
Sale of old boat to F. Beaker.....	15 0 0	Wagons and dray.....	100 0 0
		Horses	30 0 0
		Sundries, about.....	150 0 0
		Total estimated value.....	£ 8,200 0 0
£ 10,709 11 0			
Unexpended balances, 31st December, 1883:—			
Vote for general improvements..... £205 16 0			
Vote for clearing land and snagging	551 4 8		
Vote for enclosing National Park	1,500 0 0		
	2,258 0 8		
Difference, being the total expenditure, 1st October, 1879, to 31st December, 1883*	8,451 10 4†		

* Of course caretaking, &c., has been covered by this sum.

† Memo.—31st December, 1883, ultimate liability on road contract No. 4, Port Hacking River Valley, about £506.

1883-4.

NEW SOUTH WALES.

TREATY OF COMMERCE AND NAVIGATION BETWEEN
GREAT BRITAIN AND ITALY.

(DESPATCH.)

Presented to Parliament by Command,

The Treasury, New South Wales, 26th September, 1884.

His Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, transmitting a copy of a Despatch from Her Majesty's Ambassador at Rome to the Italian Minister for Foreign Affairs, notifying the accession from that date of this Colony to the Treaty of Commerce and Navigation between Great Britain and Italy, of the 15th June, 1883.

GEORGE R. DIBBS.

(Circular.)

Sir,

Downing-street, 26th June, 1884.

I have the honor to transmit to you a copy of a Despatch (10th March, 1884), from Her Majesty's Ambassador at Rome to the Italian Minister for Foreign Affairs, notifying the accession from that date of the Colony under your Government to the Treaty of Commerce and Navigation between Great Britain and Italy of the 15th of June, 1883.

I have, &c.,

DERBY.

The Officer Administering
the Government of New South Wales.

Sir John Savile Lumley to The Italian Minister for Foreign Affairs at Rome.

M. le Ministre,

Rome, 10th March, 1884.

I have the honor to notify to your Excellency, by direction of Her Majesty's Principal Secretary of State for Foreign Affairs, that in pursuance of the stipulations of Article 19 of the Treaty of Commerce and Navigation between Great Britain and Italy of 15th June, 1883, the stipulations of the said Treaty will be applicable to the following British Colonies named in the aforesaid Article, viz.:—Newfoundland, Natal, New South Wales, Victoria, Queensland, Tasmania, Western Australia, and New Zealand.

I avail, &c.,

JOHN SAVILE LUMLEY.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DOG ACT.

(POLICE DISTRICTS TO WHICH EXTENDED.)

Ordered by the Legislative Assembly to be printed, 25 January, 1884.

POLICE DISTRICTS to which the Dog Act has been extended, 39 Vict. No. 6.

Albury.	Deniliquin.	Mitchell.	Raymond Terrace.
Armidale.	Dubbo.	Moama.	Richmond River.
Bathurst.	Eden.	Molong.	Rylstone.
Berrima.	Forbes.	Mudgee.	Scone.
Bombala.	Glen Innes.	Murrurundi.	Tamworth.
Boorowa.	Grenfell.	Muswellbrook and Merton.	Tenterfield.
Bourke.	Goulburn.	Narrabri.	Tumut.
Braidwood.	Gundagai.	Newcastle.	Vegetable Creek.
Brewarrina.	Gunnedah.	Orange.	Wagga Wagga.
Camden, Narellan, and Picton.	Hartley.	Oxley.	Walgett.
Campbelltown.	Hay.	Paterson.	Warialda.
Carcoar.	Inverell.	Parramatta.	Wellington.
Cassilis.	Liverpool.	Patrick's Plains.	Windsor.
Cooma.	Macleay River.	Penrith.	Wollongong.
Coonamble.	Maitland.	Picton.	Yass.
Cowra.	Metropolitan Police District.	Queanbeyan.	Young.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DOG TAX.

(PETITION AGAINST—RESIDENTS OF MOUNT VINCENT.)

Received by the Legislative Assembly, 7 May, 1884.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the undersigned Residents of Brokenback, Mount Vincent, Mulbring, Richmond Vale, Buchanan, Oak Vale, Dagworth, and other places lying within the basin of Mulbring or Wallis Creek,—

RESPECTFULLY SHOWETH :—

That your Petitioners live in a district so much infested with marsupials that the destruction caused by them to your Petitioners' grass and crops is so great as to be almost beyond description.

That the best remedy your Petitioners have for the abovementioned evil lies in their keeping a number of dogs.

That the dog tax your Petitioners are now required to pay presses heavily upon them, both by reason of the expense and also of the inconvenience caused by having to go to Maitland, a distance to some of your Petitioners of twenty miles, and that on some occasions several times, in order to register their dogs.

That there exists no possible necessity for the dog tax in the abovenamed district, no sheep being kept in or near it.

That in view of the facts herein set forth, your Petitioners beg leave to hope you may in your wisdom see fit to relieve them from the payment of the aforesaid tax for the future.

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

[*Here follow 222 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STOPPAGE OF PUBLIC WORKS.

(PETITION AGAINST—CHAIRMAN OF PUBLIC MEETING, RESIDENTS OF SYDNEY.)

Received by the Legislative Assembly, 11 March, 1884.

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

The Petition of Residents of Sydney, in public meeting assembled, on the 3rd March, 1884,—

HUMBLY SHOWETH:—

1. That your Petitioners regard with earnest concern the fact that a great scarcity of work of all kinds is pressing very hard on the working classes of this Colony.

2. That this meeting therefore strongly protests against the proposal of the Government to abandon the public works of the Colony set down for construction this year, because (a), if carried into effect it would prove detrimental to the interest of the Colony; (b) it would throw several thousands of workmen on an already over-stocked labour-market; (c) it is unnecessary, as the money for the works can be readily obtained by taxing luxuries on the *ad valorem* principle.

We would therefore pray your Honorable House to vote against the proposal of the Government to stop the public works of the Colony.

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

J. E. DRAYTON,
Chairman,
On behalf of the Meeting.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY,
NEW SOUTH WALES.

LORD HOWE ISLAND.

(CASE OF CAPTAIN ARMSTRONG.)

Ordered by the Legislative Assembly to be printed, 20 November, 1883.

Alice Stevens and Mary Nichols to Sir John Robertson, K.C.M.G.

Sir,

Sydney, 15 November, 1883.

We are residents of Lord Howe Island, and, having become possessed of a copy of the Report from the Select Committee on the case of Captain Armstrong, we took the earliest opportunity of visiting Sydney, in order that we might throw additional light on the subject which might alter the complexion of the case; and knowing the interest which you take in this matter, we take the liberty of addressing you on this subject. With reference to clause 5 of the Report, in which it is stated that we were hostile to Captain Armstrong, and "from the date of his arrival at Lord Howe Island looked upon him as an usurper of authority," we can state that we lived upon friendly terms with Captain Armstrong for about two years after his arrival on the island, doing our best to assist him in carrying on his work, and treating him with all due respect. This state of things continued until we felt compelled to make complaint to the Government as to his conduct. Letters in our possession will show the relationship which existed between us during the period referred to.

With reference to clause 6 of Report, regarding the charge of wantonly destroying pigs, &c., we beg to point out that the pigs had become scarce, and that it was a difficult matter to catch enough of them for our requirements, while at the same time Captain Armstrong used to send his Kanakas and "Vernon" boys to catch the pigs for the sake of their skins, which he exported for sale. This we thought hard upon us, who wanted them for our food. Regarding the case of neglecting to prosecute Tommy for alleged criminal assault upon a girl of tender years, referred to in clause 7, the real facts are these: The father of the girl came to one of us (Mrs. Nichols), and requested her to question the girl as to what had occurred, he being at the time apparently perfectly sober. Mrs. Nichols questioned the child, who informed her that in searching for her infant sister she went some distance from the house, and near a well she met Tommy, that he threw her down and committed the offence complained of. She further told Mrs. Nichols that Tommy had on a previous occasion taken her into Cloak's room (a room in the residence of her parents), and that he had violated her on that occasion. Her father also informed Mrs. Nichols that he, suspecting something, had upon one occasion gone to the wine store, and saw enough there to convince him that improper intercourse had taken place between Tommy and his daughter. He also said he believed it had occurred two or three times, that he had been to consult his friend Thompson, who was the father of a family, and that Thompson had advised him to keep it quiet. On the return of Captain Armstrong from Sydney these facts were laid before him, and he promised that when the heads of the families (meaning the men who were absent at the Admiralty Islets) returned that he would call them together and hold an investigation into the matter. When the men returned, however, nothing more was done, but the affair was allowed to drop. Captain Nichols also informed his wife that the father of the girl had urged upon him the necessity of keeping the affair from her mother, who had just returned from Sydney with Captain Armstrong. To these facts Mrs. T. Nichols is willing to take her oath.

Clause 9. Monopolising the trade, &c.—In this matter our cause of complaint is serious. From our isolated position we necessarily rely on the visits of vessels to obtain manufactured articles, such as clothing, tea, sugar, and tobacco, and what we complained of was not so much Captain Armstrong's selling as the fact of his being the first to board vessels and buy up most of the available articles, leaving little or none for us. His position on the island gave him greater facilities for doing this than we possessed, and such facilities were used to our disadvantage, especially as for goods supplied he was able to give wine in return to the captains, who generally eagerly accepted such trade.

Clause 10. Selling intoxicating drink, &c.—This matter must have been misrepresented to the Committee, or they could not have arrived at the conclusion that "the charge has but little foundation." A perusal of the bill to Captain Nichols, dated 1st January, 1881, will show that the amount of grog charged for, together with the dates upon which it was supplied, entirely set aside the idea that such grog was supplied for medicinal purposes. Moreover, John Robbins and others on the island have received bills for money paid for grog alone, and of such amounts as to prove that they could not have been supplied for merely medicinal purposes.

We would also point out that during Captain Armstrong's Magistracy, and while he was upon the island, a vessel, which we believe was sent down by a Mr. Creswell, a seedsman, arrived ostensibly to trade for the produce of the island, but principally to collect seed and plants under the auspices of Captain Armstrong, and while there the man in charge sold, amongst other things, rum (Captain Nichols purchased a bottle from him for 6s.). That the school-house was lent to this person by Captain Armstrong for the accommodation of such trade. We saw in the school-house at this time a cask of rum with a tap in it, and several people were there drinking from it. The effect of this was a great deal of drunkenness during the stay of the vessel.

In one case, Mrs. T. Nichols saw a man named Williams lying drunk on the road, with his person indecently exposed, and in a place where children were playing about in front of Nichols's gate. This man had been seen drinking in the school-house a short time previously.

Another case was that of Moseley, an old man, who had to be carried home from the school-house helplessly drunk from grog supplied there.

We would also state that when the schooner "Policeman" called at the island for purposes of trade the captain was supplied with wine by Captain Armstrong, in exchange for stores, and that he became so helplessly intoxicated that he was seen lying at the bottom of his boat, and unable to transact his business.

Appended is a statement by Perry Johnson, to the effect that an old man named Brown (since dead), who resided with him, was supplied with rum by Captain Armstrong, which caused a severe illness to him. Johnson further states that when he remonstrated with Captain Armstrong, Captain Armstrong requested him to keep the matter quiet, as it would not do for the people on the island to know of this.

In his evidence Captain Armstrong stated that he found Nichols was distilling a spirit, which he had to put a stop to, as it was injurious to the people. The facts are, that Captain Nichols *did* distil a spirit from peaches with a still made with a gun-barrel, but that the peaches distilled were supplied already fermented by Captain Armstrong for the purpose of being distilled, and that the greater part of the spirit so obtained was given to Captain Armstrong for his own use; and further, on his finding that Nichols had no proper boiler for the purpose, Captain Armstrong supplied him with an iron spirit-drum, labelled "Australian Museum, Sydney," which he was instructed to use for the purpose, and which drum is now in the possession of Nichols.

By the schooner "Colleen Dhas" Captain Armstrong received nine hogsheads of wine, most of which he supplied to the inhabitants or to masters of vessels with whom he traded. Captain Peter O'Brien, who was then master of the "Colleen Dhas," and who, we believe, is now in Sydney, could be called upon to prove this. Captain Armstrong also received by the schooner "Josephine," from Auckland, a large cask of rum, which was disposed of in the same manner. Several men on the island who assisted to land these goods might be called upon to prove it if necessary.

We notice a letter on page 9 of Report, purporting to have been signed by four "Vernon" boys, in which they make the statement that, on the 26th of January, 1882, they were encouraged to go away, without leave, and to misbehave, by Harry Wilson, Moseley, T. Nichols, and Ponder. This is untrue, for at that time T. Nichols and Ponder were absent in New Zealand. Moreover, two of the boys (Godfrey and Wright) who are said to have signed this letter could neither read nor write.

We notice that Captain Armstrong, in the *Evening News* of the 10th instant, referring to our last petition, states that the names and crosses attached thereto were filled in by Thomas Nichols and witnessed by Campbell Stephens, his mate. In reply to this we can state that such a statement is false; all the signatures and marks were made by the people themselves, to which these people can swear, if called upon to do so.

It is so evident to us that, in the holding of this Committee of inquiry, only one side of the case has been heard, and that a great deal of misrepresentation has been made, that we have taken this course of addressing you upon the subject, in the earnest hope that you will help us in the matter, and, if possible, obtain for us some opportunity in which the real facts of the whole affair may be truthfully made known.

We have stated nothing here but what can be verified on oath either by ourselves or others on Lord Howe Island.

We have, &c.,

Alice Stevens,
Mary Nichols.

To the Government of New South Wales.

Lord Howe Island, 3 November, 1883.

WE, the undersigned inhabitants of Lord Howe Island, beg to lay before you the following facts in contradiction of the statements made by Captain Armstrong before the Select Committee who examined into the charges made against him, and we beg to state that we do so purely in self-defence. Captain Armstrong has most cruelly and falsely, and in our absence, scandalized our character, and he has had everything his own way—not one witness having been examined on our side. We do not make the latter remark by way of complaint, but merely state it as a fact. To show the strait to which Captain Armstrong has been driven, and the dishonorable means which he has employed to make out his case, we beg to draw your attention to a letter to J. McElhone, Esq. (Captain Armstrong, *re* Lord Howe Island, page 17). Without commenting on the utter falseness of this letter, we beg to draw your attention to the fact that this letter is signed by N. C. Thompson for wife and family; following are the names of Emily and William Thompson; these are both members of Mr. Thompson's family. The years of residence attached to their names is really their ages, but even in this particular are false, as is also the case of Albert Nichols.

Again, to a letter from the people of the island to Captain Armstrong (Captain Armstrong, P.M., *re* Lord Howe Island, page 14): some of the signatures to this letter were obtained by the most dishonorable means, and one of the names, John Thompson, is that of a child about four years old. This letter may not bear much upon the present case, but it will go to show that Captain Armstrong is one of those gentlemen who believes that the end justifies the means.

With respect to Mr. Ponder's complaint to the Postmaster, we beg to state that it is true. Captain Armstrong went on board the "India"; the boat, after remaining some time, came on shore in charge of Mr. Rose, who, on being asked if there was a mail on board, answered that there was, and that Captain Armstrong was answering his own correspondence. Mr. Rose remained on shore some time, and then returned to the ship; after some time the boat left the vessel, which immediately steamed away. Captain Nichols, who accompanied Mr. Rose upon his second trip to the vessel, and who came ashore with Captain Armstrong,

Armstrong, carried the mail-bag from the boat to the shore; Captain Armstrong did there and then distribute the letters without leaving the beach. We regret to say that Captain Phillips's letter to Captain Armstrong on this matter is untrue.

The following are the facts in connection with the landing of the timber for schoolroom:—The whole of the timber was landed in Captain Nichols's boat by the people of the island, the Government boat, in charge of Mr. Rose, being occupied in landing Captain Armstrong's private stores. After being landed, the timber, iron, &c., was carted by Mr. King, with his own bullocks, assisted by Mr. William Nichols, to the site of the schoolroom. Neither Mr. Rose nor any of Captain Armstrong's people assisted, nor did Captain Nichols or the people of the island receive any payment for their services.

Mr. Rose, in Government boat, brought ashore a tank.

There is a letter from the Principal Under Secretary to the inhabitants of the island acknowledging the receipt of petition, &c. This letter, which we presume was posted, has never reached the people of the island. It is a remarkable fact that, when the schooner "Waterwitch" came to the island, and which was the first vessel from Sydney* since the despatch of our petition, that Mr. Clarson informed Mrs. T. Nichols that there was an official letter for her in the mail-bag. Mrs. Nichols has never received this letter. In a letter subsequently written by Mrs. Nichols to Captain Armstrong (page 25) Mrs. Nichols asks what has become of this letter. Captain Armstrong did not notice the question.

On page 15, 5th of April, 1883, Mr. Gill remarks an entry in the account of H. Wilson (page 16, printed papers) of £4 for a bullock-yoke, and thinks it a large sum for such an article. That gentleman has not read the entry as intended; it is meant to read £4 for bullock and yoke. Captain Armstrong, although seeing the gentleman's mistake, does not attempt to correct him, but evasively answers that it was charged to him and that he had paid it.

In conclusion, we beg to state that the above is not by any means all the evidence which we would lay before you. Did time and opportunity offer, we could prove most of Captain Armstrong's statements to be base falsehoods.

We have, &c.,

CAMPBELL STEVENS.

HARRY WILSON.

his

PERRY × JOHNSON.

mark.

his

WILLIAM × NICHOLS. } Witness: C. STEVENS.

mark.

JOHN ROBBINS.

his

EDWARD × KING. } Witness: C. STEVENS.

mark.

T. G. C. NICHOLS.

* The "Ocean Queen," bound for Fiji, called, but brought no mail.

Statement of Mr. Perry Johnson, settler, Lord Howe Island.

Lord Howe Island, 5 November, 1883.

WILLIAM Brown had come home from Captain Armstrong's, and "cooe-ed" for me; I came, having been at work in the garden; Brown asked me to have a glass of rum; I took one glass with him; he asked me to have another; I answered, "No, William, you had better put it away"; Brown told me he got the rum from Captain Armstrong, one bottle; at dinner-time Mrs. Johnson made Brown a glass of hot grog; Brown said his chest was so raw inside he could not drink it; he also said he had three glasses of wine at Captain Armstrong's before he left there; after taking dinner, Brown drank the grog Mrs. Johnson had mixed, and went to his garden to work; about 3 p.m. Brown left the garden and went to his home; I did not see him again till about 5 p.m., when I went to his house on business; I heard Brown moaning; the door was shut; I called to him; he answered "Ah"; I then heard him fall heavily; his head struck the door; I then opened the door and went in; Brown was lying on the floor, helpless; he could not speak; I raised him and put him on his bed; I then went to my house and told Mrs. Johnson William was speechless drunk and would not require any supper; I told Mrs. Johnson to look out for him, as I was going down to Ponder's; at 9 p.m. Mrs. Johnson heard Brown singing out; Mrs. Johnson then went to see what was the matter with him; Mrs. Johnson found him lying on the floor helpless as ever; the next morning I went to Capt. Armstrong's and told Capt. Armstrong he had done a very wrong thing in letting Brown have the bottle of rum; Capt. Armstrong made answer, "The old man came to me for a bottle of rum, I let him have it thinking I had done it for the best"; I then told Capt. Armstrong that Brown was an old man, and a heavy drinker when he could get it, and I think that bottle of rum has about cooked him, and I do not think he will ever get over it; Capt. Armstrong asked me if any one on the island knew about it; I said, "Not as I am aware of"; Capt. Armstrong asked me, "Does Robbins know it?" I answered, "Not as I know of"; Capt. Armstrong then said, "I wish for it to be kept quiet, as I would not like it to be known about the island"; I then asked Capt. Armstrong for a bottle of rum for old William; Capt. Armstrong gave it me, asking me to tell Mrs. Johnson to give Brown three glasses a day hot, but not too strong, which was done; Mr. Clarson walked home with me, and saw the state the man was in; I have often heard Brown say that the bottle of rum he got from Captain Armstrong shortened his days; Brown was never able to do a day's work afterwards; I do not know the day of the month—it was in 1881.

I would have made this statement to Dr. Wilson, only Brown requested me not to do so. Brown said he would not like people to think that his sickness had been caused by drinking grog.

I solemnly and sincerely declare this to be a true and correct statement, and I am ready to testify to same on oath.

Witnesses to signature—T. G. C. NICHOLS.

CAMPBELL STEVENS.

his

PERRY × JOHNSON.

mark

Perry Johnson declares this to be a true statement, to which he has affixed his mark.—HENRY WILKINSON, J.P., 5/11/83.

Mrs.

Mrs. Wilson to The Hon. Sir John Robertson, K.C.M.G.

Dear Sir John,

Park House, 15 November, 1883.

Knowing the kind interest you are taking in reference to the Lord Howe affairs, I herewith enclose two documents addressed to my husband, showing the confidence in which many of the islanders held him, and which you may be able to make judicious use of in the coming debate. Also, may I draw your attention to paragraph marked A of Captain Armstrong's letter of November 10th, *Evening News*. Mr. Wilson was too ill to be allowed to interfere or discuss the matter, which Dr. MacLaurin did certify.

In reference to paragraph B, Captain Armstrong appears to insinuate that it is a fictitious document. I draw your attention to accompanying letter, dated 17th April, in which it is stated that a petition has been sent to the Legislative Assembly against Captain Armstrong's reinstatement, signed by nearly all the adult inhabitants of the island. This, of course, you can easily verify.

Paragraph C. Previous remarks bear upon this. What about petition referred to in this letter, if Captain Armstrong bases his defence "in documents signed by a large majority of the islanders"?

Paragraph D. Mr. Wilson was extremely anxious to give evidence; being so prevented, dictated the letter referred to.

Paragraph E. In reference to this, I simply believe it to be *untrue*, as all who ever knew my husband must so believe, and it is at least a most *unmanly* attack on one who is no longer able to defend himself.

I have, &c.,

LIZZIE WILSON.

P.S.—I enclose a letter just received from Dr. MacLaurin, which you can make use of at your discretion.—L. WILSON.

Mr. T. G. C. Nichols to The Hon. J. Bowie Wilson.

Dear Sir,

Lord Howe Island, 17 April, 1883.

We were very sorry to hear of your illness, and sincerely hope that when this reaches you you will have quite recovered your health. Mrs. Nichols, Mrs. Andrews, desire to be remembered, also the youngsters. If it is not presuming too much, I will give you some island news. At a meeting of all the adult inhabitants a petition was forwarded to the Legislative Assembly praying that Captain Armstrong be not reinstated in his former position, and notifying the charge of *sly grog-selling*—signed by all the adult inhabitants of *Howe Island, N. C. T.* and *T. B. Wilson* and their families included; also, there is a petition handed round recommending Mr. H. Wilkinson to the Government, to be appointed Resident Magistrate. Messrs. Thompson, Wilson, and Mrs. Field signed this, up to date—but I feel assured that, with one exception, that will be all the signers. I forward you, in care of Mr. H. Wilkinson, two cases fruit—one of oranges and one of bananas—which I hope you will receive in good order.

Again hoping you will speedily recover,—

I have, &c.,

T. G. C. NICHOLS.

T. G. C. Nichols and others to Mrs. J. Bowie Wilson.

Dear Madam,

Lord Howe Island, 31 October, 1883.

It was with feelings of heartfelt regret that we received the sad news of the departure from this world of your late husband, the Honorable J. Bowie Wilson, and we take this the earliest opportunity of conveying to you our sincere sympathy with you in your sad bereavement. His kindness and the benefits he conferred upon us will ever be held by us in grateful remembrance.

We are, &c.,

T. G. C. Nichols	Sarah Johnson
Mary Nichols	Margaret Andrews
Campbell Stevens	William Nichols
A. T. Mosely	Hanna Nichols
Joannah Mosely	Alice Stevens
Charles Williams	N. C. Thompson
M. Parry Johnson	Thos. B. Wilson
Harry Wilson	William O. S. Thompson
Charles Nichols	John Robbins
G. T. Nichols	Mary Robbins
Mary Nichols	Patrick Mooney
Grace Nichols	Ellen Mooney.
Edward King	

Captain R. R. Armstrong, R.N., re Lord Howe Island.—*Evening News*, November 10.

To the Editor—Sir,

As notice of the adoption of the Reports of the Select Committee appointed to inquire into my case was set down in the proceedings of the Legislative Assembly for Tuesday, the 23rd instant, but has been further postponed for another month, I feel constrained, in justice to my family and friends, to reply to two remarkable letters published in the local papers of May 11, 1883, by Sir John Robertson. Heretofore, my case being *sub judice*, I have refrained from making any comment thereon, but having already been under the stigma of dismissal for a period of over one and a half years, I feel it incumbent upon me to publish the following statements:—The letters referred to, viz., Sir John Robertson's and the late Mr. J. Bowie Wilson's, were inserted sixteen days after the Committee's Report, and eleven days after Mr. Wilson's death. Sir John Robertson (who it will be remembered appointed the late Mr. J. Bowie Wilson as sole Commissioner in the matter) appears aggrieved that the Press should, in view of the Report of the Select Committee, consider me as a much-injured man, and as one who had not been justly dealt with by Mr. Wilson.

Extracts from letters published by Sir John Robertson in the local papers, May 11, 1883.

In Mr. Wilson's letter he commences by accusing the Honble. Committee (10 in No.) of having given a one-sided report.

The first examined by Committee was Mr. Grimshaw. He is accused by Mr. Wilson of being a trespasser on the island.

The next examined by Committee was A. W. S. Nichols, and Mr. Wilson's letter states that he was the first examined by himself on the island.

The next examined was Mr. Rose. Mr. Wilson's letter declares "his evidence is of no value, because he was Captain Armstrong's servant" (! !)

Captain Armstrong's reply thereto, with extracts from Report of Select Committee.

I may here state that, with the exception of two, the gentlemen of the Committee (all Members of the Legislative Assembly) were strangers to me—hence no reason for a one-sided Report.

Mr. Grimshaw was no trespasser, but agent for the Guano Compy.'s ground, let to them by the N.S.W. Govt. Of this Mr. Wilson was perfectly aware.

A. W. S. Nichols was not in any way examined by Mr. Wilson, as his own official report will show (page 18); he simply handed in statements from his father, who had cleared off the island.

No evidence whatever of any want of reliability has been given by Mr. Wilson. Mr. Rose's evidence was fully given before the Select Committee. Mr. Rose was my manager, and a gentleman of education. He had studied medicine, and his advice and attendance to the islanders in cases of sickness or confinement was of great value, and which he always gave gratuitously. Again,

Again, Mr. Wilson's letter goes on to say that several gentlemen accompanied him to the island, and if called upon could give the Committee some valuable information.

Again, an accompanying petition from the island is referred to in Mr. Wilson's letter, in which he states that the document is not in any way alluded to by the Committee.

Mr. Wilson's letter also says that Captain Armstrong's evidence was a "tissue of gross misrepresentations."

Again, his letter says—"I see by the papers there is a notice by Mr. Leven, M.L.A., for the adoption of this Report by the House to-morrow (May 1); but I sincerely hope that you, Sir John, will take steps to prevent the House from (No. 2 . . .) committing itself to such a course."

Mr. Wilson not only declines to attend the meetings of the Select Committee, on the ground of ill-health, but even when the Committee offered to wait upon him at his house he refused to see them, and still he was well enough to write the production published by Sir John Robertson, and was about town nearly every day during the inquiry.

In answer to all this, I can only conclude that Mr. Wilson was not in a fit state to undertake the serious duties appointed to him, as it was known that for two years previous he had been suffering from ill-health and disease, of which he eventually died. A reference to the letter published in the *S. M. Herald* on May 10 last, and alleged to have been received by Sir John Robertson from the late Hon. J. Bowie Wilson on the day of his death, will show that it bears no signature; and further, that in a foot-note, signed John Robertson, he admits having altered certain expressions of Mr. Wilson's and substituted others instead thereof.

Perhaps Sir John Robertson holds a written authority for such a very questionable course of action, the more especially as at the time of publication the alleged writer of the letter had departed this life.

Copy of Statement by D. Fraser, Esq.

Within a few days after the return of the late Hon. J. Bowie Wilson from Lord Howe Island I met the gentleman (now deceased) at the tramway crossing, top of Market-street, Hyde Park. He said to me in the course of conversation that he went down to Lord Howe Island for the pleasure of the trip, and the investigation into Captain Armstrong's case was merely a blind, as the Government were going to abolish the appointment, which did not justify an expenditure of £300 or £400, and that he was well paid for the work. And I afterwards put the question: "What were the cases against Captain Armstrong?" He replied, "Nothing very serious, but that the Government wanted to abolish the post."

Declared before JOHN WILLIAMS, J.P.

DONALD FRASER.

Having read some correspondence in the *S. M. Herald* having reference to the above case, I consider it my duty to indite and to forward you the statement of which the above is a copy.

DONALD FRASER.

Committee's Report, per paragraph 3.

Your Committee have carefully weighed the evidence taken before it, and consider that Captain Armstrong did nothing to justify his dismissal, and they recommend his case to the favourable consideration of the Government.

ROBT. H. LEVIEN, Chairman.

Trusting to your love of fair play for the insertion of the above,—

Yours, &c.,

RICHD. R. ARMSTRONG,
Retired Commander, R.N.

Dr. MacLaurin to Mrs. Wilson.

Dear Mrs. Wilson,

Macquarie-street, 15 Nov., 1883.

I am sorry to see in the newspapers that some persons continue to insinuate that the late Mr. Wilson was not really prevented by the state of his health from attending a Committee of the Legislative Assembly in the affairs of Lord Howe Island. It is therefore my duty to state that it was in consequence of my advice, pressed upon Mr. Wilson and yourself with the utmost urgency, that he was prevailed on to abstain from attending the meetings of the Committee, and that I had, time after time, to point out the extreme danger to his life that would arise from his exposing himself to the excitement of examination. The painful suddenness of his death is sufficient evidence that the advice given to him in this matter was justified by the state of his health.

I am, &c.,

H. N. MACLAURIN.

P.S.—I have also learned that it has been insinuated that the complaint from which Mr. Wilson suffered was one which was likely to impair his mental clearness and vigour. To this I am in a position to offer the most emphatic denial. I had the privilege of being intimately acquainted with Mr. Wilson for many years, and I assert, without the slightest hesitation, that during his long illness his mind was as clear and his judgment as trustworthy as when he was in the utmost vigour of his bodily powers.

H. N. MACLAURIN, M.D.

Mrs. Wilson to The Clerk of Select Committees, Legislative Assembly.

Dear Sir,

In answer to your letter of 13th instant, addressed to Mr. Wilson, relative to the case of Captain Armstrong, in which you request, on behalf of the Committee, that they may be permitted to examine him at his own residence, on Wednesday next, at 11 o'clock, I beg respectfully to state that before showing your letter to Mr. Wilson I handed it to Dr. MacLaurin, who at once stated *that under no circumstance was such a thing to be allowed*, as it would be extremely dangerous in Mr. Wilson's present state.

Mr. Wilson is personally exceedingly sorry that he is not permitted to appear before the Committee, and in each instance in which Dr. MacLaurin has declined to allow him to do so it has been done without consulting Mr. Wilson.

I may further state that the question is not one of inconvenience to Mr. Wilson, as, if it was safe to do so, he could easily go to the Committee-room, as he takes a drive every afternoon, but the greatest care has to be taken to avoid excitement of every kind.

I have, &c.,

LIZZIE WILSON.

Inhabitants of Lord Howe Island to The Honorable J. Bowie Wilson.

Sir, Lord Howe Island, 25 April, 1882.
 We, the undersigned inhabitants of Lord Howe Island, most respectfully beg to tender you our most sincere thanks for the able and thoroughly impartial manner with which you have conducted the whole of the proceedings in connection with the inquiry into the affairs of this island, and for the very great interest which you have shown for the welfare of the people generally.

Hoping that you may live long to enjoy your present high and honorable position, we have the honor to be, sir,—

Your most obedient servants,

T. G. C. Nichols,

Master, "Devoron."

A. T. Mosely.

J. Robbins.

Campbell Stevens.

Edward King.

Perry Johnson.

Harry Wilson.

Margaret Andrews.

[6d.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CAPTAIN ARMSTRONG.

(PETITION OF.)

Received by the Legislative Assembly, 5 February, 1884.

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

The humble Petition of Richard Ramsay Armstrong, retired Commander, Royal Navy, now of Sydney, in the Colony of New South Wales, late Resident Magistrate at Lord Howe Island, within the said Colony,—

RESPECTFULLY SHOWETH :—

1. That your Petitioner was, on the first day of August, in the year of our Lord one thousand eight hundred and seventy-nine, appointed, by the Lieutenant-Governor of the said Colony, Resident Magistrate at Lord Howe Island, within the said Colony, at a salary of £300 a year; and your Petitioner entered upon his duties as such Resident Magistrate.

2. That the Government of the said Colony, by T. Warre Harriott, their agent, leased 100 acres of land, situate at Lord Howe Island, for certain considerations and upon certain conditions. The consideration has been paid and the conditions have been fulfilled by your Petitioner. The lease was from year to year, but your Petitioner was informed that if he persevered in cultivating coffee and other plants an application to purchase the land would receive due consideration.

3. That your Petitioner expended more than £1,100 sterling, in addition to much labour, in cultivating the land so leased to him, and in planting the same with coffee and other tropical shrubs. These shrubs and trees, together with the seeds of the indigenous plants, would have been of great value to your Petitioner had he not been prevented from superintending their cultivation.

4. That your Petitioner was, on the 28th day of March, 1882, suspended from his appointment in the first paragraph mentioned, pending the result of an inquiry to be held as to the truth of certain charges made against him, and that he ceased to hold his said appointment on the sixth day of April, 1882. The charges against your Petitioner were as follows :—

(1.) Allowing his Kanaka boys to wantonly destroy the pigs on the island, on which the inhabitants depended at times for their subsistence. (2.) The neglecting to prosecute the charges made against one of his Kanakas, named Tommy, for a criminal assault on a girl of tender years. (3.) Giving undue preference in the distribution of Government work.

(4.) Attempting to monopolize the trade of the island. (5.) The selling of intoxicating drink to the inhabitants, or, in other words, illegal grog-selling.

5. That on the 19th day of April, 1882, your Petitioner was compelled, in consequence of his suspension from his said appointment, and in order to obtain that justice which his case demanded, to leave Lord Howe Island and to reside in Sydney.

6. That the inquiry in the fourth paragraph mentioned was held, and the charges against your Petitioner were reported on, and in consequence thereof, on the 31st day of May, 1882, your Petitioner was dismissed from the Public Service of the said Colony. On his dismissal your Petitioner received the last payment of his salary as Resident Magistrate of Lord Howe Island.

7. That on the 16th day of February, 1883, a Select Committee was appointed, by the Honorable the Members of the Legislative Assembly, to inquire into and report upon the dismissal of your Petitioner from the Public Service of the said Colony.

8. That on the 25th day of April, 1883, the said Committee reported as follows :—“Your Committee have carefully weighed the evidence taken before it, and consider that Captain Armstrong did nothing to justify his dismissal, and they recommend his case to the favourable consideration of the Government.”

9. That on the 20th day of December, 1883, it was resolved, by the Honorable the Members of the Legislative Assembly, as follows :—That the Report from the Select Committee on the case of Captain Armstrong, brought up on the 25th day of April, 1883, be now adopted; but this House exonerates Mr. Moore from any imputation affecting his integrity, and expresses its regret that Captain Armstrong, holding the position of Magistrate, should have supplied liquor to the inhabitants.

10. That your Petitioner expended over £100 in printing and other expenses necessarily incurred in disproving the allegations in the Report which led to his dismissal from the Public Service, and in proving that he had done nothing to justify his dismissal from the same.

11. That in consequence of his dismissal from the Public Service, your Petitioner has lost twenty months' salary, at the rate of £25 a month. This loss, with the addition of £8 per cent. on the payments which would have been due to him had he not been so dismissed, amount to over £500.

12. That in consequence of his dismissal from the Public Service, your Petitioner has not only lost the value of the £1,100, and of the labour expended by him in cultivating the land leased to him, but he has also suffered serious loss through the land having necessarily remained so long uncultivated.

13. That in consequence of his dismissal from the Public Service, your Petitioner has lost the profits which would otherwise have accrued to him from the sale of the plants and trees sown by him on the said land, and the fruits and seeds and products thereof. This loss to your Petitioner is not less than £3,000.

14. That the effect of your Petitioner's dismissal from the Public Service was to find him guilty of conduct unworthy of an officer and a gentleman. To your Petitioner, who was for years an officer in Her Majesty's Service, and against whose honor no charge can truthfully be laid, this dismissal from the Public Service is a matter of the most serious consequence. It is, your Petitioner humbly submits, impossible that the finding of the Committee, "that your Petitioner had done nothing to justify his dismissal," can altogether repair the damage done to his reputation by the fact that he had been dismissed from the Public Service of the Colony. Not only has your Petitioner lost his salary as Resident Magistrate, and been put to great cost in proving his innocence, and has lost the money he expended on and the profits he would have derived from his lease, but he has undergone great mental suffering, caused by his character having been so successfully though unjustly assailed.

15. That your Petitioner humbly prays that your Honorable House will be pleased to take the foregoing into your favourable consideration, and grant to your Petitioner that justice which his case may demand.

And your Petitioner will ever pray, &c.

RICHD. R. ARMSTRONG,
Retired Commander, Royal Navy; late Administrator, Lord Howe Island.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

PETITION OF CAPTAIN ARMSTRONG;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
30 *July*, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 94. TUESDAY, 6 MAY, 1884.

12. PETITION ON CAPTAIN ARMSTRONG:—Mr. Day 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 Captain Armstrong, late Resident Magistrate at Lord Howe Island, presented to this House on the 5th February, 1884.

(2.) That such Committee consist of Mr. Lyne, Mr. Gill, Mr. Levien, Mr. Chapman, Mr. White, Mr. Tarrant, Mr. Targett, Mr. Proctor, Mr. Coonan, and the Mover.

Debate ensued.

Question put.

The House divided.

Ayes, 25.

Mr. Dibbs,	Mr. Cransie,
Mr. Cohen,	Mr. Cass,
Mr. Wright,	Mr. Proctor,
Mr. Farnell,	Mr. Chapman,
Mr. Stuart,	Mr. Gould,
Mr. Day,	Mr. Cameron,
Mr. McCulloch,	Mr. A. G. Taylor,
Mr. Barbour,	Mr. White,
Mr. Abigail,	Mr. Trickett,
Mr. Sutherland,	<i>Tellers,</i>
Mr. W. J. Ferguson,	Mr. Fletcher,
Mr. Withers,	Mr. Mackinnon.
Mr. Teece.	
Mr. Brunner,	

Noes, 6.

Mr. Melville,
Sir John Robertson,
Mr. Young,
Mr. Buchanan,
<i>Tellers</i>
Mr. Moses,
Mr. Burdekin.

And so it was resolved in the affirmative.

VOTES NO. 106. TUESDAY, 27 MAY, 1884.

6. PETITION OF CAPTAIN ARMSTRONG:—Mr. Day (*by consent*) moved, without Notice, That the Correspondence respecting the removal of Resident Magistrate at Lord Howe Island, laid upon the Table on 4th October, 1882; the Report of the Visiting Magistrate, Lord Howe Island, laid upon the Table on 17th January, 1883; the Petition of Inhabitants, in favour of the reinstatement of Captain Armstrong, presented on 7th February, 1883; and the Report from the Select Committee of Session 1883 on "The case of Captain Armstrong," be referred to the Select Committee now sitting on the "Petition of Captain Armstrong."

Question put and passed.

VOTES NO. 139. WEDNESDAY, 30 JULY, 1884.

4. PETITION OF CAPTAIN ARMSTRONG:—Mr. Day, 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 6th May, 1884; together with Appendix.

Ordered to be printed.

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1883-4.

THE PETITION OF CAPTAIN ARMSTRONG.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 6th May, 1884,—“with power to send for persons and papers, to inquire into and report upon the Petition of Captain Armstrong, late Resident Magistrate at Lord Howe Island,” and to whom were referred, on the 27th May, 1884, “the correspondence respecting the removal of Resident Magistrate at Lord Howe Island, the Report of the Visiting Magistrate, Lord Howe Island, the Petition of Inhabitants in favour of the reinstatement of Captain Armstrong, and the Report from the Select Committee of Session 1883, on ‘The Case of Captain Armstrong,’”—have agreed to the following Report:—

1. Your Committee having examined the witnesses named in the List,* *See List, page 6. whose evidence is appended hereto, find—

- (1.) That Captain Armstrong was appointed, by the Governor in Council, Resident Magistrate of Lord Howe Island, in February, 1879, with instructions to preserve good government and good order among the people.
- (2.) That after his arrival there, he made application to the proper officer in the Lands Department in Sydney for a lease of 200 acres of land, for the purpose of cultivating the orange, lemon, banana, coffee, &c., for which the island is well adapted; and, in reply to his application, the Government granted him a lease of 100 acres. At the same time it was officially intimated to him that, if he cultivated coffee successfully, or faithfully persevered with its cultivation, any application made by him to purchase the land would be duly considered by the Government.
- (3.) That Captain Armstrong having obtained the lease entered at once into occupation, and in course of time expended all his available money in building, clearing, fencing, trenching, and planting about 15 acres. This cost him a large amount of money, as the clearing alone was a most expensive work. He planted all the above kinds of trees, as well as many valuable tropical plants; and when he left the island, in April, 1882, the fruits of his industry gave ample promise of a rich reward.

(4.)

- (4.) That after residing on the island for three and a half years, and having expended a large sum of money on the Crown Lands there, he was suddenly suspended, and ultimately dismissed from the Public Service ; which must have been a very severe blow to him. This dismissal was the direct means of depriving him of his "Vernon" apprentices and Kanaka labourers, which were the only means he had of profitably working the plantation. Under these circumstances he left the island and came to Sydney, for the purpose of clearing his character before the Australian people, as well as before his old companions in arms in his native country.
- (5.) That he brought his case before Parliament, and a Select Committee was appointed on the 16th February to inquire into the cause of his dismissal, and on the 25th April the Report was brought up, and, after being printed and circulated, was adopted by your Honorable House, setting forth that Captain Armstrong did nothing to justify his dismissal from the Public Service.
- (6.) That the evidence shows the value of Captain Armstrong's plantation at the time he left the island to be about £1,000.

2. Your Committee have carefully considered all the evidence brought forward, and have not the least hesitation in recommending Captain Armstrong's case to the most favourable consideration of the Government.

GEORGE DAY,
Chairman.

*No. 2 Committee Room,
Sydney, 24 July, 1884.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 20 MAY, 1884.

MEMBERS PRESENT:—

Mr. Day,	Mr. White,
Mr. Proctor,	Mr. Gill.

Mr. Day called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk. Committee deliberated.

[Adjourned to 28th May, 1884, at half-past *Two* o'clock.]

WEDNESDAY, 28 MAY, 1884.

MEMBERS PRESENT:—

Mr. Day in the Chair.	
Mr. Proctor,	Mr. Coonan,
	Mr. Lyne.

Entry from Votes and Proceedings, referring papers to the Committee, read by the Clerk.

Printed copies of the papers referred, viz.,—The correspondence respecting the removal of Resident Magistrate at Lord Howe Island, laid upon the Table on 4th October, 1882; the Report of the Visiting Magistrate, Lord Howe Island, laid upon the Table on 17th January, 1883; the Petition of Inhabitants, in favour of the reinstatement of Captain Armstrong, presented on 7th February, 1883; and the Report from the Select Committee of Session 1883 on "The Case of Captain Armstrong,"—before the Committee.

Captain Richard Ramsay Armstrong, R.N., called in, sworn, and examined.

Witness *produced* his Commission and a plan of Lord Howe Island, and handed in Statement of the amount of money he had expended on the land leased by him from the Government, at Lord Howe Island, which was ordered to be appended. (*See Appendix.*)

Witness withdrew.

Committee deliberated.

Ordered,—That Captain Armstrong be summoned to give evidence next meeting.[Adjourned to Friday next, at half-past *Two* o'clock.]

FRIDAY, 30 MAY, 1884.

This not being a Sitting Day of the House the meeting called lapsed.

WEDNESDAY, 11 JUNE, 1884.

MEMBERS PRESENT:—

Mr. Day in the Chair.	
Mr. Lyne,	Mr. White,
	Mr. Chapman.

Captain R. R. Armstrong, R.N., called in and further examined.

Witness *produced* plan showing soundings taken by him around Lord Howe Island.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. C. F. Creswell, Mr. R. C. Rose, and Mr. W. E. Langley be summoned to give evidence next meeting.[Adjourned to To-morrow, at *Two* o'clock.]

THURSDAY, 12 JUNE, 1884.

MEMBERS PRESENT:—

Mr. Day in the Chair.	
Mr. Chapman,	Mr. Lyne,
	Mr. White.

Mr. Charles Frederick Creswell called in, sworn, and examined.

Witness withdrew.

Mr. Robert Cooper Rose called in, sworn, and examined.

Witness withdrew.

Mr. William Edward Langley called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That H. T. Wilkinson, Esq., George Ranken, Esq., and Mr. George Taylor be summoned to give evidence next meeting.[Adjourned to Wednesday next, at half-past *Two* o'clock.]

WEDNESDAY,

WEDNESDAY, 18 JUNE, 1884.

MEMBERS PRESENT :—

Mr. Day in the Chair.

Mr. Chapman, | Mr. Gill.

George Ranken, Esq., called in, sworn, and examined.

Witness withdrew.

Mr. George Taylor called in, sworn, and examined.

Committee deliberated.

Ordered.—That W. J. Conder, Esq., Cecil Darley, Esq., and James J. Taylor, Esq., be summoned to give evidence next meeting.

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

THURSDAY, 19 JUNE, 1884.

MEMBERS PRESENT :—

Mr. Day in the Chair.

Mr. Chapman, | Mr. Targett,
Mr. Tarrant, | Mr. White.

William Jacomb Conder, Esq., called in, sworn, and examined.

Witness withdrew.

Cecil West Darley, Esq., called in, sworn, and examined.

Witness withdrew.

John James Taylor, Esq., called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

TUESDAY, 24 JUNE, 1884.

MEMBERS PRESENT :—

Mr. Day in the Chair.

Mr. Gill, | Mr. Chapman,
Mr. Lyne.

Joseph Barling, Esq., called in, sworn, and examined.

Witness withdrew.

Mr. John Sharkey called in, sworn, and examined.

Witness withdrew.

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

[Adjourned.]

TUESDAY, 8 JULY, 1884.

MEMBERS PRESENT :—

Mr. Gill, | Mr. Chapman.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 24 JULY, 1884.

MEMBERS PRESENT :—

Mr. Day in the Chair.

Mr. White, | Mr. Chapman,
Mr. Lyne.

Chairman submitted Draft Report.

Same read and agreed to.

Chairman to report to the House.

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[1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PETITION OF CAPTAIN ARMSTRONG.

WEDNESDAY, 28 MAY, 1884.

Present:—

MR. DAY,	|	MR. PROCTOR,
MR. LYNE,	|	MR. COONAN,
GEORGE DAY, ESQ., IN THE CHAIR.		

Captain Richard Ramsay Armstrong called in and examined:—

1. *Chairman.*] You were Resident Magistrate at Lord Howe Island some time ago? Yes. I produce my commission and the different appointments I held. (*Produced.*)
2. You were appointed by the New South Wales Government? Yes, I was appointed as Resident Magistrate, Clerk of Petty Sessions, Forest Ranger, Registrar of Births, Deaths, and Marriages, and Postmaster.
3. You had complete charge, as it were, of the island, on behalf of the Government? Yes.
4. How long did you remain there? I was first appointed in August, 1878, as Forest Ranger, and six months afterwards as Resident Magistrate. I left the island in April, 1882.
5. What was the amount of your salary? The pay for all the different appointments amounted to £305 a year.
6. Had you any perquisites? I had a house, and I had also 100 acres of land granted to me, under peculiar circumstances, as an inducement to lay out money.
7. Did you make application for any land, or did the Government offer you the land? I made application in the first place; I applied for 200 acres, and they granted me 100 acres.
8. What kind of tenure did the Government give you? A lease from year to year.
9. Did you pay any rent for it? Yes, a nominal rent of 5s. a year.
10. Were any promises held out to you with regard to that lease? Yes, it was granted to me to give me a direct interest in the progress of the settlement.
11. What was the promise of advantage held out to you under the lease? Mr. T. W. Harriott, Chief Officer, Occupation of Lands, wrote to me on 26th August, 1878, that "if the cultivation of coffee be successfully carried out or faithfully persevered with, an application to purchase will then receive due consideration." Also for working fibre and semi-tropical produce.
12. Have you the original of this letter? The original has already been handed in, and the letter appears as an appendix to my evidence before the Select Committee appointed in 1883.
13. Did you cultivate that land? Yes.
14. Did you fence it in? I fenced in a good deal of it. I cultivated from 15 to 20 acres.
15. Did you clear it? Yes.
16. What kind of clearing? Cutting down the bush and breaking up the land.
17. What cultivation did you carry on? Coffee, bananas, plantains, oranges, lemons, and various kinds of fruits.
18. Did you cultivate coffee specially? I had not sufficient time. The coffee bushes were progressing well, and would in time have given me a very fair return. It was not only for coffee, but my lease also mentioned the making of fibre, &c. The understanding was that I was to grow or teach the people to grow whatever would develop the resources of the island.

Capt. R. R.
Armstrong.
28 May, 1884.

- Capt. R. R. Armstrong.
28 May, 1884.
19. Your cultivation was to be a sort of example to the islanders? Yes, I was to work up sufficient produce to enable them eventually to get a vessel to trade with the island.
20. How much did you spend on that farm of 100 acres? I spent over £1,100. I will show you the position of the cultivation I made—(producing map of Lord Howe Island).
21. Have you any statement of the amount of money you expended on this land? Yes. (Handed in. See Appendix.)
22. Did you get any return from the land? I was just beginning to get some returns—the trees were just beginning to bear fruit.
23. Mr. Coonan.] From the orange trees? No, they had not come to maturity; but I had bananas, sweet potatoes, and different kinds of produce. Bananas, sweet potatoes, onions, cured fish, some varieties of indigenous plants and seeds, and fibre from the palm tree.
24. Chairman.] In consequence of your dismissal the ground had to be abandoned by you? Yes. I wish to point out that all these plants, seeds, and other things that I imported into the island were all coming to maturity at the time I was removed. I had had all the outlay, but no opportunity of recovering anything from it.
25. This paper you have handed in is a detailed list of your expenditure upon these 100 acres of land? Yes, as far as I can give it. I must explain that I am unable to produce my day-book and a good many other documents, because they were burnt in a fire which occurred at the time the Commissioner was down there. Many of my papers and other things were destroyed, and therefore I am obliged now to take these items as well as I can remember them, and from memos. I had in my pocket-book.

WEDNESDAY, 11 JUNE, 1884.

Present:—

MR. CHAPMAN, | MR. LYNE,
MR. WHITE,

GEORGE DAY, ESQ., IN THE CHAIR.

Captain Richard Ramsay Armstrong called in and further examined:—

- Capt. R. R. Armstrong.
11 June, 1884.
26. Chairman.] You say in your previous evidence that you had planted bananas, sweet potatoes, onions, and other things? Yes, coffee, sugar, and all kinds of things; and I expected to have collected a very large quantity of seeds of all kinds.
27. What age were the banana plants when you left the island? Just coming to maturity; and I was going on planting from month to month. When I left, I had about 2,400 plants in that in a year's time would have clustered up into four times as many bearing trunks; many more would grow, but I always kept them down to four to each root; so that from every cluster of banana plants I would have had four bunches every year; but I have only estimated one.
28. Did you expect to get 2,400 bunches of bananas from these plants in 1882? Yes, the latter end of 1882.
29. And these bunches were worth 2s. a bunch? Yes, on the island.
30. Thirty tons sweet potatoes—had you those planted before you left the island? I had a large quantity planted, and I estimated a return of 30 tons for the year.
31. How long had they been planted? Different times; three, four, and five months; they commence to yield in four months.
32. Could you sell these at £6 a ton? Yes, easily; I could get £9 a ton in Sydney, but I have made an allowance on account of freight.
33. What quantity of onions had you planted? I had different beds of onions.
34. Were they transplanted? I had a large quantity transplanted.
35. Did you expect to get 20 tons of onions? Yes, at the latter end of 1882; 20 tons or more. Lord Howe Island onions are noted all over the southern world as being the best for keeping and pickling.
36. You put down pigs, poultry, and eggs, at £150—how do you make that out? From the number of pigs I had and the large amount of poultry and eggs; not only the homestead eggs from the poultry, but the mutton bird eggs which I could have collected. I have got as many as 400 dozen in four hours, and in Sydney I have got over 1s. a dozen for them. The albumen is so very strong in them that the confectioners buy them readily for their purposes.
37. Then you have put down 20 tons of cured fish at £18 a ton, £360? Yes; I had a large quantity of fish, and I estimated that would have been the return from my operations.
38. Had you this quantity on hand? No; but I estimated I could have got that quantity.
39. But you would have had to catch them? I could have caught them easily with the labour I had there; we could catch four or five hundred with a line in two or three hours.
40. 500 mutton birds at 1s.; had you those birds? No; but these were what we used to catch; I had caught them in that proportion the year before; I had a large quantity on hand.
41. 500 dozen mutton bird eggs? Yes, we used to get these on the Admiralty Group; could collect these with my boat's crew in a few hours, but it was very precarious work.
42. Did you ever get any eggs while there? Yes, and I got over 1s. a dozen for them at the Coffee Palace in Sydney.
43. Varieties of indigenous plants—what are these? Plants that I had in my own ground; the collectors, on account of their rarity, set a very high value on them; these could have been collected off my own lease of 100 acres.
44. Indigenous palm and other seeds, £100—did you collect them on the island? Yes.
45. Where are the seeds? I sent them to England, and to Mr. Creswell, seedsman, opposite the Markets here; I have here letters from seedsmen in London offering me at the rate of £2 10s. a thousand—the bushel containing from five to six thousand seeds; making at the rate of from £12 to £15 per bushel.
46. Had you these seeds? I had them in my own ground.
47. Why did you not sell them? I had not time to collect them; I could have collected them on my own ground.

48. Ten tons of fibre at £6 a ton, £60—what fibre is that? The fibre from the palm; I used to give at the rate of £5 per ton to the inhabitants for collection.

49. You estimate your loss for 1882 at £1,785? Yes.

50. The first item in 1883—what is that? That is an estimate based on what I had had before in the previous year; I am estimating that, if I had remained down there and kept my labour, I would have had, for the two years, that amount.

51. That is brought forward? That is brought forward, with an increase added to it in proportion to the advanced cultivation of the land.

52. Estimate for 1884, £2,400. I suppose this is based on the estimate for 1882? Yes; the cultivation would have improved more the longer I remained. Of course I was improving the cultivation of the ground. I had about 15 acres in cultivation, and I had trenched a large quantity of it.

53. Since you left the island it has cost you a large amount of money in printing and other expenses while your case was before a Select Committee of the House? Yes; I have the accounts here from the different printers.

54. I suppose this expense was rendered necessary in order to prove your innocence? Yes.

55. Have you had any opportunity since your dismissal of earning any money or going into any business? No, none whatever; I have been in no business until within the last few weeks.

56. Then the whole of your time was taken up in endeavouring to right yourself before the public and the Government? Yes, night and day for over two years.

57. The whole of your time, in fact, has been taken up in endeavouring to clear yourself of the imputations cast upon you? The whole of my time.

58. And you consider your loss altogether is £3,000? Yes, at the very least. I have made a mistake in the account you have been referring to; I have under-estimated my salary. It was £305 a year, or, for two years, £610, with interest on that, close on £700. Here are the different accounts of the printers.

(Produced.)

59. *Mr. Lyne.*] That is all included in this account? Yes.

60. *Chairman.*] When you were dismissed by the Government from the Public Service, was there anything to prevent your going on with your speculation at Lord Howe Island? Yes, certainly; the very action of Mr. Wilson was enough to prevent me keeping my boys. In fact, directly he arrived it was given out that I was suspended from all duty; and then he taxed me about the Vernon boys, saying it had been stated in the House that the Vernon boys were sent into slavery; he said it was no use my keeping them, and persuaded me to cancel their indentures. I told him his action—the action he had taken on his first arrival—had prevented me from having any further control over the Vernon boys, and consequently I would cancel the indentures.

61. Was there anything to prevent your going on with your speculation after you were dismissed? Yes; I had to come up here to get justice—I had no means of getting justice any other way.

62. Could you not have kept a manager there? No, my men were thoroughly contaminated; they would not work for me; and Mr. Wilson recommended that a man-of-war should be sent down to take my Kanaka boys (the rest of my labour) away from me. I had ten head of labour, and on several occasions employed the islanders. After that I had no control over this labour, for the very action that was taken prevented me having any authority.

63. These returns you anticipated, according to this account, would have justified you in sending a manager from here? We had no means of communication, and I had no money; I had spent all my money on the island. The manager could have done nothing without the labour, and that labour I was deprived of. I tried to send down to Noumea for Kanakas, but then the laws were altered, and the French Government would allow no more Kanakas to leave.

64. You abandoned that property without any intention of going there again? No; if I could have cleared myself at once I would have gone down and worked it again certainly.

65. Was the land fenced in? A good deal of it was; there were several paddocks fenced.

66. What kind of fence? Post and rail and wire fence, and ditch and bank.

67. And a great portion of it was thoroughly cleared? Yes; round the greater part of the boundary I had planted gum trees.

68. I suppose you could not dispose of the property at the time you left? No; it was only rented from the Government, and the Government had leased it to me for the purpose of developing the resources of the island, and to show the people how to cultivate their land.*

69. When you left the island, did the Government cancel your lease? No, they have not cancelled it.

70. Is it in existence now? Yes, I paid the rent last year, for a year in advance—for 1884.

71. Have you heard anything of this property since you left it? I have heard it is very much neglected and overgrown with weeds, and the greater number of the plants destroyed, and some of the inhabitants helping themselves from the produce.

72. Would not these banana plants still produce fruit? Of a very poor sort they might; they want continually attending to; now the weeds are probably as high as the banana plants.

73. Do you know if anybody has got any benefit from this property? Only from report, that some of the inhabitants make a point of cutting the bananas when they are ripe.

74. I suppose the pigs and poultry are all gone? Yes, I was obliged to send them away and sell them at a sacrifice. I was glad to get rid of anything that I had there to get money. It was no use keeping anything there at the mercy of the people that were there. I had purposed buying a vessel if this had continued, in fact I was in treaty for a small craft, to trade between the island and the mainland, for the benefit of myself as well as the islanders. We had no regular communication, and were sometimes six and eight months without communication at all.

75. Was there any promise made to you when you were appointed Resident Magistrate at Lord Howe Island, that you were to stop there any certain time? No, there was no regular fixed time.

76. What was your impression of the engagement? That I was to remain as long as the Government were disposed to keep me there.

77. Suppose the Government had removed you to some other place, what would you have done with your farm? I would have kept my labour on, and kept a manager there; or else let it on terms to some party who could have kept it going with me.

78.

* ADDED (on revision):—Their action through the Commissioner destroyed the tenure and value of the land.

† ADDED (on revision):—I had paid up the rent in advance.

- Capt. R. R. Armstrong.** 78. Could you not have done something of that kind after you were dismissed? No, the labour would not work any more for me; through the action of Mr. Wilson all my power was gone. Another thing I thought I might have got returns from was oysters. I imported oysters there shortly after I went down to the place, and I purposed working the island in connection with Elizabeth and Middleton reefs for fish, with the inhabitants.
79. *Mr. White.*] Did you import oysters to any value? Not to any extent; but they were breeding, and I intended to cultivate them. I imported various kinds.
80. *Chairman.*] Is there anything else you wish to say? The island in connection with Elizabeth and Middleton reefs would have made one of the finest fishing grounds in the world. There was a tremendous show of all kinds of fish, and I should have recommended the Government or any Company to have established a fishing station there. I should like to hand in this plan (*produced*), as showing the work I have done there in surveying. I have surveyed the whole of that inside there, inside the reefs (*pointing to the plan*), and it is quite different now from Admiral Denham's plan made forty years ago.
81. I hardly think it has anything to do with your case? It shows what I have done in surveying, and the positions of the land I have cultivated. The old survey is quite out of date.
82. *Mr. White.*] How long does it take to steam from here to Lord Howe Island? Two days.

THURSDAY, 12 JUNE, 1884.

Present:—

MR. CHAPMAN, | MR. LYNE,
|
MR. WHITE.

GEORGE DAY, Esq., IN THE CHAIR.

Mr. Charles Frederick Creswell called in and examined:—

- Mr. C.F. Creswell.** 83. *Chairman.*] Do you live in Sydney? Yes.
84. Do you know anything about Lord Howe Island? Yes, I have been there—I was there for a fortnight.
85. At what time? In December, 1881.
86. Was that the time Dr. Wilson was there? No; previous to his visit.
87. Did you meet Captain Armstrong at Lord Howe Island? Yes.
88. Were you at his place? Yes.
89. Did you notice the improvements he had on his farm? Yes.
90. What was the nature of the improvements? Some of the land was in cultivation with onions, bananas, and other produce; principally onions, I think; and bananas to a good extent.
91. Were the banana plants full-grown? Yes, established plants.
92. Was much of the timber cleared off? Yes, of course the part of the land under cultivation was cleared.
93. How much was under cultivation? I think at least 10 or 12 acres.
94. Was the cultivated land fenced in by itself? I think not; I do not know.
95. Was there any more fencing besides the fence round the 12 acres? I really could not tell.
96. What kind of timber was growing adjacent to the 12 acres? Palms and the ficus principally.
97. Would it be difficult to clear that land? Yes, it would be very difficult and expensive to clear.
98. Was it not soft wood? The palm is soft wood, but the ficus is a tough timber; I believe the ficus is a very tough timber.
99. Were there any other improvements that you noticed about the property? There was the residence of Captain Armstrong, with the adjacent sheds and out-houses. There was also a garden at the back of his house, under very good cultivation, containing fruit trees—peaches and other fruits; and I think I saw the castor-oil tree there, which would of course have to be introduced there.
100. Were there any coffee plants? I think so. There were several tropical fruits there, which I did not particularly notice.
101. *Mr. Chapman.*] Did you notice any place cleared and cultivated with coffee-plants? I really could not say. There were coffee plants there—I remember that distinctly, but to what extent I do not know.
102. Did you see any other clearings besides the one about Captain Armstrong's house? Yes; I fancy Captain Armstrong had a clearing in the northern part of the island; he had onions growing there, I know; his residence was on the southern part of the island, and I believe he had another cultivation at the north.
103. You did not see it? Yes, I was all over the island.
104. *Chairman.*] How long did you stay there? A little over a fortnight—perhaps sixteen days.
105. Did you stay with Captain Armstrong? Yes, I stayed at Captain Armstrong's house.
106. *Mr. Chapman.*] Here is a plan showing the land Captain Armstrong had on the island; have you any knowledge of the different patches shown there? No, I really could not distinguish them; if I remember right, this portion (*pointing to the plan*) was under bananas, and the garden was at the southern side of the house.
107. *Chairman.*] Could you form any estimate of the value of the improvements you saw upon the land, in the shape of buildings, fencing, and cultivation? I think the greatest value would be attached to the banana crop, that is, apart from the house.
108. Supposing any person were going to purchase Captain Armstrong's interest in the land, as the improvements stood when you were there, the land being leasehold at a nominal rent, what do you think would have been a fair price as between man and man? I should think at the very least £1,000, including the house; I should put it down at £1,000 if I had any intention of buying.
109. What was the house built of? Weatherboards, I think; not the timber of the island—imported timber.
110. What was it covered with? I really could not say.
111. *Mr. Lyne.*] Is your estimate exclusive of any cultivation at the north end of the island? No, I am including the whole.

Mr.

ON THE PETITION OF CAPTAIN ARMSTRONG.

Mr. Robert Cooper Rose called in and examined:—

Mr. R. C. Rose
12 June, 1884.

112. *Chairman.*] You were living at Lord Howe Island? Yes.
113. When did you go there first? In 1880; I was there about two and a half years.
114. Were you there before Captain Armstrong? No.
115. You went there after Captain Armstrong became Resident Magistrate? Yes.
116. Were you connected in business with Captain Armstrong there? No, except as his manager.
117. How long did you manage for him there? About two and a half years.
118. What were you managing? I was looking after his interests there—looking after the plantations.
119. Was there any cultivation on Captain Armstrong's leased land when you went there—the hundred acres he leased from the Government? We had to clear it.
120. How many acres did you clear? From 15 to 20 acres; I could not say exactly.
121. Was it difficult to clear? Yes, tremendously so, and we trenched several acres.
122. What would the clearing be worth per acre? It would be difficult to say; a good many of the inhabitants assisted, and they had to be paid; and there was the Kanaka labour besides.
123. Did you fence it in? It was divided off by break-winds—we had to subdivide it; it was so exposed to the wind that we could only do it up in small selections; you could not go and clear land down there like you can up here; if you were to have 3 or 4 acres cleared away, a westerly gale would sweep the whole crop down.
124. Did you fence the land in? Yes, a large portion.
125. What kind of fence? Ditch and bank, brushwood, and wire fence; as we cleared the land we made the brushwood fence and interlaced it with wire.
126. What did you plant in the ground when you got it cleared? Bananas, coffee trees, onions in the more open spaces, and corn.
127. How many acres had you under bananas? I suppose we had something like 15 acres.
128. How many acres had you planted with onions and potatoes? We took the crops off the land in rotation according to the season of the year; when we got off one crop it made room for another.
129. How many acres had you under onions? When the season came on I think the result would be about 20 tons; you may say from 3 or 4 acres.
130. How much was under coffee cultivation? The coffee would be grown upon the same land; the one protects the other.
131. What quantity of land was under cultivation with other plants? About 20 acres altogether were under cultivation.
132. That would leave about 5 acres under cultivation with potatoes, onions, coffee, and indigenous plants, after taking off 15 acres which you say was under bananas? The land under bananas would be growing onions, potatoes, coffee, and other plants.
133. Did you leave the island before Captain Armstrong? Yes, I think about four months, but I had not left his employ then; I was travelling for him in New Zealand, disposing of plants and other produce for his benefit and that of the islanders, and making arrangements for a vessel to call regularly.
134. When you left the island what do you think was the real value of Captain Armstrong's place as a leasehold, the house, improvements, and cultivation, say a lump sum? That is a difficult question to answer straight away. I should think it would be a bargain at £1,200.
135. *Mr. Lyne.*] Do you include in that valuation the crops he had put in? Yes, the standing crops.
136. The tea, coffee, bananas, onions, maize, or corn as you call it, are all included in the £1,200? Yes; putting it down at what you may call an upset price, it would be a perfect bargain at that sum—it must have cost a great deal more.
137. You do not include anything for eggs, fish, or produce of that kind? No.
138. You do not in any way include what may be called the trade of the island? No, of course that estimate does not include any prospective advantages, but only the improvements and cultivation as they stood.

Mr. William Edward Langley called in and examined:—

Mr. W. E.
Langley.
12 June, 1884.

139. *Chairman.*] Do you live in Sydney? Yes; I am Editor of the *Illustrated Sydney News*.
140. Do you know Lord Howe Island? Yes, I visited it twice; once shortly after Mr. Wilson was there, and the next time when the Transit of Venus expedition was there.
141. How long after Dr. Wilson held the inquiry did you visit it? Three months, I think it was.
142. That was the first time you saw the island? Yes, I went down as correspondent for the *New York Herald* at that time.
143. Do you know Captain Armstrong's place; Yes; in fact, I know every place there is on the island—I had nothing else to do but explore it.
144. Was any one living at Captain Armstrong's house at the time you were there? Yes, Mrs. Rose, the wife of Captain Armstrong's manager, was there with her children. That was the first time I was there.
145. Was any one cultivating the place, or doing anything to it? I think there were three or four Kanaka boys there, and they had the place up to that time in very fair order. There were crops of onions, a lot of bananas, coffee plants, and half a cargo of lemons might have been picked up. There was one part I did not visit, where I heard Captain Armstrong had put in some tropical plants.
146. What quantity of bananas was on the land? I could hardly form an estimate.
147. How many acres were under cultivation altogether? I did not go through the whole of his place, but I should say the portion I saw was 10 or 15 acres.
148. You noticed the improvements and the growth of everything? Yes. Judging from the appearance of the other parts of the island, the mere clearing of the land itself must have cost a great deal.
149. What do you think the place was worth when you were there, three months after Dr. Wilson was there? I could scarcely tell you—so much depended on the means of communication. The poor unfortunate people had at that time no means of getting their produce to market. I wrote a letter to the *Herald* on the subject. But if there had been regular communication, the Government could readily have got £25 an acre for the land cleared and in the state it was in then.
150. I do not want to know the value of the land as a freehold—Captain Armstrong had it under lease from the Government—What was about the value of the improvements and cultivation, including everything that Captain Armstrong had put upon the land? Any person would be glad to give £1 an acre a year for it.

- Mr. W. E. Langley.
12 June, 1884.
151. I mean to buy Captain Armstrong out, for a lump sum? I should say about £1,000.
152. When you were there everything was in very fair repair? Yes, with the exception of his boats.
153. I suppose the land is very rich? The richest land, I suppose, in the world. I saw two crops taken off the same land within six months. The whole place seems to be a mass of decomposed vegetable matter, mixed with guano that phosphate has been washed out of by heavy rains, and the remains of mutton birds. In one place they cut 14 feet into a bank, and there was nothing but the remains of mutton birds mixed all the way through with guano.
154. *Mr. White.*] What were the prices of the produce of the island if sold in the Sydney market? The onions were planted in July or the beginning of August, and raised in December, and they sold for £6 a ton on the island; in the Sydney market they would bring £14 or £15 a ton. They seem to be an onion peculiar to the island, growing very small, and used for pickling purposes.
155. Did you see any oranges? There were a few orange trees on the island, and they produced oranges equal to anything I ever saw.
156. Any lemons? They were growing wild in the bush. I may state that while I was there I had opportunities of conversing more freely with the residents on the island than if I had been connected with the Government Service, and one and all had a different story to tell about Captain Armstrong's removal. Two of the most respectable of them, Mr. Thompson and Mrs. Field, complained to me that they went down to be examined, and that Mr. Wilson refused to take their evidence. One of the parties I spoke to pointed out to me, lying on the beach outside the Government boat-shed, one or two boats—two boats, I think—exposed to the sun and weather. They told me that a man named Stevens, who had been appointed by Mr. Wilson as constable and care-taker generally of the place, had put the boat out there. I saw there was nothing in the shed, and made it my business to speak to Mr. Wilkinson about it, having been told it was a matter belonging to his duty; and Mr. Wilkinson at once ordered Stevens to put the boat back directly, and I believe Mr. Wilkinson saw it done. It appeared to have been lying there a long time.
157. *Mr. Lync.*] Whose boat was it? The boat belonged to Captain Armstrong; it was a 22 ft. skiff, I think. There was another boat, which I believe was the property of the Government, lying out for months in the sun without any covering—a very expensive boat, a large 24 ft. centreboard.
158. Was that while Captain Armstrong was there? No; after Captain Armstrong had left, and Mr. Wilson had given Stevens to understand that Captain Armstrong was not going back, the boat was taken out of the Government shed and put outside.
159. *Chairman.*] Mr. Wilkinson was the Geological Surveyor? Yes.

WEDNESDAY, 18 JUNE, 1884.

Present:—

MR. CHAPMAN, | MR. GILL.

GEORGE DAY, ESQ., IN THE CHAIR.

Mr. George Ranken called in, sworn, and examined:—

- Mr. G. Ranken.
18 June, 1884.
160. *Chairman.*] Do you live in Sydney? Yes.
161. Did you accompany the late Dr. Wilson to Lord Howe Island, at the time he made the inquiry? In April 1882 I was in Lord Howe Island.
162. Were you connected with the party? I was there as a visitor.
163. How long did you stay at the island? A fortnight only.
164. Had you an opportunity of seeing Captain Armstrong's establishment? Yes, I called at his house.
165. Was his establishment close to where the inquiry was held? No.
166. Some distance away? Yes, so far as I know anything of the inquiry, it took place at the camp.
167. That would be some distance away from his house? About a mile, I think.
168. Will you tell the Committee what you saw there; did you see any fruit-trees, or any pine-trees? Yes, there was a considerable amount of cultivation and fruit grown by the people on the island.
169. I mean at Captain Armstrong's? Yes, I saw some banana trees.
170. Were there many? I have no idea; banana trees are very common there—you see at every house a small clump.
171. You did not take any notice of the improvements about his place? No, I noticed a great many oleander trees, planted up the ridge, behind the house.
172. Did you notice any onions or coffee? There was something, but I did not look at it with a critical eye, and I cannot pretend to remember. There was land in cultivation.
173. How much do you suppose, approximately? I cannot pretend to tell you. The level land on the island was very small; I think the level land near the house could not have been above 5 acres, if so much, but I could not give any positive evidence upon that matter.
174. Then you did not notice the nature of the improvements? A house and boat-shed.
175. What kind of a house—a valuable one? I cannot remember.
176. Did you notice the fences? No, I did not observe; I observed wire fences in another part of the island; there might have been, for anything I saw, but I was there for only about ten minutes.
177. *Mr. Chapman.*] Then there might be any amount of improvements for all you remember? I remember the house, the boat-shed, and the store, in which there were dried fish and other things—mutton-birds.
178. You can form no idea about the amount of land cleared for a farm belonging to Captain Armstrong's establishment? No; there was a certain amount cleared, but the area I could not guess at.
179. *Chairman.*] Would property of that description be valuable down there; such as fruit-trees, banana-trees, coffee plants, and such improvements as you saw at Captain Armstrong's establishment? Undoubtedly valuable as a means of subsistence, but I think the want there was of a market. I never heard of any sales or transfers of land there, or what its value was; I have heard they sell onions and bananas, and so on.
180. I suppose the bananas grow wild there? No, they are planted; they were introduced there and planted.
181. Is the land very rich? There is a very small proportion of good land; the most of it is mountain, and the greater part of the rest is poor coral sand.

182. But what is good is really good? Yes.
183. *Mr. Gill.*] And it would be valuable if there were a market? Yes, but an enormous expense must be incurred in bringing it into cultivation.
184. *Mr. Chapman.*] Do you remember the material the house was built of? I am trying to remember, but my memory cannot recall it. One house I remember was built of weatherboard, and one or two of sheet iron. I cannot remember what Captain Armstrong's was.
185. Weatherboard and sheet iron would have to be taken to the island? Yes. There was a school which was sent from here and put up.
186. *Chairman.*] Do you know Mr. Conder? He belongs to the trigonometrical survey staff.
187. Is he in Sydney? Yes.
188. Did he go down to the island with you? He did.
189. Did Mr. Miller go down to the island with you? Yes.
190. Do you know where he is? I have heard he went down in the capacity of constable. His address could be got in Sydney, but I do not know exactly where he is now.
191. There was a Secretary appointed to the Commission? There was a gentleman acting as Secretary; I think he came from one of the public offices.
192. Do you know his name? Mr. Taylor, the son of Mr. Taylor of Parramatta.
193. Did Mr. Darley go down with you? Yes.
194. Is that Mr. Darley the barrister? His brother; I believe he is an engineer.

Mr. G.
Ranken.
18 June, 1884.

Mr. George Taylor called in, sworn, and examined:—

195. *Chairman.*] Where do you reside? At St. Leonards.
196. Were you ever at Lord Howe Island? Yes.
197. When were you there? I was there with the transit of Venus party, and with the "Sovereign" schooner. The first time I was there was with Dr. Wilson.
198. Do you remember during your three visits seeing Captain Armstrong's place? Yes, several times; not so much on the first as on the second time.
199. How long after the inquiry was the second time? It was in April when we went down with Dr. Wilson; November when we went down the second time.
200. That would be about six months? About that.
201. Did you notice on the second occasion what state Captain Armstrong's place was in? The cultivation had been allowed to go to rack and ruin, because there was no one there to attend to it.
202. Was there no one left there? Yes; a man of the name of T. B. Wilson.
203. Had he a family? One.
204. Then he did not take any care of the place? No.
205. Did you notice what improvements were there belonging to Captain Armstrong? Yes; a large house.
206. What kind? A wooden house.
207. Sawn timber? Yes, sawn timber; properly built, a large house; I was inside of it; I went there upon the last occasion in the "Sovereign" schooner, to fetch some things that Captain Armstrong authorized me to bring away.
208. What do you think the house was worth, put up? Down there, taking the cost there for labour, about £200.
209. Did you notice bananas, and did you see any coffee plants growing? Yes, upon the first occasion.
210. Were there many bananas? Yes, a great many.
211. Planted on cultivated ground? Yes.
212. Did you notice any coffee plants? I do not know that I did; I do not know much about botany.
213. Did you notice the other improvements; was there any fencing—what length of fencing do you think? There was one place from the beach to Mrs. Robins' allotment, about two or three hundred yards.
214. What do you think would be the length of the fencing altogether? About two or three hundred yards upon that side; I could not say upon the other side.
215. Would it be likely to be about the same? Yes, but I was never upon the other side.
216. Did you see what cultivation there was on that side? What I could see from the road—there was a fence between the house and the large paddock—was some potatoes, and so on.
217. About how many acres were under cultivation? I have no idea what that place would measure; I am not up in that sort of thing.
218. I suppose there were no indigenous trees there? There was no rubbish.
219. On the other side was there? Yes, bush-like.
220. What was the distance from the fence to that? As far as from here to the other side of the statue in Hyde Park.
221. Would it be as far as that to the other side? It was longer than it was wide.
222. What kind of timber was there? Thick scrub.
223. Any big trees? Yes, banyan trees.
224. Were there any hardwood trees? Yes, all round.
225. What kind? The name the islanders give it is mau-wood.
226. Would that kind of timber be difficult to clear and grub? Very hard. It makes good burning wood when it is dry. There were good-sized trees in the vicinity.
227. *Mr. Chapman.*] Do you remember what the house was roofed with? Corrugated iron.
228. *Mr. Gill.*] I think you said one side was about 300 yards? Yes.
229. You had not been on the other side? No.
230. What do you think the top side would be between the two? About the distance from here to the statue.
231. How many yards would you call that? I do not know.
232. *Chairman.*] I suppose you have no opinion what it was worth? No, I have no idea of the value.
233. How long did you remain there upon the second occasion? We were away thirty-two days from Sydney. We camped upon Mrs. Nicholls' ground.
234. Did you see it upon the third occasion? Yes, I took goods from there.
235. Was there anybody in charge? No, not at that time. Mr. Wilson had been left there, and the goods were put upon the verandah.

Mr. G. Taylor.
18 June, 1884.

- Mr. G. Taylor. 236. Was the place locked up? Yes. When I went to get some more goods, Mr. Wilson went inside and got the goods. There was a chest.
- 18 June, 1884. 237. Were you employed by Dr. Wilson to go down? No; I was in the Harbours and Rivers Department at the time, and they had nobody in the Service who could take charge of a vessel and see to the comfort of the passengers like myself, having been many years at sea, steward on large vessels, and provodore, and they sent for me and asked me if I would go.
238. Do you recollect who went down? There was Dr. Wilson, Mr. Williamson, Mr. Duff, Mr. Morton from the Museum, Mr. Ranken, another gentleman from the Police Court, Mr. Miller, Mr. Darley, Mr. Taylor, and Mr. Conder.
239. Do you know where Mr. Darley is now? I saw him yesterday in St. Leonards.
240. Does he live near there? I think he does; I have seen him several times in St. Leonards.
241. Do you know where Mr. Miller is? I do not; I have never seen him since we came back.

THURSDAY, 19 JUNE, 1884.

Present:—

MR. CHAPMAN,	|	MR. TARRANT,
MR. TARGETT,	|	MR. WHITE.

GEORGE DAY, Esq., IN THE CHAIR.

William Jacob Conder, Esq., called in and examined:—

- W. J. Conder, Esq.
19 June, 1884.
242. *Chairman.*] Did you go down to Lord Howe Island with Dr. Wilson when he went there to make an inquiry into the conduct of Captain Armstrong? I did. I had nothing to do with the inquiry; I went down for a special purpose connected with my own profession, to see whether the island was a suitable site to observe the transit of Venus from.
243. Did you notice Captain Armstrong's residence and ground? I passed Captain Armstrong's house occasionally and I have been inside it, but I was so much occupied with my own duties that I have no very distinct recollection of the state of the residence or grounds. I saw some cultivation.
244. Can you form any notion of the area of land under cultivation? A very imperfect one.
245. Did you notice any bananas or coffee plants? I take no interest whatever in botany, and I am really perfectly unable to tell what the plants were. I saw evidences of cultivation. What was more distinctly impressed on my mind than anything else was the manure they used—merely the wood of the fig or banyan tree chopped up into blocks and allowed to lie on the ground till it rotted away; it looked strange to me, and made a great impression on my mind.
246. Did you see any fencing? Yes.
247. What length of fencing do you think there was? I do not think I saw more than half a mile—I am not sure.
248. Of what description was it? That I am not able to recollect; it seemed to me a very rough sort of fencing.
249. Was it chock and log, or wire, or split fence, or paling? It was not paling, and not chock and log. I think it must have been principally wire. Really I cannot tell. I did not go about to take note of anything. I was employed constantly in my own duty. I did not wander about the island, as most of the gentlemen did, because I had a distinct duty which occupied my time day and night. If I had an hour or two to spare I went out fishing, and that was all I did in the way of recreation.
250. Were you at Captain Armstrong's place on a visit? I have been inside the house.
251. Do you know anything about the labour Captain Armstrong had employed there? I saw some boys at work amongst some green-stuff—some ordinary agricultural work, and there were some Kanaka boys.
252. Did you see these Kanaka boys doing anything? Yes, I saw them on various occasions at work.
253. Did they give your party any assistance? Not on that trip that I am aware of. I went down subsequently for the transit of Venus.
254. Did the boys give you any assistance then? We made an agreement with a Mr. Thompson, who lives on the island, to get the things out of the ship and deliver them on the top of the mountain we were going to observe from, and the whole of that work was done by Kanaka boys, under the directions of Thompson, who was paid for the service.
255. Have you any notion of the value of that property of Captain Armstrong's? I do not think you could find a worse man in the Colony to give an opinion on such a subject. My mind is entirely occupied with scientific subjects, and I know nothing of business matters.
256. Was Captain Armstrong there on your second visit? He went down with us, and went away to Elizabeth reef, I think it was; he did not stop on the island. I am speaking from memory; but I believe he went away in the "Thetis" when she went to Elizabeth reef.
257. *Mr. Tarrant.*] What area of land had Captain Armstrong under cultivation? Well, I should say, at a very rough guess, 4 or 5 acres.
258. Was the land very difficult to clear, judging by the surrounding bush? I should think it was.
259. It would require men's labour I suppose—not boys'? Yes.
260. I understood from you that Captain Armstrong had only some Kanaka boys? The Kanakas I should call men, they were full-grown and strong enough for any manual labour. I have had some experience of clearing for the purposes of my own profession, and I should say the country at Lord Howe Island is as difficult to clear as any I know. The bush is all tied together with a vine, and the clearing is very hard work indeed.
261. Your clearing was merely to cut away the timber to give room for observation? Yes, so that I could see.
262. Clearing for cultivation would be more difficult than what you did? I was informed that when the trees are cut down the roots perish very quickly, and the peculiarity of using the wood for manure renders the clearing less expensive than it would otherwise be.
263. With reference to the half mile of fencing——? That is extremely indefinite in my mind; I have a sort of notion of a line running from the house towards the east, and of a return fence; in one place I think I had to get over a fence as I went to and fro. The fencing was not large and heavy fencing, because there were no loose cattle on the island.

W. J. Conder,
Esq.
19 June, 1884.

264. Are you in the Civil Service? Yes, in the Survey Department.
265. Is there any rule that civil servants are not to engage in any other occupation or profession beyond their duties? I am not aware of any such rule; I can understand that, if I am a salaried surveyor, I have no right to do private surveys.
266. As a practical man, would you not consider a return of £2,000 a year from a small quantity of land only under cultivation for two or three years a very large one? I should think it absolutely enormous; I could scarcely credit such a return; I would want very distinct proof of it before I could believe it.
267. Is it customary for civil servants to deal in such transactions as the curing of fish, the rearing and selling of pigs, poultry, and eggs, collecting mutton-birds' eggs, and matters of that kind? Circumstances so alter cases that one can scarcely make the same answer apply to all. I think, if you take the case, as an example, of one of the Police Magistrates a long way up the country, he would be perfectly justified in feeding a pig and selling him, and selling fruit, if he likes to have a vineyard or orchard of his own; I do not see that it in any way interferes with his position in the Civil Service; I think I should do the same if I had the opportunity.
268. *Mr. Chapman.*] You say Captain Armstrong had about 5 acres under cultivation? I gave that as a rough estimate.
269. Can you tell how many acres were cleared? All that looked to be cleared seemed to be under cultivation; it was cleared of timber, and there was some indication that it was productive; I never went over it with a view of estimating what it was.
270. Might there have been 10 acres cleared? I do not say there was not 10 acres: I merely say that my impression was that there were from 4 to 5 acres.
271. I suppose you do not remember what the house was built of? I think the roof was of iron, but not corrugated iron; it looked to me like sheets of zinc, or something of that sort; I may be wrong, but it looked to me more like a zinc roof than an iron roof—flat.
272. The walls? The walls were of wood, I believe.
273. Weatherboard or slab? I cannot remember.
274. *Chairman.*] Was it a square block of ground that was under cultivation? Yes, rather regular boundaries.
275. *Mr. White.*] Did you go all over Captain Armstrong's land? I have never been all over the land; I just went into the house once.
276. *Chairman.*] You were camped on one side of the cleared land? Yes; I saw the land on my right, as I was going away from my camp.
277. What distance was it across the clearing to where the timber commenced again? I should not think it would be 6 chains to the foot of the range.
278. What distance would it be across the other way? I hardly recollect whether it was more than 6 chains the other way; that would be about $3\frac{1}{2}$ acres; approximately my idea was 4 or 5 acres.
279. *Mr. White.*] Could there have been cultivation other than what you saw? There might have been some in the valleys that I did not see; I do not think there was more than I speak of; I can hardly see where it could have been.

Cecil West Darley, Esq., called in and examined:—

280. *Chairman.*] Did you accompany Dr. Wilson to Lord Howe Island, on the occasion of his visit there to inquire into Captain Armstrong's case? I did.
281. Had you an opportunity, while there, of seeing Captain Armstrong's house and the cultivation round it? Yes.
282. What amount of cultivated land did you see? I did not look at it with any view of ascertaining the quantity, but I should think there was a 5-acre paddock.
283. Did you see any banana or coffee plants? There were bananas, and, I think, orange-trees, maize, sweet potatoes, and crops of that kind. My attention was more called to seeing some "Vernon" boys working in the garden.
284. What distance do you suppose it would be from one side to the other, right across the cleared ground, to the trees on the opposite side? I should think it was about 800 feet across.
285. Have you any notion what distance it would be the other way across, at right angles? I scarcely know what were the boundaries of Captain Armstrong's land; there were a number of farms, and hardly any fence between them; I could hardly tell which was Captain Armstrong's land and which was his neighbour's; we passed for some distance through farms, as we went backwards and forwards.
286. Were the banana plants you saw full grown? Yes, they seemed to be well-grown plants.
287. And flourishing? Yes.
288. Did you notice anything else under cultivation? There were sweet potatoes and maize; I am not quite sure about the oranges, but I think there were orange-trees and lemons.
289. Do you remember what kind of a fence it was about the cultivated land? A cockatoo fence, as well as I remember—a very rough fence, along the road; I was not along the other boundaries.
290. What length of fencing, approximately, do you think there was round the cleared land? I could not tell you whether the other sides were fenced or not.
291. What description of house was on the land? A little, low, weatherboard house.
292. What do you think would be the value of the house? The value down there would be considerably more than it would be here; here the value would not be more than £150.
293. Have you any notion what would be the value of the property altogether, if Captain Armstrong were selling out his leasehold? I could not give an opinion, because I am not fully acquainted with the facts; I had no object in inquiring into the matter at the time; in fact I was most of the time on the mountain, engaged in the work for which I went there.
294. I suppose the land there is very rich? The land I saw is very rich indeed—rich, dark chocolate soil.
295. Did Captain Armstrong's land seem to be in thorough cultivation and good order? Yes, it seemed to be well worked.
296. Have you any notion, from the appearance of the surrounding timber, of the cost of clearing land of that kind? The timber is very heavy, especially the banyan-trees. The land could be cleared off without much labour if time were taken; all the brush timbers rot away quickly after being cut down. I have seen similar brush land cleared on the Richmond River.

C. W. Darley,
Esq.
19 June, 1884.

- C. W. Darley, Esq. 297. Did you notice any hardwood trees round the cultivation? Yes, there were a number of small trees of that kind there. The banyan and all the ficus tribe are soft, but very large.
- 19 June, 1884. 298. Have you any notion whether it would be a paying speculation to raise pigs, poultry, and eggs, and carry on industries of that kind there? It wholly depends upon the communication with Sydney and other places. At that time I was told there had been no communication for, I think, six months. In that case I do not think anything could pay.
299. Have you any notion, approximately, what an industrious man could make out of that cultivated land yearly? I have not.
300. *Mr. White.*] What was the house roofed with? I think it was iron. The other houses in the neighbourhood were only roofed with thatch palm. The store that was burnt down while we were there was I believe roofed with thatch palm.
301. Was the fence ditch and bank, wire and underwood? It was a cockatoo fence, very rough indeed.
302. Not wire? There were a lot of creepers all through it.
303. Did Captain Armstrong give any assistance in your operations there? No, I am not aware that he did; he accompanied us on the trip down to Ball's Pyramid.
304. *Mr. Tarrant.*] I think you are in the Harbours and Rivers Department? Yes.
305. I suppose you have to travel about the country a good deal? Yes.
306. And you can form a very fair idea what a man can make off a given area of land by farming? It depends altogether upon the situation.
307. You happened to mention the Richmond River—I presume you are well acquainted with the land there? Yes.
308. And you say this land on Lord Howe Island was a heavy brush, similar to the land on the Richmond River, as far as clearing goes? Yes.
309. As a rule, is the Richmond River land productive within three years from the time of clearing? Yes, it is productive the first year; the year after burning off they get one of their best crops of maize.
310. Do you think the return a person would get the first year would pay more than the cost of clearing? I do not think it would; the return wholly depends upon the communication; for instance, I was on the Richmond in 1872, and at that time there were farmers there trying to sell out; they left their farms and went away to look for employment, because the steamers could not get into the river; the bar was so bad, and they could not get their corn away; now that is a similar case to that of Lord Howe Island—if there is no regular communication the people cannot get their produce away.
311. Captain Armstrong's holding was a lease from the Crown on sufferance: As a man of the world would you be inclined to pay a high price for a tenure of that kind? No, I would not.
312. Was the house on Captain Armstrong's farm his residence? Yes, so far as I am aware.
313. Was it built by himself or by the Government? I have not the least idea; there was a house close by built by the Government—a school-house—but I do not know who built his own residence; I was under the impression that he was resident there before he became a Government official; I may be quite wrong, but I was under the impression that he built the house himself before he became a Government officer.
314. Did you see any coffee plants? I do not remember seeing any on Captain Armstrong's land; I saw them on Mr. Thompson's land a little further on; they were very healthy indeed.
315. I suppose there were boats there? Yes.
316. And they were under the control of Captain Armstrong? Yes.
317. You are not aware that he had any boats of his own? I could not say.
318. He used the Government boats for all purposes? He used the boats; as we arrived off the island he came off in one to us. There were two Government boats there, which were handed over to Dr. Wilson.
319. *Mr. Chapman.*] Was there not one boat left? Really I could not say.
320. There may have been a third boat, which did not belong to the Government. It is quite possible.
321. *Chairman.*] Who were the boats manned by? The "Vernon" boys—apprentices of Captain Armstrong I suppose you would term them.
322. Did this cultivated land of Captain Armstrong's strike you as a model—a good example for the islanders to go by? There was a particular paddock that caught my attention, which seemed in very good order; but I would not say it was any better than Thompson's; it was not in better order than Thompson's, if as good, but it was better than the generality of the farms.
323. Was Captain Armstrong there when you arrived at his house? Yes.
324. Did you go inside? No, I stood at the doorway.
325. Did you notice whether the out-offices were well appointed—the surrounding buildings? They were very rough-looking indeed.
326. Was any one working the land when you were there? I saw some "Vernon" boys, and I think two Kanaka boys as well.
327. It was not worked with implements of any kind drawn by horses? No, there were no horses there; the boys were working with hoes when I saw them.
328. Did the maize crops seem to be promising? Yes; it was then growing, and was from 2 to 3 feet high.
329. I suppose all the plants and things you saw in the cultivated ground looking flourishing? They looked very well indeed.
330. No weeds or anything about—all clear? No, it seemed all pretty well clear of weeds.

John James Taylor, Esq., called in and examined:—

- J. J. Taylor, Esq. 331. *Chairman.*] Did you go to Lord Howe Island with Dr. Wilson when he went to inquire into Captain Armstrong's case? Yes, as Secretary to the Commissioner.
- 19 June, 1884. 332. How long were you there? I think about three weeks.
333. Had you an opportunity of seeing Captain Armstrong's house and cultivated land? Yes.
334. What kind of house was it? As far as my recollection serves me, it was a wooden house with an iron roof.
335. Weatherboards? Yes.
336. Do you know how many rooms the house contained? I was not through the house; there were four or five rooms in the main building I should think.
337. Did it seem to be a large house? It was a good-sized house.
338. About what would be the worth of it? I could not tell.

339. Do you know whether Captain Armstrong or the Government built that house? I am not aware.
340. Did you notice the fencing round the cultivation? Not particularly; I cannot now remember what kind of fencing it was; whatever fencing there was, was covered over on one side with lemon-trees.
341. I suppose you were on one side of the cultivation? Yes.
342. What distance would it be from the side you were on across to the opposite side, to the trees where the ground was not clear? I could not say now from memory.
343. Have you any notion how many acres were cleared and enclosed? It struck me that immediately near the house there were 4 or 5 acres under cultivation. There was another paddock under cultivation on the other side of a creek; we had to cross a wooden bridge to go to it.
344. What kind of plants are cultivated in Captain Armstrong's land? Bananas, onions, and a lot of other green things; I could not tell what they were.
345. Did the land seem to be well cultivated? Yes.
346. What height were the banana plants? They grow most luxuriantly.
347. Were they 6 feet high? I suppose they were.
348. Were they in bearing? I do not remember.
349. Did you see any orange-trees? I think there were a few.
350. Any lemon-trees? Any amount of them—they grew wild.
351. Did you take notice of the surrounding timber round the cultivation—the growing timber? There were very large trees outside the cultivation—immense trees.
352. Was the wood hard or soft? That I could not tell; some were as large trees as I have ever seen.
353. What do you think it would cost to clear land of that description? I could hardly form an opinion.
354. Suppose a person wanted to buy out Captain Armstrong at the time you were there, what would his leasehold be worth? I could not tell.
355. Could you give any notion what returns could be got from such a farm? I could not.
356. Did it come to your notice, while you were there, that there were abundance of mutton-birds and other kinds of wild fowl there? Yes, thousands of mutton-birds and gannets.
357. I suppose any quantity of eggs could be collected? I think the day we arrived the people on the island had gathered 1,200 dozen; the quantity was something marvellous. The birds go there at certain times of the year and lay their eggs.
358. Did you see any cured fish? I saw a lot of dried fish hanging in a boat-shed or some outbuilding at Captain Armstrong's.
359. What weight? I could not tell the weight; I saw it hanging up under the rafters.
360. Do you think that would be a profitable industry? That was what I tried to impress upon the people,—that it would be a fine industry to open up.
361. What kinds of fish were they? Generally a fish called blue fish, which can be got in almost any quantity.
362. Was there any one working on the cultivated land when you were there? I do not think I noticed any one on the days I was there.
363. Did you see any Kanakas or "Vernon" boys there? Yes.
364. But not at work? They were helping people on the island.
365. Did they give your party any assistance? I take it they were assisting in some way. They appeared by their general demeanour to be hardworking and industrious boys, although I did not see them on Captain Armstrong's ground working.
366. If a person bought Captain Armstrong's interest in that place for £1,000 do you think it would pay him? I should think it would be well worth that, judging by what the people told me they could raise, if there were proper means of sending produce to Sydney.
367. *Mr. White.*] Do you know who built the bridge you spoke of? Captain Armstrong told me his black boys built it.
368. Was it a large bridge? Yes, it was a wide bridge.
369. Was it over a natural creek? It appeared to me to have been excavated.
370. *Mr. Tarrant.*] Are you aware what title Captain Armstrong had to this land? I understood he had a lease from the Government.
371. If you were aware that he held the land only on sufferance from year to year, would that alter your opinion as to the value of his interest in it? Most decidedly.
372. When you said you thought it was worth £1,000, you were under the impression that there was a good title to it? Yes.
373. You qualified your estimate of value by adding, if they had suitable means of sending produce to Sydney: if they had not suitable means, what then? It would be a mere nothing.
374. You saw the boats there? Yes.
375. Were they all Government boats? I think all but one; I was informed that one was the property of Captain Armstrong.
376. How many boats were there? Three or four.
377. *Mr. Chapman.*] With the number of boys he had—"Vernon" boys and Kanakas—if Captain Armstrong were to fish for a season or two there, would he not make an immense sum of money? I think there was a splendid opening in that line for any man of energy.
378. *Mr. Targett.*] Did you see these fish caught? I saw, one afternoon, a small boat half filled in a very short time.
379. *Mr. Chapman.*] Do you think that by the removal of Captain Armstrong, and the disturbance of his plans, he must have suffered great loss, because he could not carry out his fishing enterprise? I have no doubt his removal was a serious loss to him.
380. *Mr. Targett.*] Did you go in through the north-east passage? Yes.
381. Did you see any evidence of work having been done in deepening or widening the channel? I did not notice any, but I heard it had been done.
382. You said that Captain Armstrong suffered by his removal from the island—do you mean by the loss of his Government salary or his going away from his business? In addition to the loss of his Government salary, he must have suffered severely, because he was making a business there, and before it produced any result he left.
383. Voluntarily? I believe it was his removal from office that caused him to leave the island.

J. J. Taylor,
Esq.
19 June, 1884.

- J. J. Taylor, Esq.
19 June, 1884.
384. If Captain Armstrong had remained on the island, do you think he could have made any considerable sum of money by preserving fish and raising produce? Yes, there was a very large opening indeed for any industrious man.
385. *Chairman.*] You are not aware that there was anything to prevent Captain Armstrong continuing the cultivation of his land and his fishing enterprise, notwithstanding his removal from office? No.
386. Do you think it would have paid Captain Armstrong to have cultivated his land, after he lost his appointment, as well as before? Yes, if there had been constant means of communication between Sydney and the island, it certainly would.
387. Do you think it was foolish of Captain Armstrong to leave the whole place at the mercy of the winds? I should have left some one in charge, if I thought the interest worth keeping.

TUESDAY, 24 JUNE, 1884.

Present:—

MR. CHAPMAN, | MR. GILL,
MR. LYNE.

GEORGE DAY, ESQ., IN THE CHAIR.

Joseph Barling, Esq., called in and examined:—

- J. Barling, Esq.
24 June, 1884.
388. *Chairman.*] You are Chief Clerk in the Harbours and Rivers Department? Yes.
389. Did you go to Lord Howe Island at the time Dr. Wilson went there to make an inquiry? Yes, in April, 1882; I also visited it in November of the same year.
390. Had you an opportunity of seeing Captain Armstrong's house and premises on the first occasion? Yes, and also on the second.
391. Did you visit Captain Armstrong's house on the first occasion? Yes; I should say fully half a dozen times.
392. Did you take any such notice of it as would enable you to give the Committee any description of the building? Of course, as I had no particular object in examining the house, I can only give a general impression; if I recollect right, the main house consisted of three rooms; there was a long verandah in the front of the house, and I think the house was covered with galvanized iron; there was a store on one side and I think a considerable-sized shed on the other side; whether there were any buildings at the back I am not quite certain, but I am certain of the facts I have just mentioned.
393. Are you aware whether Captain Armstrong built the house himself or whether the Government built it for him? I know nothing about that.
394. I suppose when you were there you saw the ground under cultivation? Yes.
395. Did you take any notice of it? I should think there must have been about 20 acres under cultivation; so far as I remember it was chiefly fenced with a kind of cockatoo fence, but I think there was some wire fencing as well; if I remember right, the principal things cultivated were sweet potatoes, corn, bananas, and a few other fruits; I think there were some orange-trees, but I am not quite certain.
396. How many banana plants were there? A good number, but I cannot give you an idea how many.
397. Did they seem to be in bearing? Yes; I think so; if I remember right, fruit was on them at the time I was there.
398. Did the land seem to be kept in good order? The portion I saw, I should say, was kept in very good order indeed; the soil of the island is extremely fertile; it chiefly consists of decomposed trap-rock overlaid with vegetable soil; the main features of the island, in respect to its flora, are the banyan and palm trees; these banyan-trees are composed of very soft wood, which decomposes in a year or two after falling down, and makes the soil exceedingly fertile; while there I noticed that many of the farms were manured in this way. If the Committee wish I could give them a sample of the soil, not from Captain Armstrong's ground but from ground pretty near it; it is composed very largely of birds' remains, chiefly mutton-birds; in one place I saw that for 7 or 8 feet in depth the soil was completely studded with decomposed birds' remains; whether that kind of soil was on Captain Armstrong's ground I cannot say.
399. Have you any notion what it would cost to clear that ground, per acre? It was very heavily timbered indeed; outside the fence I saw some banyan-trees occupying a great many acres of ground; the palm-trees and undergrowth were also very thick.
400. Supposing the 20 acres cleared by Captain Armstrong to have been studded with timber of the same character as the surrounding growing timber, what do you think it would cost, per acre, to clear it? Just about the same quantity of labour as it would take to clear a similar area of the brush lands of the northern rivers.
401. Have you any notion what that would cost? Well, I do not know that I could give a very good estimate; the clearing of ordinary bush land would be worth from £6 to £10 per acre, but I do not know that I could tell the cost of clearing brush land.
402. Have you any notion of the value of the improvements that you saw on Captain Armstrong's land? The house and surroundings, I should think, might be fairly valued at from £200 to £250; of course it would not be of that value in Sydney; it was a kind of house that would not be put up in Sydney; but taking into account the difficulty of getting material there, I should think a fair value would be from £200 to £250; I do not know that I could form any estimate of the value of the crops in the ground.
403. Did you see any coffee plants there? I did not see any coffee plants on Captain Armstrong's land, but I heard he had a few; I saw coffee plants on another plantation there, and exceedingly fine trees they were.
404. Do you think a good yearly return could be made from such a plantation as you saw at Captain Armstrong's? If they had regular means of communication with the mainland I believe it could; the soil would grow almost anything.
405. Do you think it would be a good speculation to enter into? If regular communication could be established I think it would; I do not think you could find soil anywhere that would exceed it in richness and fertility; anybody seeing the island would be perfectly struck with its fertility; the island is, in fact a perfect horticultural gem.

406. Did Captain Armstrong offer to render any assistance to the party when landing on the island? Yes, I believe he did. J. Barling,
Esq.
407. Did he go with your party to Ball's Pyramid? I think he did, but I am not quite certain.
408. Did you attempt to land there and could not succeed? Several of our party landed there. I happened to have sprained my ankle and could not land, but I went round the Pyramid in an open boat. I think three landed—Mr. Morton, of the Museum; Mr. Darley, of the Harbours and Rivers Department; and Mr. Duff, of the Botanic Gardens;* Mr. Wilkinson and I remained in the boat with the boatmen. 24 June, 1884.
409. Have you any notion of the annual value of that property of Captain Armstrong's to a person cultivating it? I am afraid I could not give you a reliable answer to that question. There is one thing I have not mentioned—the celebrated Lord Howe Island onions. I do not think Captain Armstrong had any onions growing—I am not sure; but, as I said before, if they had regular communication the land could be made to produce very large crops of onions, which are a very paying crop. But the return so depends upon circumstances, especially the means of transit, that it is difficult to give an estimate.
410. Do you think it would be worth any one's while, if he could get 100 acres of land there, such as Captain Armstrong had, at a nominal rent, to go there and enter into a speculation of this kind—do you think it would pay him? I think it decidedly would, because if a person had 100 acres of land there he should be able to produce sufficient crops to make it worth his while to employ vessels now and then to take his crops away. I think I was told, when I was there, that on one occasion an interval of eight months elapsed between the visits of vessels of any kind from Sydney or the mainland here, and I believe it has been the case that, owing to the uncertainty of the communication, the settlers' crops have been destroyed because they could not get them away. Banana trees grow with the greatest luxuriance there, and of course that is a crop that will not keep.
411. When you went to the island on the second occasion, did you visit Captain Armstrong's establishment? I did not so much on the second occasion, but I did once or twice. On the first occasion I was on the island nearly a fortnight, on the second only four days. The second time it was merely by accident I had to call there. I was sent to Elizabeth Reef, and, at the time I went down, the Surveyor-General's party went to Howe Island for the transit of Venus, and the reason why I stayed was that the vessel took that time to unload the heavy articles belonging to the party. The "Thetis" drew too much water to go inside the reef, and it took a long time to unload by boats.
412. Was any one living at Captain Armstrong's on the second occasion? I think so; there was somebody, but I forget his name.†
413. Were the grounds kept in good order then? I am not quite sure, but the impression on my mind is that they were not in quite so good condition as when I had previously seen them.
414. *Mr. Gill.*] Did Captain Armstrong's men assist you in landing your instruments and getting them up the mountain? I think some of the Kanakas he had were employed in that way, but I am not quite certain. I had nothing to do with that, so that I did not take particular notice.
415. *Mr. Chapman.*] Did you see any mutton-birds cured or preserved? I am not quite certain; I saw some cured fish, and I think some preserved onions. If Captain Armstrong says they were there I should be satisfied they were, because it is a common practice with the islanders to collect mutton-birds and salt them.
416. Do you know anything about the collection of birds' eggs as a matter of trade? Where the mutton-birds are chiefly found is, I think, on the Admiralty Islets, about a mile from the main island. I landed there. It was not the season then for collecting the eggs, but there were thousands of mutton-birds, and the eggs were incubating, in fact you could hardly tread without killing the young birds. When I was there on the second occasion it was the period for collecting the eggs, and I saw a large quantity of eggs brought off.
417. Do you think it was possible to do a large trade in mutton-birds and their eggs? Yes. With regard to Lord Howe Island itself, I do not think there were many birds there, but there must have been a long time ago, because the soil is full of their remains. There are an immense number of mutton-birds and gannets on the rocks in the vicinity; it is quite a sight to see them.
418. *Mr. Gill.*] What do they live on? Fish, I think.
419. *Mr. Chapman.*] Did you notice any "Vernon" boys working there? At the time I was there first there were four, but we brought them back with us.
420. By whose orders were they brought back? I think under the orders of Dr. Wilson.
421. *Chairman.*] How many people do you suppose were on the island when you visited it the first time—adults? I think there may have been thirty—I am not quite certain.
422. Were there a good many children? Not very many; there were a few children there.
423. Did the people seem to be prosperous? They had sufficient to live on, but they had few or none of the comforts of civilization, because they had so little communication with the mainland, and it was so difficult to change the produce of their land into money.

Mr. John Sharkey called in and examined:—

424. *Chairman.*] Did you go to Lord Howe Island with Dr. Wilson at the time he made the inquiry into Captain Armstrong's case? Yes, in April, 1882. Mr. J.
Sharkey.
425. Did you visit Captain Armstrong's house? No; I saw it on two occasions only, in going and returning from one end of the island to the other. 24 June, 1884.
426. What you saw you saw casually? Yes.
427. Have you any notion of the number of acres he had under cultivation? No, I am unable to say; but there appeared to be a large paddock planted with sweet potato and otherwise under cultivation, the paddock being separated from the road by post and wire fencing.
428. Was it a post and wire fence all round? I do not know whether it was continued all round, having only seen it from one point of view.
429. What kind of timber surrounded the cultivation paddock? Banyan-trees and other foliage peculiar to the island. 430.

* NOTE (on revision):—I remember now that Mr. Duff was not present, and that Captain Armstrong landed on the rock.

† NOTE (on revision):—I now remember the name was Wilson.

Mr. J. Sharkey.
24 June, 1884.

430. Were there any hardwood trees? I think there were some, but I do not profess to know much about them.
431. What do you think it would cost to clear land like that per acre? I have no idea.
432. You did not visit Captain Armstrong's house? No, I was merely in front and at the back of it.
433. Was it a valuable building? It appeared to be a comfortable building.
434. What was about the worth of it? Between two and three hundred pounds I should say. There were good tanks at the back, and all the facilities for domestic purposes about the place.
435. Have you any notion of the profits of an agricultural farm of that description? No, I could form no idea. I merely went down as photographer to the party; my business took me to the other end of the island, and it was only going and returning that I passed Captain Armstrong's residence on two or three occasions.
436. Did you notice whether the land was very good in the cultivation paddocks? Yes, it is splendid land there. I was over a good part of the farm at the end of the island, kept by an American named Thompson, and saw some of the coffee and tobacco grown by him. He told me almost anything would grow there.
437. Did you see much coffee grown on the island? No, I did not see much of the produce cultivated there; my business took me rather to look for pictures.
438. Did you see Thompson's coffee plantation? No, I do not think I did.
439. I suppose you have no notion of the value of Captain Armstrong's premises there—the house and cultivation land? No, I could not give an opinion.
440. Did Captain Armstrong offer to give you any assistance in carrying out your duty? No, I did not require it. I engaged a boat; Thompson and his son took me about. I think Captain Armstrong offered to assist me in any way I required.
441. How did the ground seem to be kept around Captain Armstrong's place? It was in a very fine state of cultivation, the cultivated part of it; it had the best appearance of any on the island; from what I could observe, there was an immense paddock of sweet potatoes growing, with bananas between.
442. Do you think an enterprise like that carried on by Captain Armstrong would be useful to initiate the inhabitants into the mode of cultivation? Yes, I think it would; some of the inhabitants appeared to be very indolent,—having sufficient for to-day they cared little for the requirements of to-morrow; others were of a different character and most industrious; no doubt a little energy or good example might push them on to make better efforts.
443. *Mr. Lyne.*] Do you consider that Captain Armstrong, having set the islanders a good example, could have made a good living on the profits of his operations on the island? Yes, I think so.
444. And in doing so he in no way interfered with the islanders? No, he benefited them.
445. *Mr. Chapman.*] Were your time and arrangements at your own disposal, or did you take instructions from Dr. Wilson or any other member of the party? No, my time was entirely at my own disposal; I had no instructions from anybody after I left Sydney.
446. You merely sought out what you considered the best views? Yes.
447. *Mr. Gill.*] How many rooms were there in Captain Armstrong's house? I could not say; I never was inside it.

APPENDIX.

[To the Evidence of Captain Armstrong, 28 May, 1884.]

<i>Kanakas.</i>		£	s.	d.
July, 1879.—To Agents at Noumea in securing 4 Kanakas for service to me for 3 years, at £12 each (£48)	...	48	0	0
Passage for same to Sydney, at £3	...	12	0	0
Keep in Sydney, 14 days at 2s. 6d. each (4 × 2/6 × 14)	...	7	0	0
Passage for same to Lord Howe Island, at £3 each	...	12	0	0
Three years' wages, at £6 (6 × 4 × 3)	...	72	0	0
Keep of Kanakas, at 1s. per day (4 × 7 × 52 × 3)	...	218	8	0
Clothing ditto, at £6 per annum (24 × 3)	...	72	0	0
Wages of ditto, at £6 per annum (6 × 4 × 3)	...	72	0	0
Tobacco, 1s. per week (4 × 52 × 3)	...	31	4	0
Vernon boys, 12 months' service; 5 ditto, keep at 1s. per diem (5 × 7 × 52)	...	91	0	0
Clothing for 5 boys, at £6 per annum	...	30	0	0
Rose (manager) and family, passage to Lord Howe Island	...	15	0	0
Salary, 2½ years, at £200 a year	...	500	0	0
		£1,180	12	0
J. Cloake, 6 months' wages, keep, passage, &c.				
Tools, paint, nails, timber, tanks, seeds, trees, &c., &c.				
<i>Estimate Return for 1882.</i>		£	s.	d.
Salary	...	305	0	0
2,400 bunches of bananas, at 2s. net	...	240	0	0
30 tons sweet potatoes, at £6	...	180	0	0
20 tons onions, at £12	...	240	0	0
Pigs, poultry, and eggs, &c.	...	150	0	0
20 tons cured fish, at £18 per ton	...	360	0	0
500 mutton birds, at 1s.	...	25	0	0
500 dozen mutton birds' eggs, at 1s. per dozen	...	25	0	0
Varieties of indigenous plants, net	...	100	0	0
Indigenous palm and other seeds	...	100	0	0
10 tons fibre, at £6	...	60	0	0
Coffee, oranges, lemons, &c., &c., &c.	...	...	...	...
		£1,785	0	0
Estimate Returns for 1883 at 20 per cent, say, proportionate increase	...	£2,000	0	0
Estimate Returns for 1884, including returns on coffee and increase of bananas	...	£2,400	0	0
1 boat destroyed, 1 large boat sold at a heavy loss.				
Also probable returns from tobacco, arrowroot, maize, and other numerous plants and seeds imported by R.R.A.				
Buildings, fencing, and general improvements.				
Two years' salary—1882-1883 to June, 1884.				

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DANCING SALOONS.

(PETITION—CHAIRMAN AND SECRETARIES OF CONGREGATIONAL UNION.)

Received by the Legislative Assembly, 7 November, 1883.

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

The Petition of the undersigned,—

RESPECTFULLY SHOWETH:—

That the Congregational Union representing the Congregational Churches of New South Wales at their annual session in October last, took into consideration the question of unlicensed dancing saloons, and the influence they are exerting on the mixed gatherings of young people attracted by them; and by resolution instructed the Chairman and Secretaries to bring the subject before the Legislative Assembly.

Your Petitioners therefore humbly pray that the Legislative Assembly will be pleased, at the earliest possible date, to consider whether it is not expedient that dancing saloons should be brought under the safeguard of a licensing law.

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

November 6th, 1883.

[Here follow 3 signatures.]

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WORKS OF ART PURCHASED BY THE PARKES GOVERNMENT.
(COST OF.)

Ordered by the Legislative Assembly to be printed, 9 October, 1883.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 13th February, 1883, That there be laid upon the Table of this House, a Return showing,—

“(1.) The cost of all pictures, statuary, so-called works of art, and other wares, purchased by Sir H. Parkes, or any member of his late Government, out of the Sydney and Melbourne Exhibitions, or from any other place or source, and for which the money was not voted by Parliament.

“(2.) A Return showing out of what fund or vote the above wares were paid for.”

(*Mr. McElhone.*)

RETURN showing—(1) Cost of all pictures, statuary, so-called works of art, and other wares, purchased by Sir H. Parkes, or any member of his late Government, out of the Sydney and Melbourne Exhibitions, or from any other place or source, and for which the money was not voted by Parliament; (2) and out of what fund or vote the above wares were paid for.

(1) Cost of pictures, statuary, &c.	(2) Fund or Vote from which paid.
£19,729 11s. 4d.	Treasurer's Advance Account. Since transferred to Votes of Parliament, with the exception of £6,970 7s. 9d.

Department of Audit, 12th March, 1883.

C. ROLLESTON.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STATUES ORDERED BY SIR HENRY PARKES.
(AGREEMENTS, CORRESPONDENCE, VOUCHERS, &c.)

Ordered by the Legislative Assembly to be printed, 18 June, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 6th May, 1884, That there be laid upon the Table of this House,—

“Copies of all agreements made between Sir Henry Parkes and Giovanni Fontana to execute three Statues in marble, representing Her Majesty the Queen, His Royal Highness the Prince of Wales, and an emblematical Statue called New South Wales, together with all correspondence and vouchers in reference to and for payments for the same.”

(Mr. Poole.)

[765 copies—Approximate Cost of Printing (labour and material), £6 4s. 9d.]

STATUES ORDERED BY SIR HENRY PARKES.

No. 1.

The Colonial Architect to The Under Secretary for Public Works.

Department of Public Works, Colonial Architect's Office,

Sir,

Sydney, 6 February, 1880.

I do myself the honor to report that I have inspected three sketch models, designed by Signor Fontana, representing Her Majesty the Queen, H.R.H. the Prince of Wales, and an allegorical figure of New South Wales.

2. As I consider statues from these models, executed in marble, with some slight modifications, would be very appropriate for the halls of the new Public Offices, Macquarie, Bridge, and Phillip Streets, viz. :—

Her Majesty, in the niche provided in the entrance-hall of Colonial Secretary's Office in Macquarie-street—

H.R.H. the Prince of Wales, on a pedestal in the hall of Minister for Works Office in Phillip-street—

Figure of New South Wales, in niche provided in the public entrance-hall, Bridge-street,—

3. I would suggest, as Signor Fontana, judging from the models referred to, and the works in the Garden Palace executed by him, appears to be an artist of known ability, that he be entrusted to execute these statues in the best statuary marble, a full-size model of each figure to be submitted for approval of a competent judge or judges previous to the work being carried out in marble.

I have, &c.,

JAMES BARNET,

Colonial Architect.

Approved.—J.L., 16/2/80. Colonial Architect.—G.H., B.C., 16/2/80.

Minute by the Colonial Architect:—I submit herewith a tender from Signor Fontana, offering to execute the works herein referred to for the sum of £3,000, which I consider reasonable, and recommend for acceptance, and that the votes for the building be supplemented by that amount to defray the expense.—J.B., 8 March, 1880.

[Enclosure.]

MEMORANDUM of agreement entered into on February, between for the Government of New South Wales, on the one side, and Giovanni Fontana, sculptor, of 217, King's Road, Chelsea, London, on the other side, whereby Giovanni Fontana, having been honoured by the Government of New South Wales with a commission to execute three marble statues, representing Her Majesty the Queen, H.R.H. the Prince of Wales, and the Colony of New South Wales, agrees to fulfil the same according to his best talent and ability. The statues to be of the best Carrara statuary marble, their height to be severally 6 feet 6 inches, and they to be after the three sketches or models submitted by the said Giovanni Fontana to the Government and approved by the Government. To the statue of H.R.H. will be a Sicilian marble pedestal. The statues will be subject to the inspection and approval of the agent the Government may appoint in London; and should any variation in opinion and judgment arise, the same to be settled by arbitration in the ordinary manner. The three statues are, on completion, to be properly packed by the said Giovanni Fontana, and consigned to the agent in London the Government may appoint to receive them. The price for the three statues will be Three thousand pounds sterling, and the said Giovanni Fontana agrees to complete them in as nearly two years as he possibly can after his arrival in London, which will be as soon as possible after the closing of the Sydney International Exhibition.

The Government of New South Wales hereby agrees to purchase the above-mentioned statues for the sum of Three thousand pounds sterling, payment to be made as follows.—One-third of the total amount when the models are certified as complete by the agent of the Government appointed as before specified, one-third when the statues are pointed in marble; and the balance when the work is completed as before specified.

Signed this 25th day of February, 1880,—

GIOVANNI FONTANA.

A full-size model figure to be submitted for approval of a competent judge or judges previous to the work being carried out in marble.—G.F.

Minute by the Secretary for Public Works:—As the Hon. the Colonial Secretary has given some consideration to this matter, perhaps he would say if he thinks this an eligible offer. As far as I can understand we are not likely to get a more suitable one—J.L., 15/3/80. Principal Under Secretary.—G.H., B.C., 15/3/80. Submitted.—16/3/80. Minute by the Colonial Secretary:—An agreement should be prepared commissioning Mr. Fontana to execute these statues. Perhaps this could be done by the Colonial Architect in consultation with the Crown Solicitor.—H.P., 17/3/80. The Under Secretary for Public Works.—C.W., B.C., 17/3/80. Colonial Architect,—See minute of the Colonial Secretary within.—G.H., B.C., 18/3/80.

No. 2.

The Crown Solicitor to The Principal Under Secretary.

Sir,

Crown Solicitor's Office, Sydney, 30 April, 1880.

I have the honor to forward herewith the papers relating to the Commission proposed to be given to Signor Fontana for three statues, one of Her Majesty, one of H.R.H. the Prince of Wales, and one of New South Wales, and to forward a draft of the form of agreement I have prepared. The form has been perused and approved of by Signor Fontana and the Colonial Architect, but I think should be approved of by Sir Henry Parkes, as he is a party thereto, before it is copied for signature. You will notice that in the agreement I have said the work is to be approved of by the Agent-General; in the draft sent to me it was mentioned that the approval was to be by some competent person appointed by the Agent-General.

The

The approval by the Agent-General will no doubt, under the instructions that will be sent to him, be under the advice of a person competent to advise, and I suggest that the agreement had better, therefore, be in its present form.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

[Enclosure.]

MEMORANDUM of Agreement made this _____ day of _____ A.D. 1880 between the Honorable Sir Henry Parkes of the City of Sydney in the Colony of New South Wales Knight Commander of the most distinguished Order of Saint Michael and Saint George the Colonial Secretary of the said Colony acting herein on behalf of the Government of the said Colony and not so as in any way to incur any personal liability in respect of the matters hereinafter mentioned of the one part and Giovanni Fontana of 217 King's Road Chelsea London but at present of the city of Sydney aforesaid sculptor of the other part witnesseth that it is agreed between the said Sir Henry Parkes acting on behalf of the Government of New South Wales as before mentioned and the said Giovanni Fontana that the said Giovanni Fontana shall execute three statues in marble representing Her Majesty Queen Victoria His Royal Highness the Prince of Wales and an emblematical statue called New South Wales the sketch models of which three statues designed by the said Giovanni Fontana have been approved of by the said Sir Henry Parkes.

2. That the said statues are to be six feet six inches in height and are to be of the best Carrara statuary marble and are to be executed by the said Giovanni Fontana according to the best of his skill and ability as a sculptor and to the satisfaction in all things to the Agent-General of the Government of the Colony of New South Wales in London and in addition to the statue of His Royal Highness the Prince of Wales a pedestal in Sicilian marble for the said statue is to be supplied by the said G. Fontana.

3. That a full size model figure of each of the said statues and of the said pedestal shall be prepared by the said Giovanni Fontana and submitted for approval to the Agent-General of the said Colony previous to the work in marble being commenced and shall be approved of by the Agent-General.

4. That if any dispute shall arise between the said Agent-General and the said Giovanni Fontana respecting the said model figures or any one of them or as to the execution of the said statues or the said pedestal or respecting the material of which shall be used for same or otherwise respecting the work to be done by the said Giovanni Fontana in connection therewith such dispute shall be settled by arbitration the Agent-General of the said Colony appointing an arbitrator on behalf of the Government of New South Wales the said Giovanni Fontana appointing an arbitrator on his own behalf and the arbitrators so appointed before they enter upon the said arbitration appointing by writing under their hands an umpire.

5. That upon the said three statues and the said pedestal being completed in accordance with this agreement the said Giovanni Fontana shall properly pack the same in boxes to be provided by him for that purpose in order that same may be forwarded to the Colony of New South Wales.

6. That the said statues and pedestal shall be completed by the said Giovanni Fontana within two years after his arrival in London aforesaid upon his return from the Colony of New South Wales from which last-mentioned place it is agreed he is to sail on the voyage to London within _____ months from this date.

7. That the Government of New South Wales shall pay to the said Giovanni Fontana for the said three statues and pedestal the sum of £3,000 sterling money upon the times and in manner following that is to say the sum of £1,000 when the full-sized working models of the said intended statues have been approved of by the said Agent-General or upon same in case of dispute being found to be in accordance with this agreement upon arbitration as aforesaid—the further sum of £1,000 when the said statues and pedestal are pointed in marble—and the balance or sum of £1,000 upon the said statues and pedestal having been completed and approved of by the said Agent-General as aforesaid and packed by the said Giovanni Fontana for transmission to New South Wales and delivered by him to the Agent-General for the said Colony in London.

8. That upon the payment of the first-mentioned sum of £1,000 the property of the statues and pedestal shall at once vest in the Government of New South Wales the said statues remaining with the said Giovanni Fontana for completion in the terms of this contract and he having a lien thereon for the remaining amount of money to be paid upon the completion of the same and for the purpose of more fully carrying out the intention of the parties hereto in respect of this present stipulation the said Giovanni Fontana shall enter into such further agreement with the Agent-General for the said Colony in England in giving to the Government of the said Colony or the said Agent-General in his own name but on behalf of the said Government such security over the said statues and to insure the due delivery thereof upon completion and payment of the balance of the amount to be paid to the said Giovanni Fontana for same as the said Agent-General may reasonably require.

9. That the design for the said three statues shall be considered to be the property of the Government of New South Wales and the said Giovanni Fontana is not to be at liberty to make copies or *replica* of the said statues or of any of them

In witness thereof the said parties hereto have respectively set their hands the day and year first before written.

Signed by the said SIR HENRY PARKES in the presence of

Signed by the said G. FONTANA in the presence of

Submitted, 3/5/80.

Minute by the Colonial Secretary:—Approved so far, but I understood Mr. Williams to say that some alterations might be made to afford fuller protection to the Government in the payments of the instalments in London.—H.P., 17/5/80.

The Crown Solicitor, B.C.—C.W., 18/5/80.

No. 3.

The Crown Solicitor to The Principal Under Secretary.

Sir,

Crown Solicitor's Office, Sydney, 9 June, 1880.

I have the honor to return herewith the papers sent to me, as instructions, for the agreement with Signor Fontana, and to forward three copies of the agreement. I would suggest that each copy be executed by Sir Henry Parkes and Signor Fontana—that one copy be handed to Signor Fontana, one copy sent to the Agent-General with the instructions that will be forwarded to him in this matter, and that the third copy be retained in your Department.

You will notice that the date in section 6 as to when Signor Fontana is to sail for London has to be filled in.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

[Enclosure.]

MEMORANDUM of Agreement made this fifteenth day of June in the year of our Lord one thousand eight hundred and eighty between the Honorable Sir Henry Parkes of the city of Sydney in the Colony of New South Wales Knight Commander of the Most Distinguished Order of Saint Michael and Saint George the Colonial Secretary of the said Colony acting

acting herein on behalf of the Government of the said Colony and not so as in any way to incur any personal liability in respect of the matters hereinafter mentioned of the one part and Giovanni Fontana of two hundred and seventeen King's Road Chelsea London but at present of the city of Sydney aforesaid sculptor of the other part witnesseth :—

That it is agreed between the said Sir Henry Parkes acting on behalf of the Government of New South Wales as before-mentioned and the said Giovanni Fontana that the said Giovanni Fontana shall execute three statues in marble representing Her Majesty Queen Victoria His Royal Highness the Prince of Wales and an emblematical statue called New South Wales the sketch models of which three statues designed by the said Giovanni Fontana have been approved of by the said Sir Henry Parkes.

2. That the said statues are to be six feet six inches in height and are to be of the best Carrara statuary marble and are to be executed by the said Giovanni Fontana according to the best of his skill and ability as a sculptor and to the satisfaction in all things of the Agent-General of the Government of the Colony of New South Wales in London and in addition to the statue of His Royal Highness the Prince of Wales a pedestal in Sicilian marble for the said statue is to be supplied by the said Giovanni Fontana.

3. That a full-size model figure of each of the said statues and of the said pedestal shall be prepared by the said Giovanni Fontana and submitted for approval to the Agent-General of the said Colony previous to the work in marble being commenced and shall be approved of by the Agent-General.

4. That if any dispute shall arise between the said Agent-General and the said Giovanni Fontana respecting the said model figures or any one of them or as to the execution of the said statues or the said pedestal or respecting the material which shall be used for same or otherwise respecting the work to be done by the said Giovanni Fontana in connection therewith such dispute shall be settled by arbitration the Agent-General of the said Colony appointing an arbitrator on behalf of the Government of New South Wales the said Giovanni Fontana appointing an arbitrator on his own behalf and the arbitrators so appointed before they enter upon the said arbitration appointing by writing under their hands an umpire.

5. That upon the said three statues and the said pedestal being completed in accordance with this agreement the said Giovanni Fontana shall properly pack the same in boxes to be provided by him for that purpose in order that same may be forwarded to the Colony of New South Wales.

6. That the said statues and pedestal shall be completed by the said Giovanni Fontana within two years after his arrival in London aforesaid upon his return from the Colony of New South Wales from which last-mentioned place it is agreed he is to sail on the voyage to London within two months from this date.

7. That the Government of New South Wales shall pay to the said Giovanni Fontana for the said three statues and pedestal the sum of three thousand pounds sterling money upon the times and in manner following that is to say the sum of one thousand pounds when the full-sized working models of the said intended statues have been approved of by the said Agent-General or upon same in case of dispute being found to be in accordance with this agreement upon arbitration as aforesaid the further sum of one thousand pounds when the said statues and pedestal are pointed in marble and the balance or sum of one thousand pounds upon the said statues and pedestal having been completed and approved of by the said Agent-General as aforesaid and packed by the said Giovanni Fontana for transmission to New South Wales and delivered by him to the Agent-General for the said Colony in London.

8. That upon the payment of the first-mentioned sum of one thousand pounds the property of the statues and pedestal shall at once vest in the Government of New South Wales the said statues remaining with the said Giovanni Fontana for completion in the terms of this contract and he having a lien thereon for the remaining amount of money to be paid upon the completion of the same and for the purpose of more fully carrying out the intention of the parties hereto in respect of this present stipulation the said Giovanni Fontana shall enter into such further agreement with the Agent-General for the said Colony in England in giving to the Government of the said Colony or the said Agent-General in his own name but on behalf of the said Government such security over the said statues and to insure the due delivery thereof upon completion and payment of the balance of the amount to be paid to the said Giovanni Fontana for same as the said Agent-General may reasonably require.

9. That the design for the said three statues shall be considered to be the property of the Government of New South Wales and the said Giovanni Fontana is not to be at liberty to make copies or replica of the said statues or of any of them.

In witness whereof the said parties hereto have respectively set their hands the day and year first before written.

Signed by the said Sir Henry Parkes in the presence of—

CRITCHETT WALKER.

HENRY PARKES.

Signed by the said Giovanni Fontana in the presence of—

CRITCHETT WALKER.

GIOVANNI FONTANA.

A copy has been handed to Signor Fontana this day, 15/6/80.—C.W.

No. 4.

The Colonial Secretary to The Acting Agent-General.

Sir,

Colonial Secretary's Office, Sydney, New South Wales, 17 June, 1880.

I have the honor to forward to you herewith a copy of the agreement which has been made on the part of this Government with Signor Giovanni Fontana for the execution of three statues in marble (representing respectively Her Majesty Queen Victoria, His Royal Highness the Prince of Wales, and New South Wales), the sketch models of which have already been approved by me.

2. You are requested to make yourself acquainted with the terms of this agreement, and to give effect from time to time to such of its provisions as require your intervention.

3. The necessary funds to meet the claims of Signor Fontana under the agreement will be remitted to you in due course.

I have, &c.,

HENRY PARKES.

No. 5.

Signor Fontana to The Colonial Secretary.

Sir,

217, King's Road, Chelsea, London, 15 July, 1881.

I have the honor to inform you that the models of Her Majesty and the Prince are finished and approved by the Agent-General, and I herewith send you photographs of the same; they are not so good as I could wish, but will give you an idea of the work; two views were taken of the Prince; No. 1 appears short and the head too large, but the statue is not so.

I intend taking the three statues to Florence, where I can obtain better marble and assistance, for I am very anxious that this work should give satisfaction to the Colonial Government, and be a credit to myself.

* * * * *

I have, &c.,

GIOVANNI FONTANA.

No. 6.

No. 6.

The Agent-General to The Colonial Secretary.

Sir, 5, Westminster Chambers, Victoria-street, S.W., 9 September, 1881.

I have the honor to forward herewith photographs of the plaster models of the statues of Her Majesty the Queen and His Royal Highness the Prince of Wales, which have been furnished, at my request, by Signor Fontana, for transmission to you.

It will be within your recollection that by the terms of the contract made in Sydney, the Signor was to receive £1,000 when the models were completed, and as they are now finished he has applied to me for this instalment and at the same time stated that he intended to proceed to Florence with the models, and there complete the statues in marble. It therefore became necessary, before I paid the Signor the £1,000 for which he had applied, that I should take steps to protect the interest of the Government both in the models and the completed marbles in consequence of their being removed from this country. Messrs. J. Mackrell & Co., to whom I submitted the matter for legal advice, recommended me to seek the co-operation of Her Majesty's Consul at Florence on behalf of your Government, and in their letter of the 19th July, of which I attach a copy, you will observe how this was to be effected. I therefore applied through the Secretary of State for the Colonies for the assistance of the British Consul at Florence, and have received an intimation that Lord Granville, the Secretary of State for Foreign Affairs, will be happy to authorize the Consul to act as desired.

I accordingly made known to Signor Fontana that he would have to execute a deed of assignment, but I now find that he has left England for Florence with the models, and is not expected to return until the marbles are completed and ready for shipment to Sydney.

Signor Fontana was perfectly aware that I was in communication with the Foreign Office with the view to secure the assistance of the Consul at Florence, and he understood that he was not to take the models away until he heard from me that he could do so. I have, however, every confidence that Signor Fontana will complete the work he has undertaken in a manner creditable to himself, and I will take care that before advances are made that the Government shall be protected as far as possible.

I have, &c.,

SAUL SAMUEL.

[Enclosure.]

J. Mackrell & Co. to The Agent-General.

Dear Sir,

21, Cannon-street, London, 19 July, 1881.

As it is proposed that the models should be sent to Italy, and as we have no knowledge of what might be required according to such laws to secure to your Government the property in the models whilst in Signor Fontana's control, we thought it best to have a conference with our Counsel, Mr. Underdown, who is conversant with Italian law.

He advises that before paying the £1,000 the models should be delivered on board ship for Italy and the freight paid by Signor Fontana. That upon transfer to you of the shipping and insurance documents and policy you should pay him the first £1,000. That you, either through the Colonial and Foreign Office or the latter only, arrange for the transfer of these documents to the English Consul at Rome or Florence as the Signor may prefer. That the Consul give a delivery order to the Signor taking a receipt which shall acknowledge the models to be the property of your Government, and only lent to him as a sculptor for the completion of the works.

This Mr. Underdown advises would according to Italian Law suffice to preserve the rights of your Government to the models.

When the statues are pointed in marble and the second £1,000 is paid it will become necessary to secure the marble statues to your Government. This he advises may be effectually done by stating in the receipt for the money a definite description of the marbles and an acknowledgment that they belong absolutely to your Government, subject only to such lien thereon as the Signor is entitled to under the agreement.

It is of course right to ask Signor Fontana to pay the freight and other incidental expenses of transporting the models as the proposed arrangement was not contemplated when the agreement was drawn up and it is for his convenience.

If you approve this mode of dealing with the matter and can arrange with the Consul, we will prepare and send you the forms of receipt, &c., to be taken.

We have, &c.,

JOHN MACKRELL & CO.

Submitted.—18/10/81. Seen.—H.P., 19/10/81.

No. 7.

Signor Fontana to The Colonial Secretary.

Sir,

Via Paceani, No. 13, Piano Terreno, Firenze, 27 September, 1881.

I have the honor to answer your favour of the 15th July, and hope by this time you have received photographs of the Queen and Prince. I understood the Agent-General had sent these photographs, and I am sorry it was not so. The work was began as soon as I arrived in England, but I lost about four months' time owing to the illness of the Honorable Mr. Samuel and his great press of business which prevented him coming to see the models when they were finished; they are now in Florence and I have been to the quarries at Carrara to select marble for them, and you may depend that the work shall be conscientiously and well executed.

* * * * *

I have, &c.,

GIOVANNI FONTANA.

No. 8.

The Agent-General to The Bank of New South Wales, London.

Sir,

5 Westminster Chambers, Victoria-st., S.W., 11 November, 1881.

I am desirous of making a payment of £1,000 to Signor Fontana, a sculptor in Florence, and I have, through the Foreign Office, arranged that Her Majesty's Consul at that place shall act on behalf of the Government of New South Wales, and be satisfied in respect of certain matters to be done before the money above-named is handed to the Signor.

I have written to Her Majesty's Consul and explained to him the nature of the matters requiring his attention, and I have stated that Messrs. French and Co., of Florence, hold the thousand pounds for payment to Signor Fontana so soon as they receive an order from him (the Consul) to make payment of the sum.

Will

Will you be so good as to remit the before-named amount to Messrs. French and Co., of Florence, and instruct them to pay the same to Signor Fontana so soon as they receive from the Consul an order to do so, taking Signor Fontana's receipt, in triplicate, for the money, handing one to the Consul and transmitting the other two to you.

I am, &c.,

SAUL SAMUEL.

Florence, le 1 Decembre, 1881.

J'ai reçu de Mess. French and Compie. la somme de mille livres sterlings d'ordre de la London Joint Stock Bank de Londres suivant sa lettre due 12 Novembre, 1881, et pour compte du Gouvernement de la Nouvelle Galles du Sud, dont quatre quittances ne servant que pour seule.

B.P., Ls.1,000.

GIOVANNI FONTANA,
(For first instalment).

No. 9.

The Agent-General to The Colonial Secretary.

Sir,

5, Westminster Chambers, Victoria-street, S.W., 29 December, 1881.

In continuation of my letter of the 9th September last I have the honor to inform you that I have paid to Signor Fontana, at Florence, the first instalment of £1,000 due to him according to his contract with the Government for the three marble statues.

The Signor has signed a notarial Act to the effect that the models and marbles, upon which he has received the £1,000, are the property of the Government of New South Wales.

I am informed that the three works are progressing very favourably, and that in about three months from this time they will be pointed.

I have, &c.,

SAUL SAMUEL.

No. 10.

Telegram from Agent-General to Colonial Secretary.

London, 28 June, 1882.

SECOND payment one thousand due Fontana pressing. Telegraph credit to Bank.

Appd.—JOHN R.

No. 11.

The Principal Under Secretary to The Under Secretary for Finance and Trade.

Sir,

Colonial Secretary's Office, Sydney, 30 June, 1882.

I am directed by the Colonial Secretary to request that you will invite the Colonial Treasurer to have the goodness to cause to be remitted to the Agent-General for the Colony the sum of one thousand pounds (£1,000), to enable Sir Saul Samuel to pay to Signor Giovanni Fontana the second instalment due under the agreement made with him on the part of this Government for the execution in marble of the three statues representing Her Majesty the Queen, His Royal Highness the Prince of Wales, and New South Wales respectively, and that Mr. Watson may be invited to cause the remittance to be made by telegraph.

I have, &c.,

CRITCHETT WALKER.

No. 12.

Telegram from Colonial Secretary to Agent-General.

Sydney, 30 June, 1882.

TREASURER will remit telegraph credit one thousand pounds, second instalment for Fontana.

No. 13.

Receipt.

General service account.

London, 5 Westminster Chambers, S.W., 5 July, 1882.

RECEIVED from the Government of New South Wales (per the Agent-General) the sum of £1,000, being first instalment to Signor Fontana for three marble statues, per Bank of New South Wales' letter dated 6th December, 1881, Treasury telegram dated 26th July, 1881.

(For the Bank of New South Wales),

DAVID GEORGE,

Secretary.

Certified for £1,000.—SAUL SAMUEL, Agent-General for New South Wales.

No. 14.

Receipt.

General service account.

London, 5 Westminster Chambers, S.W., 5 July, 1882.

RECEIVED from the Government of New South Wales (per the Agent-General) the sum of £1,000, being second instalment to Signor Fontana for three marble statues.

(For the Bank of New South Wales),

DAVID GEORGE,

Secretary.

Certified for £1,000.—SAUL SAMUEL, Agent-General for New South Wales.

No. 15.

7

No. 15.

Extract from letter from Signor Fontana.

Via de Seragli, No. 103, Florence, September 12, 1882.

"The commissions from your Government are progressing fairly for the great amount of work in each. New South Wales is quite finished, and I am happy to say is admired very much. The others, Her Majesty and the Prince, are admired, and I hope to have all finished by the end of the year. My one desire, I assure you, is to give satisfaction."

Minute by the Colonial Secretary:—I have explained the position of the work to Mr. Barnet, and that Signor Fontana will visit Sydney with his statues when completed. I understand that the places made for the statues will need to be enlarged to receive them.—H.P.

No. 16.

Telegram from Agent-General to Colonial Secretary.

London, 21 Dec., 1882.

SEND credit, £1,000 balance to Fontana. Advisable I go to Florence before final payment. Reply.

Appd.—H.P., 27/12/82.

No. 17.

The Principal Under Secretary to The Under Secretary for Finance and Trade.

Sir,

Colonial Secretary's Office, Sydney, 27 December, 1882.

I am directed by the Colonial Secretary to request that you will invite the Colonial Treasurer to have the goodness to cause to be remitted to the Agent-General for the Colony the sum of £1,000 to enable Sir Saul Samuel to pay to Signor Giovanni Fontana the balance due under the agreement made with him on the part of this Government for the execution in marble of three statues, representing Her Majesty the Queen, His Royal Highness the Prince of Wales, and New South Wales respectively, and that the remittance may be made by telegraph.

I have, &c.,
CRITCHETT WALKER.

No. 18.

Telegram from Colonial Secretary to Agent-General.

Sydney, 29 December, 1882.

"Treasurer has remitted telegraph credit £1,000 balance for Fontana."

Receipts.

Florence, le 14 Juillet, 1882.

J'AI reçu de Mess. French & Compie. la somme de mille livres sterlings d'ordre de la London Joint Stock Bank de Londres suivant sa lettre du 7 Juillet, 1882, et pour compte du Gouvernement de la Nouvelle Galles du Sud, dont quatre quittances ne servant que pour seule.

GIOVANNI FONTANA,

B.P., Ls. 1,000.

(For second instalment).

London, 5, Westminster Chambers, S.W., 25 August, 1883.

RECEIVED from the Government of New South Wales (per the Agent-General) the sum of £1,000, being settlement in full of all demands in respect of my contract for the supply of three marble statues. Dated Sydney, 15 June, 1880.

GIOVANNI FONTANA.

Certified for £,1000.—SAUL SAMUEL, Agent-General for New South Wales.

No. 19.

The Agent-General to The Colonial Secretary.

Sir,

5 Westminster Chambers, Victoria-street, S.W., 19 October, 1883.

I have the honor to inform you that the three marble statues ordered by the Government from Signor Fontana are finished, and are now on view at his studio in Chelsea. I am pleased to say these works of art have been greatly admired. I propose at an early date to ship them to Sydney.

I have, &c.,
SAUL SAMUEL.

No. 20.

The Agent-General to The Colonial Secretary.

Sir,

5 Westminster Chambers, Victoria-street, S.W., 16 November, 1883.

I have the honor to inform you that I have forwarded to you photographs of the three marble statues executed by Signor Fontana, together with newspaper extracts regarding them.

The parcel containing the above will be found in a case sent by me to your Department per the s.s. "Kent."

As these works of art have attracted some attention—and visitors to the Sculptor's studio are continuous—I have permitted Signor Fontana to retain them for a few days more before being packed for shipment.

I have, &c.,
SAUL SAMUEL.

Submitted, 28/12/83. Seen.—A.S., 21/12/83.

No. 21.

No. 21.

The Agent-General to The Colonial Secretary.

Sir,

5, Westminster Chambers, Westminster, S.W., 1 February, 1884.

I have the honor to state for your information that the marble statues of the Queen, the Prince of Wales, and an allegorical figure representing New South Wales, executed by Signor Fontana, have been shipped in the "Glenmorven," and that the bill of lading has been sent to the Honorable the Colonial Treasurer.

Signor Fontana tells me that he may possibly proceed to Sydney, as he desires, if possible, after erection, to remove the strengthening pieces left for the safety of some projecting portions of the statues.

I have, &c.,

SAUL SAMUEL.

Submitted.—14/3/84. The Colonial Treasurer.—A.S., 17/3/84. The Under Secretary for Finance and Trade, B.C., 18 March, /84. Mr. Ross,—Special letter to Mr. Hopkins, calling attention to these statues, and to look particularly after the landing of them.—G.E., 20/3/84. Done.—M.R., 31/3/84.

[62.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

INSPECTOR OF WEIGHTS AND MEASURES.

(CORRESPONDENCE, &c.—APPOINTMENT OF MR. DENT.)

Ordered by the Legislative Assembly to be printed 22 February, 1884.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 4th December, 1883, That there be laid upon the Table of this House,—

“Copies of all opinions, minutes, letters, papers, or other documents in reference to the appointment of Mr. Dent as Inspector of Weights and Measures, more particularly all correspondence upon this subject between the Minister and Stipendiary Magistrates.”

(*Mr. Proctor.*)

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INSPECTOR OF WEIGHTS AND MEASURES.

No. 1.

Minute of Executive Council.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Subject: Appointment of Inspector of Weights and Measures for the Metropolitan District.

Department of Justice, Sydney, 26 May, 1883.

I RECOMMEND that Mr. Alfred Charles Dent be appointed Inspector of Weights and Measures for the Metropolitan District, *vice* Mitchelson, resigned, with salary of £200 per annum, from the 1st June next.

H. E. COHEN.

The Executive Council approve of the appointment herein recommended.

ALEX. C. BUDGE,
Clerk of the Council.

Approved.—A.L., 28/5/83. Minute 83-20, 28/5/83.—Confirmed, 5/6/83. Gazetted, 5/6/83.
I.-G. Police, Treasury, Mr. Dent, 1/6/83. Copy to Audit Office, 7/6/83.

No. 2.

The Under Secretary of Justice to Mr. Alfred Charles Dent.

Sir,

Department of Justice, Sydney, 1 June, 1883.

I am directed by the Minister of Justice to state, for your information, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint you to be Inspector of Weights and Measures for the Metropolitan District, *vice* Mitchelson, resigned, with salary of £200 per annum, from the 1st June instant.

I have, &c.,

W. E. PLUNKETT,
Under Secretary.

[The Treasury and Inspector-General of Police apprised in similar terms, 1st June, 1883.]

No. 3.

The Under Secretary of Justice to The Inspector-General of Police.

Sir,

Department of Justice, Sydney, 4 June, 1883.

With reference to my letter of the 1st instant, intimating the appointment of Mr. Alfred Charles Dent as Inspector of Weights and Measures, *vice* Mitchelson, I am directed to inform you that the Minister of Justice would be glad if you would favour him with a copy of any rules or regulations that may be in force regarding the office of Inspector of Weights and Measures, or with any suggestions you may desire to offer on the subject, with a view to the preparation of suitable instructions for the guidance of the Inspector in the discharge of his duties in carrying out the provisions of the Act 16 Victoria, No. 34.

I have, &c.,

W. E. PLUNKETT,
Under Secretary.

No. 4.

The Inspector-General of Police to The Under Secretary of Justice.

Sir,

Police Department, Inspector-General's Office, Sydney, 8 June, 1883.

Referring to your letter of the 4th instant, respecting the duties of the Inspector of Weights and Measures, I have the honor to forward herewith, for the information of the Minister of Justice, copy of a police report obtained in the matter.

I have, &c.,

EDMUND FOSBERY,
Inspector-General of Police.

[Enclosure to No. 4.]

Memo. by Supt. Read.

Police Department, Superintendent's Office, Sydney Station, 7 June, 1883.

MEMO.—Mr. Mitchelson informs me that, so far as he is aware, there are no rules or regulations in existence with reference to the carrying out of the duties of Inspector of Weights and Measures.

He has never received any assistance from any person, his only guide having been the Weights and Measures Act, and the experience he acquired while performing the duties of a similar office in London.

GEO. READ,
Supt.

The Stipendiary Magistrates should be informed of the appointment of Mr. A. C. Dent from the 1st instant, and requested to look into the matter, as to what rules or regulations they may deem to be necessary, and as regards his being sworn in as Inspector of Weights and Measures, &c., under 16 Vict. No. 34, for purpose of carrying out the duties of his office.—W.E.P., 11/6/83. The S.M.s, 11/6/83. Seen.—H.E.C., 12/6/83.

No. 5

No. 5.

Memo. *re* appointment of Mr. Dent.

Department of Justice, Sydney, 9 June, 1883.

WITH reference to the appointment of Mr. Dent as Inspector of Weights and Measures for the Metropolitan District, by the Governor in Council, it would appear that his predecessor in office was appointed by the Justices in Petty Sessions, at the Central Police Court, under authority of and in accordance with the provisions of the Act 16 Vict. No. 34, section 7. Under the circumstances, it may be necessary to obtain the concurrence of the Bench of Magistrates, Central Police Court, before Mr. Dent enters upon the duties of his office.—T.E.M'N.

See extract from
Government
Gazette here-
with.

See Constitution Act, sec. 37.—W.E.P.

[Annexure to No. 5.]

Extract from Government Gazette of 15th July, 1853.

NOTICE is hereby given, that in accordance with the Act of the Governor-General and Legislative Council of New South Wales, made and passed in the 16th year of the reign of Her present Majesty Queen Victoria, No. 34, intituled "An Act to amend the Laws relating to Weights and Measures," a meeting of the Justices was held at the Police Office, George and York Streets, Sydney, on the 22nd day of June last, at which time and place Mr. George Jilks and Mr. Thomas Mitchelson, both residing in Sydney, were duly appointed by the said Justices Inspectors of Weights and Measures for the district of Sydney, under and by virtue of the said Act of Council.

By order of the Bench,

T. H. B. VENOUR,

Clerk of Petty Sessions.

Police Office, Sydney, 12th July, A.D. 1853.

No. 6.

The Under Secretary of Justice to The Stipendiary Magistrates, Central Police Office.

Gentlemen,

Department of Justice, Sydney, 12 June, 1883.

I am directed by the Minister of Justice to state, for your information, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint Mr. Alfred Charles Dent to be Inspector of Weights and Measures, *vice* Mitchelson, resigned, to take effect from the 1st instant, and to invite you to have the goodness to look into the matter as to what rules or regulations you may deem to be necessary, and as regards Mr. Dent being sworn in as Inspector of Weights and Measures, under 16 Vict. No. 34, for purpose of carrying out the duties of his office.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 7.

John Dillon, Esq., S.M., to The Under Secretary of Justice.

Sir,

Central Police Office, 19 June, 1883.

With reference to your letter of the 12th instant, 83-7,193, notifying the appointment of an Inspector of Weights and Measures by His Excellency the Governor, I have the honor to draw your attention to the 7th section of 16 Victoria, No. 34, by which such appointment appears to be vested, not in the Governor, but in the Bench of Magistrates.

The proviso in 18 and 19 Vict., c. 54, s. 37, leaves this power untouched by the preceding portion of that section.

I have, &c.,

JOHN DILLON, S.M.

No. 8.

Memorandum.

Re Appointment of Inspector of Weights and Measures.

IN reply to letter from this Department to the Stipendiary Magistrates, Central Police Court, inquiring what rules or regulations may be necessary for above office, and in reference also to the swearing in of the Inspector of Weights and Measures for the purpose of enabling him to carry out the duties of his office under 16 Vic. No. 34, Mr. Dillon, S.M., calls attention to the 7th section of the Act, which vests such appointment apparently in the Bench of Magistrates, and he adds, that the proviso in section 37 of the Constitution Act (Schedule to 18 & 19 Vic., c. 54) leaves this power untouched.

It will be seen from the papers that the question was submitted by memo. with copy of the notice of appointment in Mr. Mitchelson's case, but it was considered that the circumstances of the two cases were different, as a salary of £200 a year is now provided by Government for the office, whereas when Mr. Mitchelson was appointed no such salary was payable, the office being principally remunerated by fees.

Section 37 provides that the appointment of all public offices under Government hereafter to become vacant, whether salaried or not, shall be vested in the Governor with the advice of the Executive Council, but this is not to extend to *minor* appointments, which by Act of the Legislature, or by order of the Governor and Executive Council, may be vested in Heads of Departments or other officers or persons within the Colony.

Colony. It seems sufficiently clear that the appointment of an Inspector of Weights and Measures is a *public office* within the meaning of the section cited, and cannot apparently be regarded as now constituted, with a salary of £200 a year attached thereto, as a "minor appointment," nor is it, as a matter of fact, vested by Act of the Legislature in the Head of a Department, or in any officers or persons within the Colony, which words are understood to apply to a different class of appointments, such as bailiffs, boatmen, messengers, &c., &c.

20/6/83.

Will the Attorney-General kindly favour me with his opinion upon the point raised.—H.E.C., 22/6/83. The Secretary to the Attorney-General, B.C., 22/6/83. T.E.M'N., for U.S. *Vide* opinion of Attorney-General. The Under-Secretary for Justice.—W. W. STEPHEN, B.C., 3 July, /83.

No. 9.

Opinion of Attorney-General.

I ENTIRELY approve of the minute of my colleague the Minister for Justice, which as I conceive exactly states the law on this subject. The proviso to sec. 37 of the Constitution Act in no way affects the section which vests appointments to public offices in the Governor in Council.

A salaried office of £200 a year cannot be regarded as a minor appointment; it is, on the contrary, an important office, and I should imagine precisely the kind of office which, after the passing of the Constitution Act, it was not intended should be vested in any other person than the Governor, with the advice of the Executive Council.

3/7/83.

W. B. DALLEY,

A.-G.

A copy of the Attorney-General's opinion may be sent to Mr. Dillon, S.M., in reference to last paragraph of his letter (83/7536), and he might be again invited to suggest any rules he may think desirable for the guidance of the Inspector in the performance of the duties of his office, &c.—5/7/83., W.E.P. Done.—6/7/83.

No. 10.

Mr. A. C. Dent to The Under-Secretary of Justice.

Sir,

Office of Inspector of Weights and Measures, York-street, 19 June, 1883.

I beg to inform you that I entered upon the duties of Inspector of Weights and Measures on the 11th day of June, at the office used for such purpose, in York-street, of this city.

Upon examination I found the office in a most dilapidated and filthy condition, there being a drain behind the door which has been used for years as a urinal, and the stench from it is intolerable, making the place in my estimation unfit for duties appertaining to such office.

It is also very small and dark, and I find there are no appliances to be relied upon for testing and stamping weights and measures.

The approach to the office is attainable only on certain days, as the fruitgrowers and stall-holders of the Market make a practice of stacking cases of fruit along the footpath in front of the door; the street meanwhile being blocked with fruit-carts discharging and loading freight.

I request respectfully one thing—to provide a suitable office and for the purchase of the necessary plant to carry on efficiently the work.

It is also necessary that I be provided with the necessary authority for seizure of false weights and scales and to enter premises for examining bread, and I should also be required to be sworn in, &c.

I have, &c.,

ALFRED C. DENT.

It has been suggested to Mr. Dent that if the office and premises are as bad as he represents them to be, he might submit for consideration a proposal to rent suitable rooms in some central position, stating rent and other particulars. As regards the purchase of plant, he should submit a list of such articles as he may require and which are absolutely necessary to assist him in the discharge of the duties of his office. Inquiry might be made of the Inspector-General of Police if Mr. Mitchelson was sworn in as a special constable, or if he thinks it expedient that Mr. Dent should be sworn in, as the Act 16 Vic. No. 34 does not appear to require anything beyond the entering into recognizances as provided in sec. 7.—T.E.M'N., 22/6/83.

Inquiry might be made through the Inspector-General of Police if any rules in force in Melbourne or Queensland.—25/6/83, T.E.M'N. Approved.—H.E.C., 26/6/83. Inspector-General, 26/6/83.

No. 11.

The Under Secretary of Justice to The Inspector-General of Police.

Sir,

Department of Justice, Sydney, 26 June, 1883.

With reference to previous correspondence on the subject of the duties of Inspector of Weights and Measures, Sydney, I am directed by the Minister of Justice to inquire whether Mr. Mitchelson, the late Inspector, was sworn in as a special constable, and whether you think it expedient that Mr. Dent should be so sworn in, as the Act 16 Victoria No. 34 does not appear to require anything beyond the entering into a recognizance as provided in section 7.

You will at the same time have the goodness to say whether there are any rules in regard to the office in force in Victoria or Queensland.

I have, &c.,

THOS. E. MAC NEVIN,

(For the Under Secretary).

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No. 12.

The Under Secretary of Justice to John Dillon, Esq., S.M.

Sir,

Department of Justice, Sydney, 6 July, 1883.

Referring to the last paragraph of your letter of the 19th ultimo, wherein you state that the proviso in 18 and 19 Vic. c. 54 s. 37 leaves the power of the Bench of Magistrates to appoint an Inspector of Weights and Measures untouched by the preceding portion of that section,—I am directed by the Minister of Justice to transmit to you the enclosed copy of the Attorney-General's opinion on the subject, and to again invite you to have the goodness to suggest any rules you may think desirable for the guidance of the Inspector in the performance of the duties of his office, &c., as requested in my letter of the 12th ultimo.

Dated 3 July
1883.
See No. 9.

I have, &c.,

W. E. PLUNKETT,
Under Secretary.

No. 13.

Mr. A. C. Dent to The Under Secretary of Justice.

Sir,

York-street, Weights and Scales Office, 27 August, 1883.

I have the honor to forward for your information extracts from the Sydney Morning Herald of the 24th and 25th instants, and also desire to state that I have received writ to appear at the Supreme Court:—

Friday, 24th August.

In the case of Joseph Duggan, charged on the information of Mr. Dent with having committed a breach of the Weights and Measures Act, the point has been raised by Mr. Williamson that the prosecutor has not been properly appointed Inspector of Weights and Measures, and consequently has no *locus standi*. Mr. Crane, S.M., yesterday overruled the objection, on the ground that Mr. Dent, as a person acting in a public capacity, was presumed to be rightly appointed. Mr. Dent also produced the Gazette containing the notice of his appointment. Mr. Williamson held that, under the 7th section of the Act, the Inspector of Weights and Measures should be appointed by Justices in Petty Sessions assembled, and Mr. Dent had only been appointed by the Minister of Justice, and not as the Act directed, therefore his appointment was informal. The defendant in the case being found guilty and sentenced to pay a fine, Mr. Williamson stated his intention of applying for a prohibition, and afterwards took the necessary steps to do so. Should the point be sustained, and the prohibition granted, it will have the effect of upsetting all the convictions obtained by Mr. Dent in his term of office.

Saturday, 25th August.

The Court sitting in Banco was occupied yesterday morning in hearing motions chiefly of a formal character. * * * *In re Duggan*, a matter in which the question will be raised as to whether the office of Inspector of Weights and Measures is in the appointment of the Minister for Justice or in the Magistrates sitting in Petty Sessions, arising out of a conviction by Mr. Crane, S.M., was mentioned by Mr. W. J. Foster; a rule was granted made returnable for Friday next. * * *

I have, &c.,

ALFRED C. DENT.

The Crown Solicitor, in reference to previous papers, B.C., 28th August, 1883.—W. E. PLUNKETT.

No. 14.

Memo. of Minister of Justice.

Department of Justice, Sydney.

MEMO.—Instruct Crown Solicitor to take necessary steps to appear on the argument of the rule nisi to support the validity of the appointment of the present Inspector of Weights and Measures.

The Crown Solicitor, B.C., 28 August, 1883.—W. E. PLUNKETT.

H.E.C., 28/8/83.

No. 15.

Mr. A. C. Dent to The Under Secretary of Justice.

Sir,

York-street, 3 September, 1883.

I, as the Inspector of Weights and Measures appointed by the Government, made several seizures of goods, &c., against persons for having light and incorrect weights; and upon the cases coming before the Justices at the Central Police Court objection was taken by the defendant's attorney that I had been improperly appointed—that I should have been appointed by the Justices in Petty Sessions and not by the Government. A prohibition has been applied for, which cannot now be heard for three months. In the meantime I am powerless to act under my appointment. Will you kindly inform me how to act in the matter, as the Justices refuse to entertain any further cases until the prohibition is heard.

I have, &c.,

ALFRED C. DENT,
Inspector of Weights and Measures.

The Crown Solicitor, in reference to previous papers, and for favour of report,—H.E.C. 4th, September, 1883. B.C., 4th September, 1883.—W. E. PLUNKETT.

No. 16.

The Crown Solicitor to The Under Secretary of Justice.

Sir,

Crown Solicitor's Office, Sydney, 6 September, 1883.

I have the honor to return herewith Mr. Dent's letter to you of date the 3rd instant, and in reply to inform you that the application for a prohibition, in which the question has been raised as to the legality of Mr. Dent's appointment, was in the list of matters for argument before the Supreme Court during last Term, but was not reached.

I

I can return the other papers if you wish it, but I would suggest that I should retain them until the matter is settled by the Supreme Court.

I have, &c.,
JOHN WILLIAMS,
Crown Solicitor.

See letter to-day to the Stipendiary Magistrates.—W.E.P., 8/9/83. The papers may be retained till the question is decided.—H.E.C., 10/9/83.

No. 17.

The Under Secretary of Justice to The Stipendiary Magistrates, Central Police Office.

Gentlemen,

Department of Justice, Sydney, 8 September, 1883.

Referring to previous papers relating to the present incumbent of the office of Inspector of Weights and Measures for the Metropolitan District, who was appointed by the Governor in Council, but the question of the legality of his being so appointed having been raised, and as the matter stands over for argument before the Supreme Court in the next Term, which will not be till October, a period of nearly two months, it being contended that he should have been appointed by the Justices in Petty Sessions under sec. 7 of 16 Vic. No 34,—I am directed by the Minister of Justice to state that it has been represented to him that informations laid by this officer for breaches of the law have been put off for hearing, pending the decision of the Supreme Court, and in other ways important work of his office is impeded whilst this question is undecided; and without admitting that this officer has not been already legally appointed, Mr. Cohen thinks in the public interest, for the foregoing reasons, and as the most effectual way of immediately meeting the question raised, so far as the future action of the present officer is concerned, that the Justices in Petty Sessions should now make the appointment, and he will be glad if the Justices will give effect to this suggestion by appointing the present holder of that position.

I have, &c.,
W. E. PLUNKETT,
Under Secretary of Justice.

Alfred Charles
Dent.

No. 18.

The Under Secretary of Justice to Mr. A. C. Dent.

Sir,

Department of Justice, Sydney, 8 September, 1883.

Referring to your appointment, by the Governor in Council, to the office of Inspector of Weights and Measures for the Metropolitan District, and the question of the legality of your being so appointed having been raised, and as the matter stands over for argument before the Supreme Court in the next Term, which will not be till October, a period of nearly two months, it being contended that you should have been appointed by the Justice in Petty Sessions, under sec. 7 of 16 Vic. No. 34,—I am directed by the Minister of Justice to state that it has been represented to him that informations laid by you for breaches of the law have been put off for hearing, pending the decision of the Supreme Court, and in other ways important work of your office is impeded whilst this question is undecided; and without admitting that you have not been already appointed, Mr. Cohen thinks, in the public interest, for the foregoing reasons, and as the most effectual way of immediately meeting the question raised, so far as your future action is concerned, that the Justices in Petty Sessions should now make the appointment, and they have been invited to give effect to this suggestion by appointing you to the position.

I have, &c.,
W. E. PLUNKETT,
Under Secretary.

No. 19.

The Stipendiary Magistrates, Central Police Office, to The Under Secretary of Justice.

Sir,

Central Police Office, Sydney, 12 September, 1883.

We have the honor to acknowledge the receipt of your letter of the 8th instant, and regret very much we cannot comply with the suggestions contained therein.

As the appointment of Inspector of Weights and Measures has been made by the Government, it must be recognized by us until a vacancy occurs, by cancellation or otherwise, and we conceive that we should be acting without authority in making any further appointment.

We also desire to point out that, if the appointment really belongs to the Justices in Petty Sessions, our choice is restricted by having any particular individual suggested to us as the person on whom we should confer the appointment.

At the same time, if we are advised by the Department of Justice of a vacancy in the office, we shall be glad to proceed to make a new appointment, when the present Inspector, if he chooses to apply, will receive the same consideration as any other applicant.

With reference to the public inconvenience said to be caused by the postponement of certain cases, we wish to say that the Bench is in no way responsible for this, the cases having been postponed at the request of one or other of the parties, and we are perfectly willing to hear and decide any similar cases which may be brought before us.

We have, &c.,
JOHN DILLON, S.M.
GEORGE O'MALLEY CLARKE, S.M.
WM. CRANE, S.M.

No. 20.

The Under Secretary of Justice to The Stipendiary Magistrates, Central Police Office.

Gentlemen,

Department of Justice, Sydney, 22 September, 1883.

In acknowledging the receipt of your letter of the 12th instant, in which you express regret that for certain reasons the Inspector of Weights and Measures cannot be appointed by you in Petty Sessions, I am directed by the Minister of Justice to inform you that the contents of your letter, in view of his having sought your co-operation in meeting an existing difficulty, are not such as might have been anticipated from high public officials imbued with an earnest desire to assist the Government in meeting an emergency. The powers, the exercise of which by the Justices was sought by him, being judicial or quasi-judicial in form, and a discretion in connection therewith being vested by law in the Justices, Mr. Cohen has too high a regard for the judicial independence of the Courts, whether superior or inferior, to insist upon a compliance with his suggestion; but whether the course you were invited by him to take was or may prove to be one of mere supererogation or not, Mr. Cohen wishes to record this expression of his views with respect to your declining to take a step for the correctness or incorrectness of which he was prepared to accept the responsibility, in order to meet the exigency that had arisen.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 21.

Mr. A. C. Dent to The Under Secretary of Justice.

Sir,

York-street, Market Buildings, 8 November, 1883.

The Supreme Court having this day decided that my appointment of Inspector of Weights and Measures by the Government was invalid, I would like to be informed without delay as to goods, or rather the weights and measures, which I have seized and are now in my possession, and whether I should detain them or return them to their respective owners. I would like also to be advised whether the Government will take steps to have me legally appointed to the above office.

I have, &c.,

ALFRED C. DENT.

The weights and measures should be returned. The Supreme Court having decided that the appointment is vested in the Justices of Peace in Petty Sessions, I cannot interfere with their discretion. If Mr. Dent is desirous of obtaining the position he should make application to the Justices.—H. E. C., 9/11/83.

Inform Mr. Dent, 12/11/83. Done, 12/11/83. Inform S.M.s.—C.P.O., 12/11/83. S.M.s informed, 12/11/83.

No. 22.

The Under Secretary of Justice to Mr. A. C. Dent.

Sir,

Department of Justice, Sydney, 12 November, 1883.

With reference to your letter of the 8th instant, I am directed to inform you that the Supreme Court having decided that the appointment of Inspector of Weights and Measures is vested in the Justices of the Peace in Petty Sessions assembled, the Minister of Justice cannot interfere with their discretion; and that if you are desirous of obtaining the position you should make application to the Justices.

I am to add that the weights seized by you, and now in your possession, should be at once returned to the respective owners.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 23.

The Under Secretary of Justice to The Stipendiary Magistrates, Central Police Office.

Gentlemen,

Department of Justice, Sydney, 12 November, 1883.

Referring to previous correspondence on the subject of the appointment of Inspector of Weights and Measures for the Metropolitan District, I am now directed by the Minister of Justice to invite your attention to the decision of the Supreme Court *ex parte* Duggan, from which it will be seen that the appointment of Mr. Dent as Inspector of Weights and Measures by the Governor in Council was held to be void, and it will therefore devolve upon the Justices in Petty Sessions to fill the vacancy under the Act 16 Vic. No. 34.

See Sydney Morning Herald
10th November,
1883.

I am, however, to add that, so far as is known in this Department, Mr. Dent has given every satisfaction in the discharge of his duties.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 24.

John Dillon, Esq., S.M., to The Under Secretary of Justice.

Sir,

Central Police Office, Sydney, 24 November, 1883.

I do myself the honor to report that, at a meeting of the Justices held at this Court on the 23rd instant, James Williams Evans, of No. 22, Bossely Terrace, Crown-street, Woolloomooloo, was appointed Inspector

Inspector of Weights and Measures for the Petty Sessions District of the Central Police, Water Police, Newtown, Redfern, and Balmain, within the Metropolitan District of Sydney, such appointment to take effect from the 23rd instant.

I have, &c.,

JOHN DILLON, S.M.

May be acknowledged, and Mr. Dillon requested to state the nature of the remuneration in the way of fees or salary proposed to be awarded to Mr. Evans for his services as Inspector of Weights and Measures.—W.E.P., 27/11/83. Mr. Dillon, S.M., 28/11/83.

No. 25.

Mr. A. C. Dent to The Under Secretary of Justice.

Sir,

48, Surry-street, Darlinghurst, 26 November, 1883.

As the decision of the Stipendiary Magistrates *re* the appointment of Inspector of Weights and Measures, given on the 23rd instant, was against me, I beg to apply for my salary for the month of November; and considering the peculiar circumstances in which I am placed, I think I may be entitled to next month's salary, which would bring my term up to the end of the year.

I also return you the key of the office in York-street as requested.

I remain, &c.,

ALFRED C. DENT.

The accompanying key may be forwarded to the Stipendiary Magistrates at the Central Police Office as received from Mr. Alfred Dent, which they will please to acknowledge.—H.E.C., 27th Nov., 1883.

Key to Mr. Dillon, S.M., 28/11/83. Perhaps Mr. Dent may be paid salary for the month of November instant, leaving the next month to remain over for further consideration. Submitted.—W.E.P., 28/11/83. May be paid for November.—H.E.C., 27/11/83.

Inform S.M.s, Central Police Office, and Mr. Dent, in reply to his request. S.M.s, and Mr. Dent informed, 28/11/83.

No. 26.

The Under Secretary of Justice to John Dillon, Esq., S.M.

Sir,

Department of Justice, Sydney, 28 November, 1883.

With reference to your letter of the 24th instant, intimating that at a meeting of the Justices held on the 23rd instant, Mr. James Williams Evans was appointed Inspector of Weights and Measures for the Petty Sessions Districts of the Central Police, Water Police, Newtown, Redfern, and Balmain, within the Metropolitan District of Sydney, I am directed by the Minister of Justice to forward herewith the key of the office in York-street, lately received from Mr. Dent, the receipt of which you will please to acknowledge.

I am at the same time to request that you will please to state the nature of the remuneration in the way of fees or salary in consideration of which Mr. Evans has accepted the position of Inspector of Weights and Measures.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 27.

The Under Secretary of Justice to Mr. A. C. Dent.

Sir,

Department of Justice, Sydney, 29 November, 1883.

In reply to your letter of the 26th instant, asking to be allowed salary as Inspector of Weights and Measures up to the end of the present year, I am directed to inform you that the Minister of Justice has approved of your receiving salary for the month of November at the rate of £200 per annum, of which the Stipendiary Magistrates have been duly apprised.

I have, &c.,

THOS. E. MAC NEVIN,

(For Under Secretary).

No. 28.

The Under Secretary of Justice to The Stipendiary Magistrates, Central Police Office.

Gentlemen,

Department of Justice, Sydney, 29 November, 1883.

With reference to the recent appointment by you in Petty Sessions of Mr. James Williams Evans as Inspector of Weights and Measures for certain places within the Metropolitan District, I am directed to inform you that the Minister of Justice approves of Mr. Alfred Charles Dent, the late Inspector, being paid salary for the month of November instant, at the rate of £200 per annum.

I have, &c.,

THOS. E. MAC NEVIN,

(For Under Secretary).

No. 29.

Mr. A. C. Dent to The Minister of Justice.

Re Inspectorship of Weights and Measures.

Sir,

48, Surry-street, Darlinghurst, 29 November, 1883.

I have the honor to inform you that the appointment conferred on me by your Department on the 5th June last as Inspector of Weights and Measures has been held void, and that another gentleman has been appointed to the Inspectorship in my stead.

I

I would therefore respectfully represent to you that, owing to the invalidity of my appointment I am a great sufferer, having resigned a situation which I held in the A. S. N. Company for over twenty-one years. I also carried on at the same time the business of a weight and scale maker, but owing to my appointment to the Inspectorship, and thinking it a permanency, and as a Government officer, I sold my business at a sacrifice. It would be useless now for me to start again in the same line of business, as in the exercise of my duties as Inspector I necessarily caused a certain amount of animosity amongst the tradespeople.

I am now without a situation, in fact I have to start life afresh, and I humbly beg that you will be pleased to confer upon me any other appointment which you may think fit.

I have, &c.,

ALFRED C. DENT.

Acknowledge, and inform that this application will be kept in view in the event of a suitable vacancy.—
H.E.C., 29/11/83. Mr. Dent, 1/12/83.

No. 30.

The Under Secretary of Justice to Mr. A. C. Dent.

Sir,

Department of Justice, Sydney, 1 December, 1883.

I am directed by the Minister of Justice to acknowledge the receipt of your letter of the 29th ultimo applying for appointment, and to inform you that your application will be kept in view in the event of a suitable vacancy.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 31.

Memo. of Under Secretary of Justice.

THE Stipendiary Magistrates should be informed that Mr. Dent has been authorized to receive salary as Inspector of Weights and Measures, at the rate of £200 per annum, from 1st to 22nd of November, from the salary vote for that purpose; and in view of the circumstances of his case he will be allowed (from a contingent vote) from 23rd to 30th of November last, payment at the same rate. Vouchers have been prepared accordingly for that purpose in this Department. Inform S.M.'s and Mr. Dent.—W.E.P., 4/12/83.

S.M.s and Mr. Dent informed, 4/12/83.

No. 32.

The Under Secretary of Justice to The Stipendiary Magistrates, Central Police Office.

Gentlemen,

Department of Justice, Sydney, 4 December, 1883.

I am directed by the Minister of Justice to inform you that Mr. Dent has been authorized to receive salary as Inspector of Weights and Measures, at the rate of £200 per annum, from 1st to 22nd November, from the salary vote for that purpose; and that in view of the circumstances of his case he will be allowed (from a contingent vote), from the 23rd to 30th November last, payment at the same rate which has been approved. Vouchers have been prepared accordingly for that purpose in this Department.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 33.

The Under Secretary of Justice to Mr. A. C. Dent.

Sir,

Department of Justice, Sydney, 4 December, 1883.

I am directed by the Minister of Justice to inform you that you have been authorized to receive salary as Inspector of Weights and Measures at the rate of £200 per annum, from 1st to 22nd November, from the salary vote for that purpose; and that in view of the circumstances of your case you will be allowed (from a contingent vote), from the 23rd to 30th November last, payment at the same rate which has been approved. Vouchers have been prepared accordingly for that purpose in this Department.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

No. 34.

The Under Secretary of Justice to Mr. A. C. Dent.

Sir,

Department of Justice, Sydney, 4 December, 1883.

Adverting to my letter of this day's date and previous correspondence, I am directed by the Minister of Justice to inform you that, in consequence of a recent decision of their Honors the Judges of the Supreme Court, your appointment as Inspector of Weights and Measures has been held to be null and void.

You will therefore be paid salary up to the 30th November last, and your services will not be required any longer.

I have, &c.,

W. E. PLUNKETT,

Under Secretary.

1883-4.

NEW SOUTH WALES.

SYDNEY MINT—FIFTIETH REPORT.

(DESPATCH RESPECTING).

Presented to Parliament by Command.

The Treasury, New South Wales,
23rd January, 1884.

His Excellency the Governor directs the publication, for general information, of the following Despatch from the Secretary of State for the Colonies, transmitting a copy of a Report in connection with the Sydney Branch of the Royal Mint.

GEORGE R. DIBBS.

N. S. Wales, No. 85.)

Downing-street,
1st November, 1883.

My Lord,

I am directed by the Secretary to transmit to you, for the information of your Lordship's Government, the document specified in the annexed Schedule.

I have, &c.,
ROBERT G. W. HERBERT.The Officer Administering
the Government of New South Wales.

[The Deputy Master of the Royal Mint to the Treasury.]

Royal Mint,
23rd October, 1883.

Sir,

I have the honor to acquaint you, for the information of the Lord's Commissioners of Her Majesty's Treasury, that the following returns have been duly transmitted to this Department by the Deputy Master of the Sydney Branch of the Royal Mint, in conformity with the Order in Council of the 19th of May, 1883.

1. Twelve monthly returns showing the transactions in bullion of the Sydney Branch of the Royal Mint, from July, 1882, to June, 1883, both inclusive.

The amount of coin issued to the public during these months was as follows:—

1882	Sovereigns.	Half Sovereigns.
	ozs.	ozs.
In July	45,202-06	Nil.
" August	12,582-95	Nil.
" September	26,964-07	Nil.
" October	9,244-78	Nil.
" November	34,412-98	Nil.
" December	17,463-91	Nil.
1883.		
In January	19,006-20	9,246-16
" February	29,022-34	4,366-73
" March	36,469-72	Nil.
" April	28,249-69	Nil.
" May	29,022-91	Nil.
" June	40,580-61	Nil.

2. Four returns of waste in coining gold for the quarters ended the 30th of September and the 31st of December, 1882, and the 31st of March and the 30th of June, 1883.

The charges for coining have been in accordance with the rates fixed by the Governor of New South Wales, in his Orders in Council of the 2nd of October, 1876, and of the 26th of September, 1879.

I have also to request you to submit to their Lordships my report enclosed, being the fiftieth, on the weight and fineness of the gold coins produced at the Sydney Branch of the Royal Mint during the twelve months from July, 1882, to June, 1883, both inclusive, that report being based on the assay of pyx pieces transmitted by the Deputy Master for examination, in accordance with the provisions of the Order in Council before referred to.

A copy of the Report has been forwarded as usual to the Deputy Master at Sydney, for his information.

I have, &c.

C. W. FREEMANTLE.

The Secretary to the Treasury.

SYDNEY MINT.

FIFTIETH Report addressed to the Lords Commissioners of Her Majesty's Treasury, on the weight and fineness of gold coins struck at the Sydney Branch of the Royal Mint, and transmitted by the Deputy Master for examination, in accordance with the provisions of Her Majesty's Order in Council of the 19th August, 1853.

Pieces taken without preference by the Colonial Treasurer at the deliveries of the Sydney Mint:—

Half Year ending.	Denomination of Coin.	Number of Pieces.	Total weight.	Average weight of a piece.	Average proportion of gold in 1,000 parts.
31 Dec., 1882	Sovereigns..	120	30.8169	.25680	916.633
30 June, 1883	Sovereigns..	148	38.0089	.25681	916.601
30 " "	Half-sovgs..	24	3.0813	.12839	916.600

The standard weight of the Sovereign is oz. 0.25682, and of the half-sovereign oz. 0.12841, and the standard fineness (in 1,000 parts) is 916.666.

C. W. FREEMANTLE,

Deputy Master and Comptroller.

Royal Mint, 23rd October, 1883.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SYDNEY MINT.

(CLAIM OF MR. THOMAS HORTON.)

Ordered by the Legislative Assembly to be printed, 27 November, 1883.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 14th November, 1883, That there be laid upon the Table of this House,—

“Copies of all correspondence, papers, minutes, reports, &c., relating to a claim of Mr. Thomas Horton for the balance of money due to him for silver sold to the Sydney Mint during the years 1879 and 1880.”

(Mr. Merriman, for Mr. Purves.)

SCHEDULE.

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SYDNEY MINT.

No. 1.

Extract from Messrs. Horton & Co.'s letter to The Master of the Mint.

WE do ourselves the honor of writing you relative to the price you allow us for the silver we are remitting.

It appears to us to be at least 5d. per ounce below the market value of it in London. We should much regret having to seek a fresh market, and thus lose the convenience and advantages the Mint establishment should be to us, but this heavy tax upon our labour is positively ruinous to our young enterprise.

Will you kindly advise us as to the possibility of our obtaining a higher price from your establishment, or suggest to whom we should apply with the view of getting the matter considered by the proper authorities.

Last quotations from London, January 14th, are 52d. and $\frac{1}{8}$ ths per standard ounce.

No. 2.

The Master of the Mint to Messrs. Horton & Co.

THE highest price the Mint has obtained for rough silver by tender from the banks during the last two years has been 4s. 2d. and the lowest 3s. 11 $\frac{1}{2}$ d. per ounce standard, the average being about 4s. 1d. per ounce standard, equal to 4s. 5d. per ounce fine.

The difference between the purchasing and the selling rates may be estimated to have been about 5d. per ounce fine, against which the Mint has to bear the expense of melting, assaying, refining, &c.

The regulations under which the Mint receives deposits are framed by the Governor in Council, and I have no power to deviate from them; if, however, you will let me know what increase you look for I shall be in a position to submit a recommendation for consideration of the Government.

The latest quotations from London are 52d. per ounce standard, with a falling market, so that the present Sydney price would probably not exceed 4s. per ounce standard.

No. 3.

The Master of the Mint to Messrs. Horton & Co.

THE allowance made for silver has been in accordance with the regulations under which the Mint works, and I fail to see on what grounds you can possibly expect any further payment for deposits which have already been accounted for.

As regards future transactions, the proposals submitted in your letter would, if adopted, result in a considerable loss to the Department, and I cannot therefore see my way to recommend them. The terms of the National Bank of Queensland appear to be very favourable, and I think you cannot do better than to continue to avail yourselves of their agency.

No. 4.

Mr. T. Horton to The Secretary for Lands.

Sir,

Boorook, 17 March, 1881.

I beg to lay before you a matter that deeply concerns the mining industry, and trust it will not only engage your attention but come within the province of your colleagues and the Legislature, and relieve a tax upon the mining community, and those who like myself are engaged in the development of new industries important to the progress of the Colony.

The matter to which I desire to draw your attention is relative to the charges, or rather tax, that has been made upon the pursuit of myself and partners, who are engaged in working silver lodes at Boorook, by the authorities at the Mint: the appended memorandum will explain fully to you the tax of which I complain, and beg on behalf of myself and partners to seek some return of the heavy charge made upon us, a tax that is equal to 12s. 6d. an ounce upon gold, which legislation has found to be unjust and impolitic, and therefore abolished.

I have addressed the Master of the Mint upon this subject, and in reply he informs me "that the rules laid down for the guidance of the charges made are framed by the Governor in Council, and that he has no power in the matter unless brought before the notice of the proper authorities, and I am desirous to seek your aid towards achieving this desired end."

From what I can learn there are no rules or instructions for the guidance of the Mint in dealing with any other metals than gold, upon which they pay a standard value of £3 17s. 10 $\frac{1}{2}$ d. per ounce: other metals such as silver they allow a margin for, and from the enclosed statement I submit the amount allowed is not based upon anything like a fair equitable market value to the producer; indeed this fact is most apparent when not one ounce of the returns from these mines is now forwarded to the Mint for disposal, the whole yield from the field being consigned through the Queensland National Bank, via Brisbane, for sale in London, by which means the Colony not only loses the prestige due to its production, but the producers the advantages and benefit the establishment of the Mint should be to both.

I believe in bringing this under your notice I am only urging a subject of more immediate importance to the future of the Colony than any present benefit to myself and partners, while at the same time I believe we are entitled to the consideration the justness of the matter merits, and trust I may rely upon your aid towards whatever reimbursement we shall be found to be entitled to after the matter has been under the consideration of yourself and colleagues, it being I beg to submit a matter entitled to legislation upon the nature of the facts shown.

I came here to revive an abandoned gold-field, and with improved systems of treating the ores discovered what former holders had failed to recognise; the ores were rich in silver, and we succeeded in developing a new silver district, the value of which is apparent from the results of our working and from the information distributed among the miners of the Colonies, the peculiar features and quality of the ores having led to other discoveries which may eventually prove of far more importance than the mines here.

The facts of the matter, which I am desirous of laying before you, are simply these: We have sent home and sold in the London market 9,474.80 ounces of metals, which returned 9,371.69 ounces of standard silver, which realized £2,056 10s. 7d., and 36.6 ounces of fine gold, £152 9s. 1d.; total, £2,208 19s. 8d. This silver realized over 4s. 4½d. per ounce standard, or 4s. 9d. per ounce fine. The Mint would have deducted 2% of the number of fine ounces (that is 9,371.69 ounces standard are equal to 8,668.81 ounces fine), reducing the 8,668.81 ounces of fine silver to 8,494.81 ounces fine, on which they would only have paid 4s. per ounce, viz., £1,698 16s., which would have been a loss to us of £357 14s. 7d. had we sent this metal to them.

Had the Mint paid us at the same rate as we have received for the above quantity, for the parcels we have remitted to them, viz., 35,993 ounces of fine silver, they would have had to pay £8,468 10s. 4d. instead of £7,051 15s. 4d. as they have done, showing a balance of £1,416 15s., which I submit we are justly entitled to, the market value of silver during the past two years being in accordance with the above rates, and I trust I may rely upon an adjustment of the matter in accordance with the spirit and principles upon which the Mint has been established in the Colony.

Mr. Dillon, who is the Member for this district, has been addressed upon the matter, and has promised to bring it under your notice; I therefore hope that a speedy relief of this tax upon an important industry will be effected, and the Government thereby aid in the development to the benefit of the mining community and the Colony in general.

I have, &c.,

THOMAS HORTON,
Per E. W. BATHURST.

The Under Secretary for Mines, B.C., 23/3/81.—C.O.

No. 5.

Messrs. T. Horton & Co. to The Secretary for Mines.

Sir,

Boorook, 20 March, 1881.

We have the honor to address you relative to the price allowed by the Mint for the several parcels of silver that have been forwarded to them by us from these mines, and beg to enclose you a memorandum showing the great loss the producers incur by the system adopted by the authorities in dealing with the metals sent to them for manipulation and sale; we also beg to submit for your consideration the matters in question as affecting the mining community in general, and as detrimental to the general interests of the Colony and those, who like ourselves, are engaged in the development of industries that are at present foreign, but of great importance to the future prosperity of the mining industry and the prestige due to this Colony for its productions.

The establishment of the Mint in our midst we beg to submit was for the general mining and commercial interests, and as a means whereby more ready and equitable returns might be made for the metals sent to it, and was not based upon either a profitable or speculative foundation, but for the beneficial support of the mineral wealth of the Colony.

In calling your attention to the disposal of the whole of the metals returned from these mines through the Queensland Bank via Brisbane, for sale in London, whereby the producers receive the full market values for their metals, it must be apparent that the dealings of the Mint in these matters is not conducive to their encouragement.

The tax upon us, as will be seen by the appended statement, amounts to a charge of "8d. in 4s."—equal to the abolished duty on gold of 12s. 6d. per ounce. The Mint reduces our bullion to fine silver, then deducts 2% from the nett weight, for which they allow nothing, and only allow 4s. per ounce on the remaining quantity after deducting their charges for manipulation; this system, we submit, is not based upon anything like a fair market value for our metals, and is a crushing tax upon our undertaking, and ruinous to our young enterprise. We therefore beg to ask your aid in bringing the matter before the authorities, and obtaining for us an additional allowance for the metals we have already deposited, and in securing a fair market value for any that may be forwarded in the future.

We have written to the Master of the Mint upon the subject, and in reply he informs us "That See No. 2. the Regulations under which the Mint works are framed by the Governor in Council, and I have no power to deviate from them; if, however, you will let me know what increase you look for I will be in a position to submit a recommendation for the consideration of the Government."

The facts of the case are, we have sent home and sold in the London market 9,371.69 ounces of standard silver, which realized over 4s. 4½d. per ounce, returning £2,056 10s. 7d. The Mint would have deducted 2 per cent. off the number of fine ounces (that is, 9,371.69 ounces standard are equal to 8,668.81 fine), reducing the 8,668.81 ounces to 8,494.81 ounces, on which they would have only paid us 4s. per ounce, or £1,698 16s. Had we deposited the above parcel with them we lose £357 14s. 7d.

We have already deposited with the Mint (for which they have only allowed us 4s. an ounce) 35,993 ounces of fine silver—£7,051 15s. 4d. Had they paid us the market value, or the same rate as we have received for the above parcel, we would have had to receive £8,468 10s. 4d., showing that we have been short paid £1,416 15s.

From

From the above statement we feel sure that you will see that we have incurred a serious loss in depositing the above metals at the Mint, and that we have not been paid anything like the market value for our ores. We therefore beg to submit the matter for your consideration, and trust that we may rely upon receiving an equitable readjustment of the payments made to us.

We have, &c.,

THOS. HORTON & CO.,

Per E. W. BATHURST.

The writers may be informed that the Mint was not established for the purchase of metals other than gold, and that the Mint does not purchase silver except in combination with gold. Submitted.—H.W., 16/5/81. Approved.—E.A.B., 17/5/81.

No. 6.

The Under Secretary for Mines to Messrs. T. Horton & Co.

Gentlemen,

Department of Mines, Sydney, 20 May, 1881.

Referring to your letter of the 20th of March last respecting the system adopted at the Mint in dealing with metals sent there for treatment, I have the honor, by direction of the Secretary for Mines, to inform you that the Mint was not established for the purchase of metals other than gold, and it does not purchase silver except in combination with gold.

I have, &c.,

HARRIE WOOD,

Under Secretary.

See No. 5.

No. 7.

J. M. Purves, Esq., M.P., to The Secretary for Mines.

Sir,

Sydney, 4 September, 1883.

I desire to bring under your notice a case that appears to me to be one of great hardship and injustice, and do myself the honor to request that you will be pleased to give the undermentioned facts your early and serious consideration, and trust that you will be able to recommend the justification of the claim.

The facts, as represented to me, are as follows:—During the years 1879 and 1880 Mr. Thomas Horton, now of Timbarra Gold-fields, near Tenterfield, deposited 35,993 ounces of fine silver in the Sydney Mint. From this the Mint deducted 720 ounces of fine silver, in addition to their regular charges, and paid for the balance only 1s. per ounce, although at that time they were allowing 5s. per ounce for silver extracted from gold, and the price in England at the time for standard silver was fifty-two pence (52d.), which, with an addition of fourpence (4d.) per ounce for fine silver, would give a difference of eightpence (8d.) per ounce on the price given by the Mint, equal on the total to £1,175 15s. 4d., which, with the value of the 720 ounces deducted, at 4s. 6d. per ounce = £168, making £1,343 15s. 4d. short paid by the Mint.

This case was brought before the House, under motion of adjournment, on the 5th April, 1881, and the particulars will be found Session 1880-1881, page 1,403. It may be said that the Mint is not established for the purpose of purchasing silver; if so they should not have purchased it; but since they did purchase they should give the full value, less expenses.

Now, I hold that although it may have been politic to allow a good margin to protect the Mint from loss in case of depreciation in the value of silver, still, if a profit has been made—and I understand that a profit of about £1,000 was made on the silver in question—that profit belongs to the persons who sent the silver to the Mint, and that it has been wrongfully paid into the General Revenue.

The claimant in this case has been of good service to the State as a mining pioneer. He claims to have discovered and developed the Border Tin-mines, from which the Government have received £30,000 in rental; also, he claims to have discovered the Boorook Silver-mines. He is now an old man and without means, working on the Timbarra Gold-field. I trust, therefore, that you will agree with me that he is entitled to the profit made by the sale of his silver.

Awaiting your early decision and reply,

I have, &c.,

JNO. M. PURVES.

Vide "Hansard,"
5th April, 1883,
page 1,403.

No. 8.

Office Minute of the Under Secretary for Mines.

The Deputy Master of the Mint might perhaps be asked through the proper channel for a report upon the subject. Submitted.—H.W., 5/10/83. Approved.—J. P. ABBOTT, 11/10/83.

No. 9.

The Under Secretary for Mines to The Private Secretary, Government House.

Sir,

Department of Mines, Sydney, 19 October, 1883.

I have the honor to request that you will be so good as to invite the Deputy-Master of the Mint to furnish this Department with a report upon the complaints made by Messrs. Thomas Horton and Company, of Boorook, relative to their alleged loss through being short paid for the silver remitted by them to the Mint during the years 1879 and 1880.

I have, &c.,

HARRIE WOOD,

Under Secretary.

The Deputy-Master of the Mint for the information desired.—A.L., 22/10/83. Returned with letter.—ROBERT HUNT, 23/10/83. The Private Secretary. The Minister of Mines.—A.L., 23/10/83. Submitted.—H.W., 26/10/83. See appendix herewith.—J. P. ABBOTT, 27/10/83.

APPENDIX.

APPENDIX.

It appears from the report of the Deputy-Master of the Mint that the profit realized by the Mint from the silver contained in Mr. Horton's deposits is estimated to have been £900, and that this sum has been paid into the general revenue. I am unable to ascertain why the revenue should obtain and hold such a large sum as this from the ores of Mr. Horton, beyond the usual Mint charges. Surely the Mint cannot be regarded as an establishment created for the purpose of making such profits for the revenue at the expense of a citizen. The fact that no complaint was made until 1881 should be no bar to doing what is right and just now.—J. P. ABBOTT, 1/11/83.

Inform Mr. Purves that I can make no order in the matter, but send the papers to the Treasurer.—J.P.A.

No. 10.

J. M. Purves, Esq., M.P., to The Under Secretary for Mines.

Sir, Referring to my letter of the 4th ultimo, calling attention to the case of Mr. Thos. Horton of Timbarra, as therein set forth, I shall be glad to learn at the earliest convenience what action is being taken in this matter.

Sydney, 19 October, 1883.

I have, &c.,
JNO. M. PURVES.

No. 11.

The Deputy-Master of the Mint to The Private Secretary, Government House.

Sir, In answer to His Excellency's minute of the 22nd instant on the letter from the Under Secretary for Mines, herewith returned, I have the honor to state that I reported fully on the claims of Messrs. Horton and Company on the 26th April, 1881, in obedience to a minute of His Excellency on a letter from Mr. W. J. Fergusson to the Colonial Secretary, dated 29th March, 1881. See No. 9.

It appears from the report above alluded to that deposits of auriferous silver were received from Mr. Horton during a period of upwards of two years, and that his agents were on every occasion furnished with full particulars of each transaction. The deposits were received under clause 4 of the Mint Regulations, which defines exactly the conditions under which the bullion was accounted for.

The profit realized by the Mint on the silver contained in Mr. Horton's deposits is estimated to have been £900, which was paid over from time to time to the general revenue under the head of Mint receipts.

Each deposit, of which there were a large number, was accounted for separately, and the terms presumably accepted by Mr. Horton as satisfactory, as no complaints appear to have been made by him until early in 1881, long after all the transactions were closed, and the revenue derived therefrom paid over to the Treasury.

I have, &c.,
ROBERT HUNT,
Deputy-Master.

No. 12.

The Under Secretary for Mines to J. M. Purves, Esq., M.P.

Sir, In reply to your letter of the 19th instant, requesting information as to what action has been taken in the matter of the complaints made by Mr. Thomas Horton, of Timbarra, I have the honor to inform you that the report of the Deputy-Master of the Mint has just been received, and the matter will now be dealt with as speedily as possible. See No. 10.

I have, &c.,
HARRIE WOOD,
Under Secretary.

No. 13.

The Under Secretary for Mines to J. M. Purves, Esq., M.P.

Sir, Referring to my letter of the 26th ultimo, I have the honor to inform you that the Secretary for Mines cannot make any order in the matter of Mr. Horton's complaint respecting the profits retained by the Deputy-Master of the Mint upon the silver ore sent by him for assay, but I am to say that the papers will be forwarded to the Colonial Treasurer. See No. 12.

I have, &c.,
HARRIE WOOD,
Under Secretary.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

CLAIM OF MR. THOMAS HORTON;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
4 July, 1884.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 62. TUESDAY, 26 FEBRUARY, 1884.

8. CLAIM OF MR. THOMAS HORTON :—Mr. Purves 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 claim of Mr. Thomas Horton, as set forth in the Return laid upon the Table of this House on 27th November, 1883, for the balance of money due to him for silver assayed by the Sydney Mint.
- (2.) That such Committee consist of Mr. Copeland, Mr. Dibbs, Mr. W. J. Fergusson, Mr. Fremlin, Mr. Gibbes, Mr. Merriman, Mr. Murray, Mr. See, Mr. Targett, and the Mover.
- (3.) That the Return to Order laid upon the Table of this House on 27th November, 1883, be referred to such Committee.
- Question put and passed.
-

VOTES No. 126. FRIDAY, 4 JULY, 1884.

7. CLAIM OF MR. THOMAS HORTON :—*Mr. Slattery*, for Mr. Purves, 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 26th February, 1883; together with Appendix.
- Ordered to be printed.
-

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1883-4.

CLAIM OF MR. THOMAS HORTON.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 26th February, 1884,—“with power to send for persons and papers, to inquire into and report upon the claim of Mr. Thomas Horton,” and to whom was referred on the same date “the Return to Order laid upon the Table of the House on 27th November, 1883,”—have agreed to the following Report:—

1. That your Committee, having examined Robert Hunt, Esq., Deputy Master of the Mint, and carefully considered the papers referred to them, find—

- (1.) That during the years 1878, 1879, and 1880, Mr. Thomas Horton forwarded to the Sydney Mint sundry parcels of rough auriferous silver, containing 35,942·69 ozs. of fine silver, which realized £8,231 6s. 10d.
- (2.) That the cost of treatment, together with freight and other charges on shipments, amounted to £270 13s. 3d., and that Mr. Horton received £7,040 7s., leaving a balance of £920 6s. 7d., which was paid into the Colonial Treasury.
- (3.) That no regulations existed for the receipt of silver at the Mint, and that the amount retained was very excessive, and was not only sufficient to pay all expenses incurred, but left a surplus of £920 6s. 7d. beyond what was adequate to that purpose.

2. That your Committee, in view of the circumstances of the case, recommend Mr. Horton's claim to the favourable consideration of the Government.

JNO. M. PURVES,
Chairman.

No. 1 Committee Room,
Sydney, 2nd July, 1884.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 9 MAY, 1884.

MEMBERS PRESENT:—

Mr. Fremlin,	|	Mr. Fergusson,
Mr. See,	|	Mr. Murray.

Mr. Fremlin called to the Chair *pro tem*.

Entry from Votes and Proceedings, appointing the Committee and referring Return to Order to the Committee, read by the Clerk.

Printed copies of the Return to Order referred, before the Committee.

Motion made (*Mr. See*) and Question,—That Mr. Purves be Chairman of this Committee,—put and passed.

Committee deliberated.

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

[*Adjourned.*]

THURSDAY, 15 MAY, 1884.

MEMBERS PRESENT:—

Mr. Purves in the Chair.		
Mr. Fremlin,	|	Mr. Merriman,
	|	Mr. Murray.

Robert Hunt, Esq. (*Deputy Master of the Mint*), called in, sworn, and examined. Witness handed in a statement of the Silver contained in Mr. Horton's deposits of Bullion, and copies of the Correspondence in reference to the complaint of Mr. Horton of the Mint charges, which were ordered to be appended. (*See Appendices A 1 and A 2.*)

Witness withdrew.

Committee deliberated.

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

[*Adjourned.*]

WEDNESDAY, 2 JULY, 1884.

MEMBERS PRESENT:—

Mr. Purves in the Chair.		
Mr. Gibbes,	|	Mr. Murray.

Chairman submitted Draft Report.

Same read and agreed to.

Chairman to report to the House.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

CLAIM OF MR. THOMAS HORTON.

THURSDAY, 15 MAY, 1884.

Present:—

MR. FREMLIN,	|	MR. MURRAY.
MR. MERRIMAN,	|	MR. PURVES.

J. M. PURVES, Esq., M.L.A., IN THE CHAIR.

Robert Hunt, Esq., Deputy-master of the Sydney Mint, called in and examined on oath:—

1. *Chairman.*] When was the Sydney Mint established? The Mint was opened to the public on the 14th of May, 1855.
2. It was established by an Order in Council, dated 19th August, 1853? Yes.
3. For what purpose was the Mint established? Specially to coin gold. It is really a branch of the Royal Mint.
4. It was represented at the time that it was necessary to establish the Mint in the commercial and mining interests? Certainly; it was asked for by bankers and other persons connected with New South Wales.
5. Because the miners did not at that time receive full value for their gold from the buyers? Yes.
6. And another object for which it was established was to coin gold for commercial purposes? Yes, and to regulate the exchange.
7. You are accountable to the Royal Mint in London? Yes; I am under the orders of the Imperial Treasury.
8. To whom do you account for fees? To the Colonial Treasurer. The Home Government have the control of the Mint.
9. The Mint is entirely under Imperial control? Yes.
10. Under what head do you call profit made in the Mint;—is it a fee or a charge? A charge. It goes under the head of Mint receipts. That is the title it goes under in the Treasurer's account.
11. Under what authority do you make this charge? Under the authority of the Regulations framed by the Governor in Council.
12. Are there any charges for assaying silver in these Regulations? None whatever.
13. Then under what authority do you receive silver into the Mint? We are not supposed to receive silver except in combination with gold. We receive gold bullion, and in receiving gold bullion we receive a large quantity of silver mixed with it.
14. Is the Mint under any supervision at all? The Deputy-master is bound to obey all such orders and instructions as he may receive from the Governor, with the advice of his Executive Council.
15. Who determines the salaries paid to the officers of the Mint? The Lords Commissioners of Her Majesty's Treasury.
16. And who pays those salaries? They are paid out of a special appropriation of £15,000.
17. What do the salaries amount to just now? About £7,000. Salaries and wages amount to something under £10,000. I see by the printed reports that salaries and wages in 1882 came to £9,290 17s. 2d.; the contingencies to £2,349 8s. 2d.; the retiring allowances to £1,220 16s. 4d. That is about the average. The amounts are published every year.

R. Hunt,
Esq.
15 May, 1884.

- R. Hunt,
Esq.
15 May, 1884.
18. Why is the surplus paid to revenue account, when you consider it as a charge? It is paid into the Treasury under the Act. All charges, fees, and everything received is paid into the Colonial Treasury, under the Sydney Mint Act.
 19. What is the date of that Act? 1865.
 20. Have you the Regulations of 1876? I have a copy of them with me.
 21. They are dated the 24th August, 1876, and 2nd October, 1876? I have not a copy of those dated 2nd October, 1876; but they are identical with those of the 24th August, with the exception of one alteration; and the clause that is altered has nothing whatever to do with silver.
 22. I think you stated that there are no regulations for the assay or manipulation of silver? None whatever for the manipulation of silver; but there is an authorized scale of charges for making mineral assays, in which silver is included.
 23. Under what authority do you deduct 2 per cent. on the silver received? Under the third clause of the Regulations.
 24. The Regulations of what date? Of date 26th September, 1879. The clause is substantially the same as clause 3 of the Regulations of 20th October, 1876.
 25. It reads thus: "The value of each deposit will be determined by the reports of the Mint assayers on its assay after melting, and computed on decimal assay reports of gold to the $\frac{1}{100}$ part, and of silver to the $\frac{1}{100}$ part"? Yes, that is the clause in the Regulations of 1879.
 26. Then there is a notification in the Gazette? Yes, the price of silver was fixed at 4s. per ounce fine by Gazette notice dated 31st August, 1876, since which it has remained at that rate.
 27. Was not the gold tax originally in this Colony abolished because it was a direct tax upon the miner? It was to ease the miner. Its abolition was petitioned for over and over again, and it was reduced by degrees.
 28. Is there any profit on the coinage of gold? As regards our Mint?
 29. Yes? There is no profit at present; but if you take the receipts and expenses of the Mint since it was opened it will be seen that there has been considerable profit.
 30. About how much? Up to the end of 1883 the revenue of the Mint was £462,762; the total expenditure for the same period, including expenses of machinery, buildings, additions, repairs, &c., was £437,342.
 31. So that it has really paid its capital? That is not taking into account the land on which the buildings stand.
 32. You do not coin any silver? No.
 33. Is there a profit on coining silver at current rates? Yes.
 34. England does all the coining of silver? Yes, the London Mint.
 35. Does England coin any gold? Of late years there has been very little gold coined in London; in fact, during the ten years ending 1882, there was only a little over £17,000,000 worth coined there.
 36. What amount has been coined at the Sydney Mint during the past ten years? £15,547,000.
 37. There is a very large profit, you say, upon coining silver;—do you know what the profit on coining silver in 1881 was at the London Mint? The excess of receipts over expenses for that year was £93,822 7s. 6d.; but it is not fair to take one year only. A statement I have here gives the profit for the ten years ending with 1882 at £110,785. There are heavy losses during some years.
 38. But during ten years there was a profit of £110,785? Yes; but I think it requires a little explanation. £110,785 is the profit on the whole coinage—not only silver but everything. Another thing about the London Mint is this: There is an average floating working balance of £450,000, and the reports, with the exception of the one for 1882, do not take the interest on this amount into consideration or it would very materially affect the result. Altogether it is rather a complicated question. It is not fair, however, to take the profit of one year only, as it is only right that the whole expenses of the Mint should be considered. It is fair to give the London Mint credit for their expenses, and if you take it that way the profit will not be found to be very much, but it shows large on silver alone.
 39. You purchase silver at the Mint here at 4s. per ounce fine, and sell it at 5s. per ounce fine? We sell what we can at that, but it does not amount to much.
 40. But that is your price at the Mint? Yes.
 41. When was the deposit made by Mr. Horton received at the Mint? The first deposit was made on the 7th May, 1878.
 42. And the last? On the 7th June, 1880.
 43. What is the total amount deposited by him? 39,874 ounces—that is the bullion, the pure silver and the gold mixed with some base metals.
 44. How much did he receive for that as cash? The net value was £7,776 11s. 5d.
 45. But how much did Horton receive? For the silver he received £7,040 7s.
 46. Can you say how much you received for the silver sent by him to the Mint? Yes, I can tell you exactly. The exact value of the silver at the rates we sold it at, was £8,231 6s. 10d. That is the gross value; there are expenses to come off.
 47. What was the profit on that? We consider the expenses—that is the cost of treatment; the freight and charges for shipment amounted to £270 13s. 3d.
 48. How much would that leave as a profit to the Mint? £920 6s. 7d.
 49. Did you receive all the deposits under the same clause of the Regulations, or were the Regulations altered? No; the Regulations were altered on the 1st October, 1879; but there was no difference in reality as regards Horton. They were new Regulations, but the same so far as they affected him.
 50. Was there no difference in price? No difference whatever in price.
 51. Under what clause of the Regulations did you receive the silver from him? Under clause 4 of the new Regulations, which reads as follows:—"The whole of the gold contained in a deposit will be accounted for at the rate of £3 17s. 10½d. the ounce standard; and all silver in excess of 2 per cent. at the rate of 4s. the ounce fine."
 52. Silver is bullion, is it not? Yes.
 53. How much of the silver received from Horton was deducted—what per-centage? Two per cent. on the gross weight after melting.
 54. And you paid him 4s. per ounce fine for the balance? Yes.
 55. What was the total amount of charges received from Horton? £24 12s. 5d.
 56. In your letter dated the 2nd of May you say, "The highest price the Mint has obtained for rough silver

silver by tender from the banks during the last two years has been 4s. 2d., and the lowest 3s. 11½d. per ounce standard, the average being about 4s. 1d. per ounce standard, equal to 4s. 5d. per ounce fine" ?

Yes.

57. So that you made a profit of 5d. per ounce at any rate? Yes; a gross profit of 5d. per ounce.

58. That was on the silver sold to the banks? Yes.

59. That is about 11 per cent. on the purchase price? Yes.

60. The paragraph in your letter which I have just read led Horton to believe that the Mint sold all its silver to the banks;—can you tell me what you said in your report on the silver disposed of for that year? Yes, I have it.

61. I find that in 1879 you report that you received 19,275 ounces from Horton, and that altogether you received 56,000 ounces? We sold 56,000 ounces; we received altogether 19,275 ounces of auriferous silver, of which 19,097 ounces were from Horton. Of that amount 51,000 ounces were exported and 5,000 ounces were kept for the trade here. The 51,000 ounces were not all exported by the Mint, but chiefly by the banks. We exported one lot, but about two-thirds were sold to the banks.

62. Do you know the average price realised in London at that time? 52¾d. standard.

63. What would that be fine? About 57d. fine.

64. Or a profit on the purchase price here of 9d.? There is a difference of 9d., but not a profit.

65. During the years 1878 and 1879 can you tell me what profit you made between the buying and selling price, without taking into account the charges on silver alone? We sold at 4s. 4½d. in 1878. We made 4½d. gross per ounce that year.

66. Did you sell it standard? No; that was fine; it was rather low that year, but went up the following year.

67. What was it the next year, 1879? It was 4s. 4½d. in 1878, and about 4s. 6d. in 1879; in 1880 it was nearly 4s. 9d.; that is fine. We exported it all in 1880, and that was the reason we got the larger profit.

68. Under what Regulations do you sell silver at all? Under clause 9 of the Regulations of 26th September, 1879. When we buy silver we buy it alloyed with gold, and it has to be separated and refined. Those people who buy the silver are very glad to get it at 5s. per ounce, because it is partially manufactured.

69. Did you not represent in one of your letters to Horton that you could not recommend the Mint to pay more, because it would leave a loss if you did? Not exactly that. I said, "As regards future transactions the proposals submitted in your letter would, if adopted, result in a considerable loss to the Department, and I cannot therefore see my way to recommend them." Part of the profit of the Mint now depends upon our profit upon silver—that is to say, part of the Mint revenue is derived from the profit upon silver, and if we alter our Regulations to give full value for the silver our receipts will be less. For instance, from silver we make between £2,000 and £3,000 a year. Part of the Mint receipts paid over to the Consolidated Revenue of the Colony is derived from the profit on silver. In 1882 it was £3,000, and in 1880, £3,936 13s. 8d. So that it will be seen that we make a considerable profit on silver. During the three years in which we received Horton's deposits we made an average profit of over £2,700 a year.

70. But the Mint was not established with the view of making a profit? No, but it was intended that it should pay expenses.

71. What is the object of providing the expenses of the Mint out of the Consolidated Revenue? To make permanent provision for maintaining the establishment under the Sydney Mint Act of 1865.

72. The Mint was established with the view of giving full value for gold and silver less expenses? Nothing was said about silver.

73. But the charge upon silver has really amounted to a profit? Yes, from the opening of the Mint the excess of receipts over expenses has amounted to over £25,000.

74. So that although you stated to Horton that you could not recommend any higher price, at that time you were actually making a profit over and above the expenses? Not at that time.

75. Upon his particular parcels? Upon his particular parcels, yes; but if we altered our Regulations we should have to alter for everybody, and we should lose £2,000 or £3,000 a year.

76. Then it becomes a question whether the silver-miner should be taxed and the gold-miner not? The silver-miner need not bring his silver to the Mint. It is the same with regard to other metals, although there is a difference, because gold and silver are precious metals.

77. I have three memos. of deposits on the following dates, 2nd May, 1879; 21st October, 1879; and 16th March, 1880; they all show silver allowed; the quantity after melting is given as follows:—683·24 ozs.; 1311·45 ozs.; 1130·80 ozs.; total, 3125·49 ozs.; the total gold and silver allowed was 658·714 ozs.; 1246·085 ozs.; 1018·879 ozs.; total, 2923·698 ozs.; the difference is represented as follows:—24·526 ozs.; 65·365 ozs.; and 111·901 ozs.; total, 201·792 ozs. This shows a deficiency of more than 201 ounces. How do you make these deductions;—they are more than 2 per cent.? But this was not all pure silver. The bullion is weighed after melting and it may contain copper, tin, or other metals; the column of figures to the left hand refers to the assay.

78. Then the 201 ounces difference includes base metals? The first totals you gave me include base metals, because they give the weight after melting. There are, besides gold and silver, base metals, such as copper and tin.

79. But there is 2 per cent. deducted, and that is not shown on the receipts? No.

80. Of course a miner could not tell that he had had 2 per cent. of his silver deducted? No, unless he has the Regulations.

81. I have a return referring to crucible scrapings;—are they allowed here? They are added to the bullion.

82. But you allow for crucible scrapings? Yes, we account for everything. In the refineries abroad the foreman looks at his crucible and makes an allowance; but in the Mint everything possible is returned.

83. Do you not charge directly for your expenses. Here for instance in these memos. is an item of 6s. for Mint expenses? Yes, that is a charge, but on the gold only.

84. Then there is a second charge, a deduction of 2 per cent.? That really amounts to a charge. In one way we do not get all the silver out, so that the 2 per cent. is not all profit.

85. But the 2 per cent. is off the fine silver? It is off the gross weight after melting, the gross weight of bullion after melting.

R. Hunt,
Esq.

15 May, 1884.

- R. Hunt, Esq.
15 May, 1884.
86. And there is really a third charge by allowing less than the market value? Yes.
87. You buy, therefore, at 4s. fine and sell in the London market at market price? Yes.
88. In 1880 the market price was 4s. 9d. per ounce? Yes. I tender a clear statement of the whole of the transactions of the Mint with Horton. This is the statement. [*Statement handed in. Vide Appendix A.1.*]
89. Do you not consider the charges made upon these parcels of silver very heavy? Yes, I consider they are very heavy.
90. And are sufficient to crush an industry? I cannot say that, because a miner need not bring his silver to the Mint at all.
91. Do you know anything of the Boorook mines? No.
92. Do you know that they were abandoned at one time because the sulphides could not be worked? No, I do not. I do not know anything about the mines.
93. By your letter, dated 23rd October, 1883, appearing as No. 11, page 5, in the printed papers, would not Horton be led to believe that he got the full value of his silver by sending it to the Mint? No, I should think not.
94. Suppose Horton had sent it to an agent and found that it had not been fully accounted for, do you not think he would have had a fair claim against that agent for the balance? But he did send it to an agent, and the agent brought it direct to us. The fact is the Mint glided into this imperceptibly. We did not receive a single parcel direct from Horton. The silver first came to us through the Joint Stock Bank, and afterwards through the City Bank. Horton's name appears in our books only until the 24th February, 1879; since then his deposits are in the name of the Bank.
95. Can you tell the Committee why exact copies of the correspondence relating to this matter were not furnished? I was not asked for them.
96. Have you any objection to producing the correspondence? None whatever; I have complete copies with me. [*Documents handed in. Vide Appendix A.2.*]
97. What is the date of the letter from which an extract was made, which is published as No. 1 in the printed papers, and which commences: "We do ourselves the honor of writing you relative to the price you allow us for the silver we are remitting"? 30th April, 1880.
98. And extract No. 2 is from a letter of the 7th May, 1880? Yes.
99. There is a letter alluded to in No. 3, "as regards future transactions the proposals submitted in your letter," &c.;—what is the date of that letter? 24th August, 1880.
100. In that letter did not Mr. Horton point out that on a parcel of 1,047 ounces standard silver sent to London he obtained £35 6s. 10d. more than if he had sent it to the Sydney Mint? Exactly, that is the letter I mean.
101. Did you not advise him that the best thing he could do was to continue sending to England through the Queensland National Bank? Yes; I told him that the terms of the National Bank of Queensland appeared to be very favourable, and that I thought he could not do better than continue to avail himself of the bank's agency.
102. Was not that on account of your not having Regulations for receiving silver here? We could not give him any price, strictly speaking, like the Queensland National Bank; because if we took his silver as his agent we should only have had to ship it home; and therefore he would only have been employing us as his agent instead of the bank. We could not do it so cheap as the bank could.
103. Would it not be better to have the silver exported from the Mint in this Colony than by a bank in Queensland—would it not look better? We get the credit of it. It appears in our exports overland from Boorook. The Mint would be interfering with legitimate banking work by acting as agent in such matters.
104. The real use of the Mint is to assay it and turn it into fine silver? It is really only to receive and coin gold. This matter of the silver is quite an outside thing. It was done merely to oblige Horton in the first instance.
105. Have you had any complaints from miners that they get more for gold by sending it home than they can by sending it to the Mint here? They cannot. We give them more than they can get by sending it home. The Mint regulations are specially adapted to gold, and no one can send gold home profitably.
106. Are you aware that Horton lost the Boorook mines because he had not the means to erect furnaces, and that if he had received full value for his silver he would have been enabled to erect furnaces and retain the mine? I am not aware of it.
107. You say that the Mint has to bear all charges against the 5d. per ounce—that is the difference between the buying and the selling price—what is the direct charge of 2 per cent. for? For expenses of treatment.
108. But you say that the Mint has to bear all the charges against the 5d. per ounce? The difference between the purchasing and selling rates during 1878 and 1879 may be estimated at about 5d. per ounce; against that the Mint had to bear the expense of assaying, refining, &c.
109. What, then, is the further charge of 2 per cent. for? It is made under the Regulations, and intended to cover cost of treatment.
110. Then you see that the Mint made over and above these charges a profit of £920 on the amount of silver it received from Horton? Yes; which was paid into the General Revenue.
111. Would you advise that Regulations be made for the receipt of silver at the Mint? No; I do not think it would be advisable at present.
112. For encouraging the mining industry—the mining for silver? It is very easy to sell silver now; it may not have been so easy when Horton first brought his bullion to the Mint. The Bank of New South Wales and the Queensland National Bank are now both in the habit of shipping silver.
113. You could do more than they can do? No.
114. Where, then, would the miner have an opportunity of reducing his ore to fine silver? Are there any establishments in the Colony? No, not for reducing ore; it would be a large matter reducing silver ores. A man came to me to-day and wanted to know if we could reduce 50 tons; that means a large establishment.
115. It would be rather turning your establishment into silver works? Yes; we could not do it where the Mint is now situated; it would be a nuisance to the neighbourhood. This was pyrites, not silver ore.
116. *Mr. Fremlin.*] Was the ore which you received from Horton fairly pure? It was fairly clean rough silver, containing gold; it was not ore.

117. I see that, by the 4th regulation, ore is to be accounted for at £3 17s. 10½d. per ounce, and silver—at an excess of 2 per cent.—at 4s. per ounce? Yes.

118. Then, if you look at the 9th regulation you will find that gold and silver bullion will be prepared for issue when required? Yes.

119. Then it appears by that that the Mint contemplated the issue of silver bullion? Yes.

120. And yet you say it is a matter of concession and privilege that silver is received for treatment? Yes; but we receive gold, which nearly always contains more or less silver.

121. But that does not alter the meaning of the regulation? Mr. Horton brought us gold and silver bullion. The clause you refer to is intended for persons who wish to purchase bullion from us.

122. Though the Mint is an Imperial institution all the expenses are paid by the Colonial Government? Yes, and the Colonial Government receives the revenue that we make.

123. And the charges more than cover the expenses? The total charges, since the commencement up to the present day; but at the present time they do not cover the expenses. Should gold at any time come in more freely we shall pay our expenses again.

124. Can you tell me if any Colonial Treasurer has ever made inquiry as to how it was that the profit made out of Horton's silver was never paid him? No; it was paid over to the Consolidated Revenue.

125. Was any reason assigned why this money was retained, money which appears to me to be actually due to Horton? It was paid over to the Colonial Treasurer as ordinary Mint receipts. It was not paid to Horton, so that the question was never raised.

126. Have you been applied to by the Colonial Treasurer to explain why this money was not paid to Horton? Mr. Ferguson brought the matter forward at first, and I think he addressed the Colonial Secretary. I do not think I have had any such application.

127. Do you recollect a discussion taking place in the Legislative Assembly about three years ago, when Mr. Dillon brought the question forward? Yes.

128. Do you recollect your reply? The matter was referred to me, and fully reported on at the time.

129. Do you remember an engine being fixed for the special purpose of crushing gold quartz? Yes.

130. Was the expense of that paid out of the profits derived from the Mint? No; it was paid for by special vote.

131. Has that engine ever been used in any way for crushing silver ore? Not that I am aware of.

132. Are you assaying silver at the Mint now? We do assay silver, but do not treat the silver ore. As a matter of fact we endeavour to receive anything that is brought to us in the shape of gold and silver bullion.

133. You have never coined silver at the Mint? No.

134. Do you think it would be an advantage to the Colony if silver was coined at the Sydney Mint? Not at present.

135. Do you know the amount of gold in circulation, the difference between our own gold and the English importations? There has been very little gold coin imported from England, except during the present year. Our own gold circulation is estimated at about £3,000,000 in private hands, and £3,000,000 in the Banks.

136. In prospect of our developing silver mines here, do you not think that if silver could be coined here every individual depositor would be greatly benefited? Silver is not a legal tender. If we coined a large amount of silver we should not be able to get rid of it.

137. Our gold coins were not a legal tender in London at one time? But they were all over the Colonies.

138. It would be an easy matter to make silver coin here? Yes; but we should be flooded with silver coin. Besides a sovereign is intrinsically worth a sovereign, but a shilling is not intrinsically worth a shilling.

139. No such difficulty as that which this Committee is inquiring into would arise if depositors were to receive the amount of their deposits in coined silver? The difficulty has arisen in consequence of the Regulations being framed specially for the receipt of gold.

140. *Mr. Murray.*] In letter No. 11 in the printed papers you say that the profit realized by the Mint on the silver contained in Mr. Horton's deposits is estimated to have been £900;—is it a pure accident that the profit was £900—would it be possible that there would be no profit? If the price of silver in England had gone down there would not have been a profit. The profit on silver entirely depends upon the market price in London.

141. It was purely accidental that you had a profit? The market has never been low enough for us to have made a loss at the price we paid Horton.

142. *Mr. Bremin.*] The gold depositor with you receives the full value of his gold and silver? Not the whole of it; but he receives according to the Regulations, in the same way that Horton received it.

143. If you have made a profit on any silver extracted from the gold deposited with you, it must have been in the same proportion as the profit made out of the silver which Horton deposited with you? Yes; all depositors who bring gold to the Mint bring silver alloyed with the gold, but it is generally in the proportion of from 5 to 15 per cent.

144. Do you think it is just on the part of the Mint authorities, or the Treasury, to retain anything from a depositor in the way of profit? I think it is, because it helps to pay the expenses of the Mint.

145. But then you have stated to the Chairman that during the last ten years there has been a profit of £25,000? During the whole period the Mint has been open (twenty-nine years) you cannot adjust the charges exactly so as to make neither profit nor loss.

146. But taking the average of a decade as you have done? It is not a thousand pounds a year, after all. If you take into consideration the annual value of the land on which the Mint is built there will not remain much profit.

147. But, from the way in which you are arguing, you would say that the £900 profit made out of Horton ought to go towards the expenses which the Mint has incurred? If we have made too much profit out of Horton we have not made too much on the average of all deposits brought to the Mint. Horton's bullion happened to contain more silver.

148. *Chairman.*] Horton explains that he did not understand? It was his business to have made himself acquainted with the Regulations.

B. Hunt,
Esq.
15 May, 1884.

CLAIM OF MR. THOMAS HORTON.

APPENDIX.

[To the Evidence of Robert Hunt, Esq., 15 May, 1884.]

A 1.

SILVER contained in Mr. Horton's deposits of Bullion.

Date.	Fine Silver.			Rate per ounce.		Gross value.
	Allowed.	Retained.	Total.	Standard.	Fine	
1878	oz. 302·89	oz. 6·61	oz. 309·50	s. d. 4 3	s. d. 4 7	£ s. d. 70 18 6
„	1,670·90	34·78	1,705·68	4 2	4 6	383 15 6
„	2,203·63	45·35	2,248·98	3 11½	4 3½	482 11 10
1879	5,774·88	119·72	5,894·60	3 11½	4 3½	1,264 17 8
„	4,717·69	98·21	4,815·90	4 4½	4 9	1,143 15 6
„	6,210·95	131·15	6,342·10	4 2	4 6	1,426 19 5
1880	14,320·76	305·17	14,625·93	4 4½	4 8½	3,458 8 5
Total	35,201·70	740·99	35,942·69	.....	.....	8,231 6 10

Total gross value as above	£	s.	d.
	8,231	6	10
Expenses.—	£	s.	d.
Treatment, 1½d. per oz.	224	12	10
Freight and charges on shipments	46	0	5
		270	13 3
Net value	7,960	13	7
Amount paid to Mr. Horton	7,040	7	0
Total net profit	£	920	6 7

A 2.

W. J. Fergusson, Esq., M.P., to The Colonial Secretary.

Sir, I have the honor to enclose letter from Mr. Horton complaining of the Mint charges, in the hope that you will bring the complaint under the notice of the proper authorities. I have, &c.,

29 March, 1881.

WM. J. FERGUSSON.

Colonial Secretary.—S1-2,231, 30 March. The Colonial Treasurer.—H.P., 6/4/81. His Excellency.—J.W., 11/4/81. The Deputy-master of the Mint.—A.L., 19/4/81. Returned with report of His Excellency.—ROBERT HUNT, 26/4/81.

Mr. T. Horton to W. J. Fergusson, Esq., M.P.

Sir,

Boorook, 17 March, 1881.

I beg to lay before you a matter that deeply concerns the mining industry, and trust it will not only engage your attention but come within the province of your colleagues and the Legislature, and relieve a tax upon the mining community and those who like myself are engaged in the development of new industries important to the progress of the Colony.

The matter to which I desire to draw your attention is relative to the charges, or rather tax, that has been made upon the pursuit of myself and partners, who are engaged in working silver lodes in this district, by the authorities at the Mint; the appended memorandum will explain fully to you the tax of which I complain, and beg to seek some return of the heavy charge made upon us, a tax that is equal to 12s. 6d. an ounce upon gold, which legislation has found to be unjust and impolitic, and therefore abolished.

I have addressed the Master of the Mint upon this subject, and in reply he informs me "that the rules laid down for the guidance of the charges made are framed by the Governor in Council, and that he has no power in the matter unless brought under the notice of the proper authorities"; and I am desirous to seek your aid towards achieving this desired end.

From what I can learn there are no rules or instructions for the guidance of the Mint in dealing with any other metals than gold, upon which they pay a standard value of £3 17s. 10½d. per oz.; other metals, such as silver, they allow a margin for, and from the enclosed statement I submit the amount allowed is not based upon anything like a fair equitable market value to the producer; indeed, this fact is most apparent, when not 1 ounce of the returns from these mines is forwarded to the Mint for disposal, the whole yield from the field being consigned through the Queensland National Bank via Brisbane for sale in London, by which means the Colony not only loses the prestige due to its production, but the producers the advantages and benefit the establishment of the Mint should be to both. I believe in bringing this under your notice I am urging a subject of more immediate importance to the future of the Colony than any present benefit to myself and partners, while at the same time I think we are entitled to the consideration the justness of the matter merits, and trust I may rely upon your aid towards whatever reimbursement we shall be found to be entitled to after the matter has been under the consideration of yourself and colleagues, it being I beg to submit a matter entitled to legislation upon the nature of the facts shown.

I came here to revive an abandoned gold-field, and with improved systems of treating the ores discovered what former holders had failed to recognize; the ores were rich in silver, and we succeeded in developing a new silver district, the value of which is apparent from the results of our working, and from the information distributed among the miners of the Colonies, the peculiar features and quality of the ores having led to other discoveries which may eventually prove of far

far more importance than the mines here. The facts of the matter which I am desirous of laying before you are simply these:—We have sent home and sold in the London market 9,474·30 ozs. of metals, which returned—

9,371·69 ozs. of standard silver, realising	...	...	...	...	...	£	s.	d.
Also, 36·6 ozs. of fine gold	...	...	...	...	152	9	1	
Total						...	...	...
This silver realized over 4s. 4½d. per oz. standard, or 4s. 9d. per oz. fine.						2,208	19	8
The Mint would have deducted 2% off the number of fine ounces (i.e., 9,371·69 ozs. standard are equal to 8,668·81 ozs. fine), reducing the 8,668·81 ozs. to 8,494·81 ozs., on which they would have paid us only 4s. per oz.						...	...	...
						1,698	16	0
Showing a loss to us of						...	...	...
						£	357	14 7

Had the Mint paid us at the same rate as we have received for the above quantity, for the parcels we have remitted to them, namely:—

35,993 ozs. fine silver, they would have paid us	...	...	...	...	...	£	s.	d.
Instead of as they have done only	...	...	...	...	...	7,051	15	4
Leaving a balance due of						...	...	...
						£	1,416	15 0

which I beg to submit we are justly entitled to, the market value of silver during the past two years being in accordance with the within rates, and I trust I may rely upon an adjustment of the matter in accordance with the spirit and principles upon which the Mint has been established in the Colony.

Mr. Dillon, who is the Member for this district, has been addressed upon this matter, and has promised to bring it under your notice. I therefore hope a speedy relief from this tax upon an important industry will be effected, and the Government thereby aid in the development to the benefit of the mining community and the Colony in general.

I have, &c.,
THOS. HORTON,
(Per E. W. BATHURST.)

The Deputy Master of the Mint to His Excellency the Governor.

My Lord,

Royal Mint, Sydney, 26 April, 1881.

In obedience to your Excellency's minute of the 19th instant, on Mr. Horton's letter, complaining of the Mint charges, I have the honor to report as follows:—

One of the principal objects in the establishment of a Mint in Sydney was the creation of a fixed and constant local market for gold, and it was not until the introduction of a new and economical process of refining in 1870 that any allowance was made for silver. The Regulations therefore which have since been framed admit only of the receipt of silver in combination with gold, and do not provide for dealing with silver in any other form.

In accounting for silver contained in deposits, 2 per cent. has always been deducted to cover the expenses of refining, and the balance allowed for at a rate considerably lower than that at which silver is quoted in the London market. This rate which was fixed at 5s. per ounce fine in 1870, was in consequence of the great decline in the value of silver in 1876 reduced to 4s. the ounce fine, at which it has since remained.

The Mint regulations now in force appear to give general satisfaction, and to be well adapted to the gold trade, the charges and allowances being so fixed and balanced as to encourage the importation of gold into the Mint to the advantage both of the owner and the revenue. Any increase therefore in the rate allowed for silver would only tend to reduce the revenue which is already less than the expenditure, with no corresponding benefit to the country generally.

Silver either refined or containing gold meets with a ready sale in the London market, the price being quoted daily in the *Times* newspaper and other publications, and there is no difficulty in transmitting bullion to London through the agency of a Bank or other mercantile institution; indeed the arrangements under which the Queensland National Bank carry Mr. Horton's produce appear to be most liberal, and the terms are certainly more favourable than any the Mint could reasonably offer. No advantage could therefore accrue either to the producer or to the Government by the interference of the Mint between the owner of the silver and the market to which it must ultimately find its way; and the argument that because the gold-digger has been benefited by the Mint the silver miner is also entitled to special consideration is just as applicable to the producer of copper, tin, or any other metal.

The Mint process of refining is only economically adapted to the treatment of gold bullion containing a small percentage of silver, and not silver alone or in combination with a small percentage of gold. It would be useless therefore for the Mint to attempt to compete with the London and Paris refiners who, possessing many advantages, among which may be mentioned the low price of acids and other chemicals, are able to refine by a method quite different to that in use at the Mint, and at a very much lower cost than that at which the operation could be carried out in Sydney by any known process.

Since the introduction of the new process of refining in 1870 the practice has been to treat all refinable bullion for the purpose of eliminating the silver therefrom, toughening the gold, and rendering the work more uniform. The gold is then manufactured into coin and the silver sold in the shape of bars. Until the end of 1879 the silver was sold by tender in the local market, but since then it has been forwarded to the Master of the Mint who purchases it at the London market rate. The average price obtained for the fine silver resulting from Mr. Horton's deposits was at the rate of 4s. 6½d. the ounce fine, the actual cost (for materials only) of refining silver by the process in use at the Mint is not less than three halfpence per ounce, so that the profit realized has been under 6d. per ounce fine, which on Mr. Horton's deposits containing 36,000 ounces of fine silver represents a sum of £900, which has been paid over to the General Revenue under the head of Mint receipts.

The deposits alluded to by Mr. Horton were received under clause 4 of the Regulations herewith annexed, which define exactly the conditions on which bullion is accounted for, and Mr. Horton's agents were furnished with returns containing full particulars respecting the charges and allowances on each transaction. It is therefore unfair for Mr. Horton to state that any special tax has been levied upon him as the Mint has been perfectly passive in the matter and has received and treated Mr. Horton's produce in the only way possible under the Regulations, while he has been at perfect liberty to seek a more satisfactory channel for the disposal of his silver.

The importation of auriferous silver by Mr. Horton was however continued for a period of upwards of two years without any complaint being received from him or his agents, so that it would appear to have suited him to make use of the Mint until he found out a better market.

In conclusion, I have the honor to submit that nothing could be gained by the Government becoming through the Mint a dealer in silver to any greater extent than is rendered absolutely necessary by the association of that metal with gold; because in the first place a market easy of access already exists to which the silver must necessarily find its way, and further, because the Mint could not successfully compete with the London refiners for the reasons before referred to.

With respect to Mr. Horton's claim for reimbursements for silver in deposits long since accounted for under conditions defined by public regulations and accepted by him presumably as satisfactory during a period of two years, I can only say that it is much to be regretted that Mr. Horton should not sooner have found a better market for his produce instead of continuing to send it to the Mint for so long a period.

I have, &c.,
ROBERT HUNT.

Mr. T. Horton to The Deputy Master of the Mint.

Sir,

Boorook Silver Mines, 30 April, 1880.

We do ourselves the honor of writing you relative to the price you allow us for the silver we are remitting. It appears to us to be at least 8d. per oz. below the market value of it in London.

We should much regret having to seek a fresh market and thus lose the convenience and advantages the Mint Establishment should be to us, but this heavy tax upon our labour is positively ruinous to our young enterprise.

Will you kindly advise us as to the possibility of our obtaining a higher price from your establishment, or suggest to whom we should apply with the view of getting the matter considered by the proper authorities.

Last quotations from London, January 14th, are 52½ per standard oz.

Yours, &c.,
THOS. HORTON.
The

The Deputy Master of the Mint to Mr. T. Horton.

Sir, Sydney, 7 May, 1880.
I have the honor to acknowledge the receipt of your letter of the 30th April relative to the allowance for silver under our Regulations.

The highest price the Mint has obtained for rough silver by tender from the banks during the last two years has been 4s. 2d. and the lowest 3s. 11½d. per ounce standard, the average being about 4s. 1d. per ounce standard, equal to 4s. 5d. per ounce fine.

The difference between the purchasing and the selling rates may be estimated to have been about 5d. per ounce fine, against which the Mint has had to bear the expenses of melting, assaying, refining, &c.

The Regulations under which the Mint receives deposits are framed by the Governor-in-Council, and I have no power to deviate from them; if, however, you will let me know what increase you look for I shall be in a position to submit a recommendation for the consideration of the Government.

The latest quotations from London are under 52d. per ounce standard with a falling market, so that the present Sydney price would probably not exceed 4s. per ounce standard.

I have, &c.,
ROBERT HUNT.

Messrs. Horton & Co. to The Deputy Master of the Mint.

Sir, Boorook, 17 August, 1880.
With reference to your letter of 7th May, relative to the allowance for silver under your Regulations at the Mint, we have the honor to lay before you a tabulated statement, being a copy of all our Mint receipts for deposits of silver at your establishment to date, to which we have added a column showing the weights of silver deducted from each parcel.

We note that you have deducted 2 per cent., 709 ozs., from the weight of fine silver previous to calculating the amount of our allowance, and that you have paid us 4s. per oz. only on the fine silver remaining.

We have no means here at present of procuring correct information of the average prices of silver in the London market during the past two years, but believe it to have been not less than 4s. 4d. standard, which would be equivalent to 4s. 8d. fine.

We made a trial shipment to London to test the market, and the results are so favourable to us we must send it all there until this matter is arranged.

We enclose a copy of London sale note, showing results for your perusal.

It shows that 1,047·05 ozs. standard silver at 52½d. per ounce produced £229 0s. 10d. You would have refined it and paid 48d. per oz. fine, producing £193 14s., showing a loss on this one parcel of £35 6s. 10d.

The Banks are now willing to advance 4s. per ounce on melted or retorted silver; they send it to London, and we get an additional credit of 8d. per oz. on receipt of the sale note.

We respectfully beg to submit that it appears contrary to the tone and spirit of late legislation that the mining industry, especially a new industry, should be taxed to such a ruinous extent.

The gold tax of 1s. 3d. on the value of £3 17s. 10½d. was considered unjust and abolished. In our case this short payment becomes a silver tax of 8d. on 4s., equal to a tax of 12s. 6d. per oz. on gold, or to 16½ per cent. on all our products.

We again beg to solicit your aid in placing this matter fairly before the authorities, and obtaining for us an additional equitable allowance for the silver we have already deposited, and full value for what we may procure in the future.

We beg to submit, as the most simple way of adjusting it, that you first add the number of ounces deducted (709) to the weight of fine silver allowed, convert it into standard ounces, and pay us the average English rates during the time of our remittances.

We have, &c.,
THOS. HORTON & CO.

The Deputy Master of the Mint to Messrs. Horton & Co.

Gentlemen, Royal Mint, Sydney, 24 August, 1880.
I have the honor to acknowledge the receipt of your letter of the 17th August.

The allowance made for silver has been in accordance with the Regulations under which the Mint works; and I fail to see on what grounds you can possibly expect any further payment for deposits which have already been accounted for.

As regards future transactions, the proposals submitted in your letter would, if adopted, result in a considerable loss to the department, and I cannot therefore see my way to recommend them.

The terms of the National Bank of Queensland appear to be very favourable, and I think you cannot do better than to continue to avail yourselves of their agency.

I have, &c.,
ROBERT HUNT.

The Under Secretary for Mines to The Private Secretary, Government House.

Sir, Department of Mines, Sydney, 19 October, 1883.
I have the honor to request that you will be so good as to invite the Deputy Master of the Mint to furnish this Department with a report upon the complaints made by Messrs. Thomas Horton and Company, of Stanthorpe, relative to their alleged loss through being short paid for the silver remitted by them to the Mint during the years 1879 and 1880.

I have, &c.,
HARRIE WOOD,
Under Secretary.

The Deputy Master of the Mint, for the information desired.—A.L., 22/10/83. Returned with letter.—ROBERT HUNT, 23 October, 1883. The Private Secretary.

The Deputy Master of the Mint to The Private Secretary.

Sir, Royal Mint, Sydney, 23 October, 1883.
In answer to His Excellency's minute of the 22nd instant on the letter from the Under Secretary for Mines, herewith returned, I have the honor to state that I reported fully on the claims of Messrs. Horton and Company on 26th April, 1881, in obedience to a minute of His Excellency on a letter from Mr. W. J. Fergusson to the Colonial Secretary dated 29th March, 1881.

It appears from the report above alluded to that deposits of auriferous silver were received from Mr. Horton during a period of upwards of two years, and that his agents were on every occasion furnished with full particulars of each transaction. The deposits were received under clause 4 of the Mint Regulations, which defines exactly the conditions under which the bullion was accounted for.

The profit realised by the Mint on the silver contained in Mr. Horton's deposits is estimated to have been £900, which was paid over from time to time to the General Revenue under the head of Mint receipts.

Each deposit, of which there were a large number, was accounted for separately, and the terms presumably accepted as satisfactory, as no complaints appear to have been made by him until early in 1881—long after all the transactions were closed and the revenue derived therefrom paid over to the Treasury.

I have, &c.,
ROBERT HUNT.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PREMISES RENTED AND PROPERTY HELD BY THE
GOVERNMENT IN SYDNEY.
(TREASURY DEPARTMENTS.)

Ordered by the Legislative Assembly to be printed, 7 May, 1884.

RETURN (*in part*) to an *Order* of the Legislative Assembly, dated 20th November, 1883, That there be laid upon the Table of this House,—

“(1.) A tabulated Return of all premises rented by the Government in
“Sydney for public purposes, showing separately in each case the situation
“of tenement, number of rooms, approximate area of ground attached,
“amount of rent paid, to whom, length of tenure unexpired, and public
“purpose for which it is at present employed.

“(2.) A Return of household property and land in Sydney belonging to
“the Government, but let to or in the occupation of private persons,
“showing separately in each case the situation of tenement, number of
“rooms, and, approximately, the area of land and garden ground attached;
“where no tenement, then the area of the land, to whom let, amount of
“yearly rental, and length of lease or tenure unexpired.”

(*Mr. Poole.*)

PREMISES RENTED AND PROPERTY HELD BY THE GOVERNMENT IN SYDNEY.

	Treasury.	Stamp Duties.	Customs.	Distilleries and Refineries.	Government Stores.	Government Printer		Ordnance Department.	Shipping-Master.	Health and Emigration Officer.	Marine Board		Abattoirs.	Pharmacy.	Commissioners of Customs.	Board of Health.		
						Bligh-street.	Macquarie-street.				Loftus-street.	Macquarie-place.						
<i>(1.) Premises rented in Sydney by Government for public purposes:—</i>																		
(a) Situation of tenement.....	Nil.	148, Phillip-street..	Nil.	72, Bridge-street	Young-street	Bligh-street....	Macquarie-st., North.	Nil. See foot-note (c)	This Officer occupies part of the building rented as Government Stores. See ante.	127, Macquarie-st..	Loftus-street	Macquarie-place.	Nil.	This Officer occupies a room in the building in Phillip-street, which is rented as offices for the Manager of the Government Asylum. (See Colonial Secretary's Return.)	97, Pitt-street	The Board of Health uses the two rooms in Macquarie-street, set apart for the Health Officer. A sum of £75 is voted on the Estimates as an equivalent for rent.		
(b) Number of rooms		Thirteen rooms and necessary out-buildings.		3	27 ..	6	6			6	2	4			3		4 ..	
(c) Approximate area of ground attached		About 8 perches of yard room.		30 x 20 feet	None	20 x 10 feet	None			None	None	None			None		None	None
(d) Amount of rent paid		£220 a year		£120 a year ..	£1,000 a year	£35 a year ..	£500 a year			£175 a year	£125 a year..	£104 a year ..			£175 per ann.			
(e) To whom paid		Mrs. Mary Roberts..		W. P. Woolcott	Henry Austin	E. Abbott	Mason Brothers			The lease is taken by the Department of Education, from whom these rooms are rented.	F. Clissold ..	Tangye Bros.			Australian General Assurance Co.			
(f) Length of tenure unexpired		Lease expired—held from year to year.		(a) See foot-note	(b) 5½ years..	1 month's notice may be given.	7½ months ..			(d) Will appear in Return of Education Department, Health Officer and Medical Adviser to the Government.	Quarterly ..	Monthly ..			Offices of Commissioners of Customs			
(g) Public purpose for which employed		Stamp Duties Office		Distilleries Office	Government Stores.	Office-keeper, Government Printing Office, resides here.	Storage of printed public documents. Workshop for printers' joiner &c.			Marine Board Examiners.	Marine Board Surveyors.							
<i>(2.) Household property or land in Sydney belonging to the Government, but let to or in the occupation of private persons:—</i>																		
(a) Situation of tenement	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.		
(b) Number of rooms																		
(c) Approximate area of land, &c., attached																		
<i>Or where no tenement:—</i>																		
(a) Area of land	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.		
(b) To whom let																		
(c) Amount of yearly rental																		
(d) Length of lease or tenure unexpired																		

(a) Lease taken by Mines Department, in which return this information should appear. (b) Lease for three years, with option of extending to seven years. (c) There are certain sites, with buildings used for Military Defences and Store purposes the property of the Imperial Government, leased to the Government of New South Wales, through the Colonial Architect, for 99 years, at a nominal rent of one shilling per annum, namely:—Victoria Barracks, Paddington, 29 acres 2 roods 27 perches; Dawe Battery; 7 acres 2 roods 11 perches; Pinchgut Island. Goat Island Magazines and Commissariat Building Lower George-street (partly used by the Imperial Government).

The Treasury, New South Wales,
17 December, 1883.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PREMISES RENTED BY THE GOVERNMENT.
(DEPARTMENT OF LANDS.)

Ordered by the Legislative Assembly to be printed, 19 March, 1884.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 20th November, 1883, That there be laid upon the Table of this House,—

“(1.) A tabulated Return of all premises rented by the Government in Sydney for public purposes, showing separately in each case the situation of tenement, number of rooms, approximate area of ground attached, amount of rent paid, to whom, length of tenure unexpired, and public purpose for which it is at present employed.

“(2.) A Return of household property and land in Sydney belonging to the Government, but let to or in the occupation of private persons, showing separately in each case the situation of tenement, number of rooms, and approximately the area of land and garden ground attached; where no tenement, then the area of the land, to whom let, amount of yearly rental, and length of lease or tenure unexpired.”

(*Mr. Poole.*)

PREMISES RENTED BY THE GOVERNMENT.

SCHEDULE of premises rented by the Department of Lands.

Situation of Premises.	Number of Rooms.	Area of Rooms.	Approximate area of ground attached.	Rent.	Lessor.	Purpose for which it is at present occupied.	Term of Lease unexpired.
Exchange, Deeds Branch.	4	.....	Nil.....	£ s. d. 260 0 0	Sydney Exchange Company.	Deeds Branch .....	.....
Gresham-street	2	.....	Nil.....	125 0 0	C. Parbury.....	Conditional Land Sales Branch.	Terminable 6 months' notice on either side.
George-street and Dean's-place.	7 and cellar	10,600 sq. feet...	Nil.....	956 10 0	A. W. Sutton ...	Offices for draftsmen and for sale of maps.	11 months.
George-street and Bond-street.	7	2,051 ,, ...	Nil.....	350 0 0	W. Foy	Offices for draftsmen...	1 year.
Bridge-street	3	1,991 ,, ...	Nil.....	305 0 0	Sydney Exchange Company.	Description writers and contract draftsmen.	3 months on either side to determine tenancy.
Bridge-street	5 and cellar	11,347 ,, ...	Nil.....	1,410 0 0	A. Hay	Offices for draftsmen...	11 months.
Benf-street.....	2	5,828 ,, ...	Nil.....	700 0 0	Gilchrist, Watt, & Co.	Offices for draftsmen...	3 years.
O'Connell-street ...	1	2,842 ,, ...	Nil.....	300 0 0	Gilchrist, Watt, & Co.	Offices for draftsmen...	3 years.
Macquarie-place ...	2	1,170 ,, ...	Nil.....	300 0 0	Curcier & Adit ...	Mr. Twynan assisting the Surveyor-General, and Plan-mounting Branch.	1 year.

Department of Lands,
Sydney, 17 March, 1884.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MILSON'S POINT, NORTH SHORE.
(ORIGINAL GRANT.)

Ordered by the Legislative Assembly to be printed, 19 March, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 5th February, 1884, That there be laid upon the Table of this House,—

“ Copies of the original grant, plans, description, tracings, correspondence,
“ and all other documents in the possession of the Government, having
“ reference to the grant or conveyance from the Crown to — Milson, of
“ the land now known as Milson's Point, at North Shore.”

(Mr. Holtermann.)

By His Excellency JOHN HUNTER, Esquire, Captain-General and Governor-in-Chief in and over His Majesty's Territory of New South Wales and its Dependencies, &c., &c., &c.

WHEREAS full power and authority for granting lands in the territory of New South Wales to such persons as may be desirous of becoming settlers therein is vested in His Majesty's Captain-General and Governor-in-Chief in and over the said territory and its dependencies, by His Majesty's instructions, under the Royal Sign Manual bearing date respectively the twenty-fifth day of April, one thousand seven hundred and eighty-seven, and the twentieth day of August, one thousand seven hundred and eighty-nine: In pursuance of the power and authority vested in me as aforesaid, I do by these presents give and grant unto Robert Ryan, his heirs and assigns, to have and to hold for ever, one hundred and twenty acres of land laying and situate on the north side of the harbour, opposite Sydney Cove, the said one hundred and twenty acres of land to be known by the name of Hunter's Hill, and to be had and held by him the said Robert Ryan, his heirs and assigns, free from all fees, taxes, quit rents, and other acknowledgments, for the space of five years from the date hereof, such timber as may be now growing or that may grow hereafter upon the said land which may be deemed fit for naval purposes to be reserved for the use of the Crown, and paying an annual quit rent of two shillings after the term or time of five years before mentioned; and as the design in granting these lands is to promote the clearing and cultivation of the country, should the ground hereby granted continue for one year unoccupied by the said Robert Ryan, his heirs or assigns, after the delivery of this deed, or that such steps have not been taken to forward the end for which it has been given as the length of time might reasonably admit, in such case it shall revert to His Majesty, His Heirs and Successors.

In testimony whereof, I have hereunto set my Hand and the Seal of the territory, at Government House, Sydney, in New South Wales, this twenty-sixth day of April, in the year of our Lord one thousand and eight hundred.

Signed and sealed in our presence,—

(L.S.) JNO. HUNTER.

CHARLES GRIMES.
FRANCIS FOWKES.

MEMO.—Ninety acres of this grant is given towards the complement Ryan is entitled to of one hundred and sixty for his services in the Marines and N. S. Wales Corps; the other thirty is a grant of Samuel Lightfoot's which was purchased by the present proprietor, and is now cancelled in the first Register, folio 78; Robert Ryan, therefore, has yet seventy acres of land to receive.

I certify the above and preceding 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, 12 March, 1884.

E. G. WARD,
Registrar-General.

NOTE.—Papers, &c., in connection with grant not being obtainable (they are of the year 1800).

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

NEWINGTON ESTATE.

(RESUMPTION OF, FOR A POWDER MAGAZINE.)

Ordered by the Legislative Assembly to be printed, 7 May, 1884.

RETURN to an *Order* of the Legislative Assembly, dated 19th February, 1884,
That there be laid on the Table of this House,—

- “(1.) Copies of all correspondence, minutes, &c., between the late Colonial
“Treasurer (Mr. Watson) or any other Minister or official, in reference to
“resumption of land at Newington Estate for a Powder Magazine, the
“said land supposed to belong to Messrs. Sutherland and Wetherill.
“(2.) Also copies of all letters, correspondence, &c., between Messrs.
“Sutherland and Wetherill and any other person and the Government, in
“reference thereto.”

(Mr. McElhone.)

SCHEDULE.

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(NOTE.—Some previous papers in this case were laid upon the Table of the Legislative Assembly on 15th February, 1883,
in compliance with the terms of an order of the House, dated 23rd January, 1883.)

NEWINGTON ESTATE.

No. 1.

Messrs. Holdsworth and Evans to The Minister for Public Works.

Sir,

75, Pitt-street, Sydney, 30 May, 1883.

We have the honor to invite your attention to the following matters:—

On the 21st day of August, 1882, the Government resumed 217 acres of land, part of the Newington Estate, Parramatta River, for the purpose of erecting a powder magazine.

The notification in the Gazette of 22nd August, 1882, states that same was resumed under the powers conferred by the Act 44 Vic. No. 16.

By the said Act, section 8, the said land was, on the publication of such notification in the Gazette, "forthwith vested in the Minister," and the owners, by section 10, were entitled to compensation.

Such land belonged to two different proprietors—namely, Mr. John Sutherland and Mr. John Wetherill, and they, on the 6th November last, sent in claims in the usual form for what they considered to be the values of their respective portions. Such claims were sent to the Minister for Works and Crown Solicitor, and are endorsed as having been received on the 8th November, 1882.

The Crown Solicitor, within sixty days (section 13) after the receipt of such notices—namely, on the 14th December, 1882, forwarded such claims with his reports thereon to the Minister for the time being, who, we believe, caused various valuations to be made, but has not to the present time informed the claimants of the amount of such valuations by notice, as provided in the latter portion of such section.

Ninety days and more have expired since the service of notices of claims, and the Minister has not agreed as to the amount of compensation, and therefore, by section 14, the claimants have liberty to institute proceedings in the Supreme Court; but they are prevented from doing so because section 15 provides that the issue to be tried in any such action shall be whether the claimant is entitled to any larger sum by way of "compensation than the amount of the valuation so made by the Minister and notified to the claimant as aforesaid, and, if so, to what sum."

The Minister has never made or notified his valuation, although repeatedly urged by us so to do; and our clients are deprived of their property and prevented by the Minister's continued neglect from recovering compensation.

We have, therefore, after calling your attention to the above facts, to request that you will make and notify your valuation, in the manner prescribed by the said Act, within one week from the date hereof; and in default thereof we will, as the only course open to obtain justice for our clients, apply to the Supreme Court for a writ of mandamus to enforce the performance of a duty cast upon you by the said Act.

We have, &c.,

HOLDSWORTH & EVANS.

Will the Under Secretary for Finance have the goodness to state how this matter stands, for the information of the Secretary for Public Works.—J.R., B.C., 31/5/83.

Mr. Evans,—Previous papers, please.—J.T., 2/6/83. Those that were in Records are herewith; others are with the Colonial Secretary.—A.E., 4/6.

The whole of these papers should be placed in the hands of the Crown Solicitor, for him to take the necessary steps to carry out the law.—G.R.D., 7/6/83. The Under Secretary for Public Works.—G.E., 7/6/83, B.C. Crown Solicitor, B.C., 8/6/83.—J.R.

No. 2.

The Crown Solicitor to The Under Secretary for Public Works.

Sir,

Crown Solicitor's Office, Sydney, 20 June, 1883.

I have the honor to return herewith the papers relating to the claim of Messrs. Sutherland and Wetherill in respect of land, part of the Newington Estate, recently resumed by the Government, and to state that the matter is not in a position in which I can take action therein.

The land having been taken, and notice of claim served upon me, I in due course reported upon the title to the Minister for Works. Upon this being done, he should have caused notice of valuation to be served upon the claimants.

This, it appears from Messrs. Holdsworth & Evans' letter, has not been done; and until notice of valuation has been sent, the claimants, as stated in Messrs. Holdsworth & Evans' letter, are not in a position to commence proceedings to have the amount of compensation determined by a Jury.

Why the usual course in cases of this kind has not been adopted or for what purpose the papers have been sent to me is not stated, and I can only therefore return them for your further instructions.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

I submitted this case to the Cabinet to-day, and it has been decided to make the owners of the land an offer at the valuation placed upon it by Messrs. Gorman & Wrench.—G.R.D., 25/6/83. Minister for Public Works. The Under Secretary for Public Works.—G.E., B.C., 26/6/83.

No. 3.

The Minister for Public Works to John Sutherland, Esq., M.P.

Lands for Public Purposes Acquisition Act, 44 Vic. No. 16.—Second Schedule.

Notice of valuation.

To John Sutherland, Esquire, M.P., claimant in respect of the land hereunder described, resumed under the "Lands for Public Purposes Acquisition Act."

TAKE notice, that the land hereunder described, being that in respect of the resumption whereof, under the authority of the aforesaid Act, your claim for compensation has been lodged, has been valued at the sum of £4,870 (four thousand eight hundred and seventy pounds sterling).

F. A. WRIGHT,

Minister for Public Works.

Description

3

Description of land or damage in respect of which claim has been made:—

All that piece or parcel of land comprising sections 99, 100, 101, 102, 109, 110, 111, and 120 of the subdivision of the Newington Estate, and the roads separating the several sections.

Served personally on Mr. Sutherland, the 6th July, 1883.—WM. FORDE.

No. 4.

The Minister for Public Works to John Wetherill, Esq.

Lands for Public Purposes Acquisition Act, 44 Vic. No. 16.—Second Schedule.

Notice of valuation.

To John Wetherill, Esquire, claimant in respect of the land hereunder described, resumed under the "Lands for Public Purposes Acquisition Act."

TAKE notice, that the land hereunder described, being that in respect of the resumption whereof, under the authority of the aforesaid Act, your claim for compensation has been lodged, has been valued at the sum of £3,440 (three thousand four hundred and forty pounds sterling).

F. A. WRIGHT,
Minister for Public Works.

Description of land or damage in respect of which claim has been made:—

All that piece or parcel of land comprising sections 83, 84, 97, 98, 103, and 104 of the subdivision of the Newington Estate, and the roads separating the several sections.

Served personally on Mr. Wetherill,—JAMES CLARKE, 6/7/83.

No. 5.

Messrs. Holdsworth & Evans to The Minister for Public Works.

Sir,

75, Pitt-street, Sydney, 3 August, 1883.

We have the honor to state that Mr. John Wetherill has handed us the notice sent by you to him respecting the land mentioned in the margin, in response to our letter to you of the 30th May last, and to state that he is agreeable to accept the amount of value therein named, viz., £3,440, in satisfaction of his claim for compensation in respect of such land.

Will you therefore give the necessary instructions to the Crown Solicitor to proceed as regards preparation of release.

We have, &c.,

HOLDSWORTH & EVANS,
(Per A. PARRY LONG).

06a. 2r. 10p.,
Newington,
Parramatta
River. Sections
83, 84, 97, 98, 103,
and 104 of
subdivision of
Newington
Estate, resumed
for purposes of
powder
magazine.

Crown Solicitor.—J.R., B.C., 7/8/83. Return these papers to Crown Solicitor, with a request that the usual conveyance may be prepared.—J.R., B.C., 6/12/83.

No. 6.

The Crown Solicitor to The Under Secretary for Public Works.

Wetherill to The Queen.

Sir,

Crown Solicitor's Office, Sydney, 15 August, 1883.

I have the honor to request that I may be furnished with a description of the land taken from Mr. Wetherill.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

Principal Under Secretary.—J.R., B.C., 17/8/83. Will the Crown Solicitor be so good as to forward the other papers in this case, to enable the Surveyor-General to prepare necessary description.—C.W., B.C., 22 August, 1883. All the papers herein have been returned to the Department of Works, the Department they were received from by me.—JOHN WILLIAMS, Crown Solicitor, B.C., 24/8/83. The Principal Under Secretary. Returned.—C.S.O., 27 August, /83.

As the Surveyor for Parks has already taken initiatory steps in this matter, it would facilitate settlement if Mr. Cooper would be allowed to furnish the requisite description. Will the Principal Under Secretary please have the goodness to instruct Mr. Cooper to deal with this paper when convenient.—J.R., B.C., 15/9/83.

Returned.—C.S.O., 17 Sept., /83. The Under Secretary for Lands will perhaps be good enough to cause the necessary description to be prepared.—C.W., B.C., 21/9/83. Surveyor-General, with a view to the preparation of the necessary description.—J.S.F., 26/9/83. Urgent.—Jno. HAY. The Chief Draftsman, 3/10/83.

No. 7.

The Crown Solicitor to The Under Secretary for Public Works.

Wetherill to The Queen.

Sir,

Crown Solicitor's Office, Sydney, 24 August, 1883.

I have the honor to inform you that in this matter the Principal Under Secretary has indorsed a B.C. on my letter of the 15th instant, 83A/1,175 (requesting that a description of the land taken from Mr. Wetherill may be sent to me), asking that the papers may be returned, in order "to enable the surveyor to prepare the necessary description." I accordingly return all the papers herewith to your Department.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

The Principal Under Secretary.—J.R., B.C., 27/8/83.

No. 8.

The Crown Solicitor to The Under Secretary for Public Works.

Sutherland to The Queen. Wetherill to The Queen.

Sir,

Crown Solicitor's Office, Sydney, 21 November, 1883.

I have the honor, in accordance with your verbal request, to forward herewith the papers herein, received by me on the 16th instant from the Colonial Secretary's Department.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

No. 9.

Messrs. Holdsworth & Evans to The Minister for Public Works.

Sir,

75, Pitt-street, Sydney, 22 September, 1883.

We have the honor to state that the Honorable John Sutherland has handed us the notice sent by you respecting the land mentioned in the margin, and to state that he is agreeable to accept the amount of value therein named, viz., £4,870, in satisfaction of his claim for compensation in respect of such land.

Will you therefore give the necessary instructions to the Crown Solicitor to proceed as regards the preparation of release.

We have, &c.,

HOLDSWORTH & EVANS,

(Per W.C.G.)

Crown Solicitor.—J.R., B.C., 28/9/83.

No. 10.

Messrs. Holdsworth & Evans to The Minister for Public Works.

Sutherland to The Queen.

Sir,

75, Pitt-street, Sydney, 22 September, 1883.

We have the honor to forward herewith abstracts of title herein. Will you have the goodness to instruct the Crown Solicitor to expedite the matter.

We have, &c.,

HOLDSWORTH & EVANS,

(Per W.C.G.)

Crown Solicitor.—J.R., B.C., 28/9/83.

No. 11.

Description.

Description of land resumed in "Newington Estate," the property of John Sutherland:—

County of Cumberland, parish of St. John, area about 127 acres: Commencing at the intersection of the south-eastern side of Salisbury-street with the north-eastern side of Newington-street of the private subdivision of the "Newington Estate," as shown on plan catalogued C. 32-2,063 in the Surveyor-General's Office; and bounded thence on the north-west by part of the aforesaid side of Salisbury-street bearing north 6 degrees 51 minutes 40 seconds east (magnetic) about 21 chains to the south-western side of Lennox-street of the aforesaid subdivision; thence on the north-east by part of that side of that street bearing south 83 degrees 7 minutes 10 seconds east (magnetic) about 11 chains to the south-eastern side of Abercorn-street of the aforesaid subdivision; thence again on the north-west by part of that side of that street bearing north 6 degrees 51 minutes 40 seconds east (magnetic) about 18 chains 70 links to the southern side of a reserved road 1 chain wide along high-water-mark of the Parramatta River; thence by that reserved road along high-water-mark of Parramatta River and Homebush Bay easterly, south-easterly, and south-westerly to the aforesaid north-eastern side of Newington-street of the aforesaid subdivision; and thence on the south-west by that side of Newington-street bearing north 83 degrees 7 minutes 10 seconds west (magnetic) about 24 chains 60 links to the aforesaid south-eastern side of Salisbury-street of the aforesaid subdivision, being the point of commencement, but exclusive of those parts of Abercorn, Homebush, Lennox, and King Streets of the aforesaid private subdivision of the "Newington Estate," within the above-described boundaries, the area of which has been deducted from the total area.

Will the Crown Solicitor please prepare the usual conveyance, Mr. Sutherland having accepted the enclosed offer.—J.R., B.C., 5/12/83.

5

No. 12.

The Crown Solicitor to The Under Secretary for Public Works.

Land at Newington.—Powder magazine.—Claim of Honorable J. Sutherland.

Crown Solicitor's Office, Sydney, 7 December, 1883.

I HAVE the honor to forward herewith letter from Messrs. Holdsworth & Evans, of date the 22nd September, 1883, accepting, on behalf of the claimant herein, the amount of compensation awarded him, in order that it may be placed with the other papers relating to this matter and now in your hands.

I may state that this document alone was forwarded to me on the 3rd October last, and did not come under cover with the other papers in this case.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

The papers in this case were included in Wetherill's claim, which was then with the Crown Solicitor, where they were forwarded by the Colonial Secretary. Description of Mr. Sutherland's portion and all papers have been again sent to Crown Solicitor to prepare release. Send to Mr. Williams.—J.R., B.C., 8/12/83.

No. 13.

The Crown Solicitor to The Under Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 8 December, 1883.

In compliance with your request, I have the honor to forward herewith the papers relating to the purchase from Mr. John Wetherill of land for the site of a powder magazine.

These papers have been forwarded to me by the Department of Works, for the purpose of preparing a conveyance of the land.

The matter is urgent, and I must therefore request the papers be returned to me at your earliest convenience.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Will the Crown Solicitor be good enough to return these papers when action as to resumption is completed, in order that J. Wetherill's purchase under the 12th clause, Act 61, may be completed.—F.H.W. For the Under Secretary, Lands, B.C., 10 December, 1883.

No. 14.

The Crown Solicitor to The Under Secretary for Public Works.

[Very urgent.]

Sutherland to The Queen. Wetherill to The Queen.

Sir,

Crown Solicitor's Office, Sydney, 19 December, 1883.

I have the honor to return all the papers herein, and beg to draw your attention to the fact that the claimants have been dealt with, not only in respect of the various sections of land mentioned in the notices of valuation, *but also in respect of the roads intersecting those sections*, although such roads, it will be seen by referring to the notices of claim sent in by Messrs. Sutherland and Wetherill, were *excluded* from the descriptions of the lands in respect of which the claims are made.

All the lands forming roads and streets intersecting the "Newington Estate," and shown on the plan drawn on the conveyance from John Wetherill to The Queen—now returned with the papers—were surrendered to the Crown, to be used as public streets and highways, and they were included in the notification of resumption, probably for the purpose of getting rid of any right of way over same.

I shall therefore be glad if you will inform me, at *your earliest convenience*, whether the amounts fixed as compensation to be paid in these matters will be in any way affected by the fact that the roads were already vested in the Crown, and should not therefore be included in the areas in respect of which compensation has now to be paid.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Submitted.—J.R., 20/12/83. I do not think the amount fixed as compensation should be affected by the omission of the roads, as they accepted the amount offered in good faith as exclusive of the roads.—F.A.W., 20/12/83. Crown Solicitor.—J.R., B.C., 20/12/83.

No. 15.

The Crown Solicitor to the Under Secretary for Lands.

Land at Newington, purchased by John Wetherill, and now standing in his name.

Sir,

Crown Solicitor's Office, Sydney, 28 December, 1883.

I have the honor to inform you that the Minister of Public Works has, under the authority given to him by 44th Victoria No. 16, taken and appropriated, for the purposes of works for and in connection with the erection of a magazine for the storage of gunpowder and other explosives, and certain buildings in connection therewith, the parcel of land of which I send you herewith a description. Part of this land forms portion of a reserve purchased, under the provisions of section 12 of the Crown Lands Alienation Act of 1861, by Mr. Wetherill, at the Lands Office, on the 11th January, 1879.

I have therefore to request that you will be pleased to direct that the land so taken by the Minister may be marked upon the maps in your Department as land resumed for public purposes, and excepted out of any grant that may be issued of the land so purchased by Mr. Wetherill.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

[Enclosures to No. 15.]

Description of land resumed in the Newington Estate, the property of John Wetherill :—

County of Cumberland, parish of St. John, area about 26 acres 2 roods 16 perches : Commencing at a stake on the high-water-mark of Homebush Bay, at the south-eastern extremity of the north-eastern side of Blaxland-street, of the private subdivision of the Newington Estate, as shown on plan catalogued C. 32-2,063 in the Surveyor-General's Office ; and bounded thence on the south-west by part of that side of that street, bearing north 83 degrees 2 minutes 10 seconds west (magnetic), 21 chains 50 links to the south-eastern side of Salisbury-street of the aforesaid subdivision ; thence on the north-west by part of that side of that street bearing north 6 degrees 51 minutes 40 seconds east (magnetic), 12 chains to the south-western side of Newington-street of the aforesaid subdivision ; thence on the north-east by part of that side of that street bearing south 83 degrees 7 minutes 10 seconds east (magnetic), about 25 chains 50 links to the aforesaid high-water-mark of Homebush Bay ; and thence on the south-east by that high-water-mark south-westerly to the point of commencement, but exclusive of that part of Abercorn-street of the aforesaid subdivision of the Newington Estate within the above described boundaries, the area of which has been deducted from the total area.

Further description of land resumed on the Newington Estate, the property of John Wetherill :—

Also, county of Cumberland, parish of St. John, area about 40 acres : Commencing at a stake on the high-water-mark of the Parramatta River, at the north-eastern extremity of the south-eastern side of Jamison-street of the private subdivision of the Newington Estate, as shown on plan catalogued C. 32-2,063 in the Surveyor-General's Office ; and bounded thence on the north-west by part of that side of that street bearing south 6 degrees 52 minutes 20 seconds west (magnetic), 19 chains 24 ¹/₁₀ links to the north-eastern side of Newington-street of the aforesaid subdivision ; thence on the south-west by part of that side of that street bearing south 83 degrees 7 minutes 10 seconds east (magnetic), 21 chains to the north-western side of Salisbury-street of the aforesaid subdivision ; thence on the south-east by part of that side of that street bearing north 6 degrees 51 minutes 40 seconds east (magnetic), about 21 chains to the south-western side of Lennox-street of the aforesaid subdivision ; thence on the north-east by part of that side of that street bearing about north 83 degrees 7 minutes 10 seconds west (magnetic), about 10 chains 50 links to the south-eastern side of a reserved road 1 chain wide along high-water-mark of the Parramatta River ; thence on the north-west by that side of that reserved road south-westerly, about 80 links to the north-western side of Northcote-street of the aforesaid subdivision ; thence again on the south-east by part of that side of that street bearing about north 6 degrees 52 minutes east (magnetic), about 1 chain 20 links to the aforesaid high-water-mark of Parramatta River ; and thence again on the north-west by that high-water-mark south-westerly to the point of commencement, but exclusive of those parts of King and Northcote Streets of the aforesaid private subdivision of the Newington Estate within the above described boundaries, the area of which has been deducted from the total area.

Surveyor-General, with a view to the office maps being noted.—C.O., 11 January, 1884. The Chief Draftsman, 19/1/84. Mr. Peyton.—J.W.E., 22/1/84. Mr. C. Owen.— *pro* S.L.P., 24 January, 1884. Mr. G. Lewis, for necessary notation.—C. OWEN, 31 January, 1884. Noted on parish map C. 210-2,030 and C. 32-2,063.—Exd., G.L., 17 Feb., 1884. Dealt with in the Reserve Branch.—G.L. for G. LEWIS, 26 Feb., 1884.

No. 16.

The Crown Solicitor to The Under Secretary for Public Works.

Sutherland and Wetherill to The Queen.

Sir,

Crown Solicitor's Office, Sydney, 7 January, 1884.

I have the honor to inform you that this matter has been completed, and to return herewith the papers herein. The papers in connection with J. Wetherill's application, under sec. 12 of the Crown Lands Act of 1861, should be transmitted to the proper Department to allow of the application being proceeded with.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

H. H. OULD.

To Treasurer, with voucher for payment.—8/1/84. Forward to Lands (in response to verbal application).—B.C., 3/3/84. Under Secretary for Lands.—J.R.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MISS LOUISA AUSTRALIA BLAXLAND.

(PETITION OF.)

Received by the Legislative Assembly, 7 November, 1883.

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

The humble petition of Louisa Australia Blaxland, daughter of the late Honorable John Blaxland, of Newington, M.L.C.,—

SHewETH :—

1. That from the urgent solicitations of the Imperial Ministry, and many interviews with Lord Hobart and Sir Joseph Banks, and the advantages held out by Lord Castlereagh, and a correspondence that lasted over three years, your petitioner's father was induced to leave his native land, and, in 1806, to transplant himself, his family, and his fortune to this infant colony.

2. Among the despatches from the Ministry to Governor King, of date July 13, 1805, will be found a letter from Lord Castlereagh to Governor King respecting Mr. Blaxland and his brother to this effect :

3. "The emigration of gentlemen of education and wealth and talent being seen to be essential to the success of the Colony, and to whose authority and responsibility the exiles may be largely and properly entrusted," &c., &c., &c.

4. In him were all the qualities they deemed so desirable and as most essential to their object, viz., "the success of the colony;" a gentleman of education and talent and capital, with whom they could converse freely in mutual suggestion on the objects of industry and progress, on which the exiles might be employed with advantage to himself and the Colony.

5. Embarking in this great adventure, he prepared to leave his native land. Having declined the liberal offers of the Ministry of a passage free of all expense for his family and all that he desired, he purchased a ship called "The Brothers," and, with a captain and crew, equipped it for such a voyage, and filled it with house supplies to last for many years.

6. Besides his own immediate family he had a tutor and a governess for his children, a superintendent and men from the Leamington Saltworks, and old house servants and farm servants; and with the view of entering largely into pastoral affairs he took with him five valuable merino sheep and two sheep dogs, and Alderney cattle, besides live stock and all necessary provisions for the voyage.

7. Thus provided with good design and self-supporting arrangement he embarked in his own little argosy, from Portsmouth, under Admiral's convoy of 400 sail, on the 17th July, 1806.

8. Having stopped at the Cape for fresh provisions he arrived at Port Jackson on April the 3rd, 1807.

9. The ease and comfort with which emigration is conducted in the present day renders it difficult to estimate the amount of moral courage which it must have required to take so bold a step seventy-seven years ago, when the navigation of these seas was little known, and the commerce of England interrupted by the enemies' cruisers, but in firmness Mr. Blaxland was worthy of his country, and the difficulties of his enterprise did not deter him, but rather stimulated him to greater exertion.

10. Having anchored in Sydney Cove, after a voyage of nine months, he was kindly greeted on board his ship by a visit from Captain Putland, the Governor's aide-de-camp, and to him he delivered the despatches, with which he had been entrusted, to His Excellency Governor Bligh (he having succeeded Governor King), and after being a guest with the Governor he lost no time in entering upon his anxious work, the first of which was to find a habitable shelter for his family.

11. Hardly better than a wretched gaol, the whole of Sydney was almost comprised in one short street of thirteen families, these being of the Government officers. Finding at length a bungalow, 15 miles up the Parramatta River—"Pemberton"—then lately finished by a colonel from India (though scarcely feeling safe from the blacks), he had there to take his family.

12.

12. Then to depasture his sheep and cattle on land near Sydney, which he called "Canterbury," and built there a habitation for his Kentish men, who prepared the ground for the vegetable seeds and plants, and hops and vines, &c., &c., he had brought from the Cape, having given a part to replenish the Government gardens. Then came his great work of extensive promise.

13. His sheep and cattle having to be multiplied, his next earnest work was on the saltworks; and finding marsh land, after a long search, he called it "Newington," and there began embanking and trenching the 40 acres he enclosed for the saltworks, which for years after supplied salt for the whole colony.

14. Part of his grant of land he chose at the "Cowpastures" and called "Luddenham," and there began clearing away the dense forest for agriculture, having divided the 80 men he first received from the Government between the two properties.

15. It may be observed that, unlike many other gentlemen who have by their talents and industry benefited this Colony, Mr. Blaxland came to the Colony to hold no lucrative office under the Government, but when he landed upon this shore he was to be left to the unaided exertion of his talents; and whatever fortune he might raise must be founded upon the capital he brought with him, judiciously employed, which was £30,000 with him and to follow on the sale of his estates, all to be spent in the Colony.

16. With the view of entering largely upon pastoral pursuits he brought five valuable merino sheep and two sheep dogs and Alderney cattle, and from the Cape vegetable seeds and plants, with which he supplied anew the Government gardens.

17. In the spirit of enterprise he brought also a schooner, in frame, to be employed in the capture of seals, thus to give a new industry and employment to men so trained.

18. In his wide-spreading views the object of the Ministry, in inducing him to lead in the gigantic work of colonization, was fully carried out, viz., the employment of the exiles.

19. It was at the suggestion of the Ministry that he established saltworks, bringing from Leamington a superintendent and men experienced in the manufacture, extending the works over 40 acres, and supplying the Colony with salt for many years.

20. At Luddenham was a brewery and flour-mills, and at Fordwich flour-mills and saw-mills; and a dairy of from fifty to seventy cows, daily supplying butter and cheese to Maitland and Newcastle for many years.

21. At a great expense he employed Mr. Henderson and his miners to bore for coal (though unsuccessfully) at Newington, when search for coal was first extended beyond the mines at Newcastle.

22. In 1816 and 1817, when the wool was being burnt by the flockmasters generally (there being no means of export for the wool), Mr. Blaxland built a small factory at Newington, where blankets and tweed were made for his people.

23. It was then, and after, that he multiplied his foxhounds to a pack of eight couples, the dingoes being so destructive that no flock of more than 300 sheep could be safe (of his 30,000), nor scarcely then, even with the care of night and day watchmen and sheep dogs. Of his pack of hounds, having followed them with his sons till a good old age, he afterwards presented them to Mr. George FitzRoy (the first pack in the Colony). The leading hound, with a splendid voice, was called "Blaxland" by the huntsman, who would say to the field, "Now you may go; that's 'Blaxland;'" he never gives tongue without a cause."

24. With a mind alive to benevolence, and every step for the promotion of intellectual advancement, he was a subscriber to the first collegiate school—the "Grammar School" (the University arising later).

25. But to return to the wise choice of the Imperial Ministry in their object—"the employment of the exiles." The average number of his employes was for many years 300, together with their wives and children, on his various stations far and near. Of these were men of responsibility—overseers and storekeepers, mechanics and tradesmen of all kinds, smiths, carpenters, gardeners, shoemakers, harness-makers, and weavers, saltmakers, brewers, and butchers, house-builders, sawmill-men, and sawyers, brick-makers, lime-burners (at Newington), millers, masons, agriculturists, shepherds, herdsmen (for cattle, horses, and pigs), and labourers, colliers and seamen, and boat-builders, &c., &c.

26. At Newington was the church of "St. Augustines," which he had built, that there at least they might hear the Word of God (he himself being the pastor for many years).

27. The church was also a school-house for the workmen's children (often 30), and for these he kept a paid schoolmaster and schoolmistress; and thence have gone forth hundreds of souls strong in that blessed faith that teaches that we are "the children of God, and heirs of the Kingdom of Heaven."

28. At Fordwich also was a school, and each Sabbath day saw the woolshed well attended, to hear from his son "Arthur" the service of the church. In his occasional visits to his distant stations he was careful to see that his people were well cared for.

29. To his son, "John M. Blaxland," the colony was indebted for the discovery of the first road to the Hunter River country, and he was Sir Thomas Mitchell's guide when he decided upon the present road to that rich country.

30. It was "Mr. Gregory Blaxland" who (coming to the Colony under his brother's negotiation with the Ministry) was the discoverer of the pass over the Blue Mountains in 1813, until then supposed to be impassable, but now the course of the Zig Zag.

31. And, though last not least, to his honour and glory, was the high sense of duty that gained for him the sobriquet of "Defender of the public purse." A member of the Legislature for 20 years, it was in the "Governor's Council" that he (quite unsupported for four years) at last, by his protests, succeeded in disabusing the Colony of unjust taxes upon its Treasury. Thus, nobly, he began the gigantic work of colonization—a pioneer for men like himself, of wealth and substance—and the sequel shows how Australia has prospered in his heroic deed.

32. In 1845, on retiring from his seat in the Legislature (in his 76th year), his fellow-colonists presented him with a noble acknowledgment of his faithful services, in the first testimonial presented in the Colony, a very large and beautifully-embossed silver salver, for which they subscribed 300 guineas.

33. His family home, "Newington," was well known, far and near, and is still remembered for its flowing hospitality, as is the venerated name of "John Blaxland, the fine old English gentleman;" and it is for this his home—"Newington" and its land—purchased by the late Government at £4,000, that your Petitioner, his only surviving child, born in the Colony (and being in very straitened circumstances), would beseech your Honorable House, in recognition of the services of her father.

34. That your Petitioner's father, having succeeded so nobly in carrying out all the wishes and designs of the Imperial Ministry in leading the gigantic work of colonization for men like himself, of wealth and substance, and in their far-seeing object of opening up new industries in a new world.

35. That your Petitioner would beseech your Honorable House, in recognition of these his faithful services, to bestow on her, his only surviving child, born in the Colony (and being in very straitened circumstances), his home "Newington," and that portion of its land, purchased by the late Government at £4,000.

36. It was the self-sacrifice of a chivalrous spirit thus to become the pioneer, and to expatriate himself and his family from all the ease and luxury of England's polished life.

37. It was the vital service of a good man, lasting even till now and for ever; and may it please your Honorable House to accord to one so dear to him this acknowledgment of it, "the gift of his home," "Newington," which in 1807 was hewn out of a black forest of ironbark.

38. Your Petitioner prays your Honorable House to take it into your favourable consideration, and to let it be to her now your generous grant, in honour of her father and his services, as it was to him in 1806, from the Imperial Ministry, "A grant from the Crown."

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

LOUISA AUSTRALIA BLAXLAND.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REAL PROPERTY ACT.

(MR. J. G. EDWARDS' APPLICATION TO BRING LAND UNDER.)

Ordered by the Legislative Assembly to be printed, 20 May, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly, dated 29th April, 1884, That there be laid upon the Table of this House,—

“Copies of all reports, papers, letters, plans, tracings, and memoranda concerning or relating to Mr. James G. Edwards' application to bring certain portions of land, situate in the parish of Gordon, originally granted to William Roberts, under the provisions of the Real Property Act.”

(Mr. Murray.)

Re Mr. J. G. Edwards' application to bring land under the Real Property Act.

Copies of all reports, papers, letters, plans, tracings, and memoranda, relating to above application.

LIST.

1. Tracing showing land near Lane Cove, parish Gordon, county Cumberland. Case 5,668.
2. Letter from A. Bonton, North Shore,—26 April, 1883.
3. Draftsman's Report (Application 5,668).
4. Letter from Under Secretary for Lands, 83-3,059.
5. Examiner's Report, and qualifications referred to therein.
6. Letter from Mr. J. G. Edwards, 83-480.
7. Reply to ditto, 83-553.
8. Application No. 5,668—Edwards, exclusive of conveyance “William Roberts to James George Edwards,” 2 April, 1881, and grant by purchase to William Roberts (No. 56-3,435), which, it is presumed, are not required in this Return.

Application by Mr. J. G. Edwards.

(No. 5,668.)

(A.)

Application to bring lands under the provisions of the Real Property Act (26 Victoria No. 9).

Fee simple.

I, James George Edwards, of Lane Cove, commission agent, formerly public teacher, do solemnly and sincerely declare, that I am seized for an estate in fee simple of all that piece or parcel of land in the Colony of New South Wales, containing by admeasurement forty-five acres two roods and twenty-nine perches, be the same more or less situated in the county of Cumberland, and parish of Gordon, near Lane Cove, commencing at the north-west corner of a measured portion of forty-nine acres, and bounded on the east by the west boundary-line of that land bearing south twenty-five chains; on the south by the north

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north boundary-line of a measured portion of fifty-two acres and twenty-two perches, bearing west seventeen chains and sixty links; on the west by a road one chain wide, dividing this land from D. D. Matthews' eight hundred acres bearing north three degrees west twenty-five chains and twenty links; and on the north by a road one chain wide dividing this land from D. D. Matthews' sixty acres bearing east nineteen chains to the north-west corner of the forty-nine acres aforesaid; which land (including all improvements) is of the value of three hundred pounds and no more, and is the whole of the land originally granted to William Roberts by Crown grant, under the hand of Sir William Thomas Denison, formerly Governor of the Colony, dated the twelfth day of November, 1856: And I further declare, that I verily believe there does not exist any lease or agreement for lease of the said land for any term exceeding a tenancy for one year, or from year to year. Also, that there does not exist any mortgage, lien, writ of execution, charge or encumbrance, will or settlement, or any deed or writing, contract, or dealing (other than such lease or tenancy as aforesaid) giving any right, claim, or interest in or to the said land, or any part thereof, to any other person than myself: And I further declare that there is no person in possession or occupation of the said lands adversely to my estate or interest therein, and that the said land is now unoccupied, and that the owner and occupier of adjacent land is as follows:—W. H. Paling, Esq., George-street, Sydney: And I further declare that I was married to my present wife on the fifteenth day of February, one thousand eight hundred and seventy-three: And I further declare, that the annexed Schedule, to which my signature is affixed, and which is to be taken as part of this Declaration, contains a full and correct list of all settlements, deeds, documents, or instruments, maps, plans, and papers relating to the land comprised in this application, so far as I have any means of ascertaining the same, distinguishing such as being in my possession or under my control, are herewith lodged, and indicating where or with whom, so far as known to me, any others thereof are deposited: Also, that there does not exist any fact or circumstance whatever material to the title, which is not hereby fully and fairly disclosed to the utmost extent of my knowledge, information, and belief; and that there is not, to my knowledge and belief, any action or suit pending affecting the said land, nor any person who has or claims any estate, right, title, or interest therein, or in any part thereof, otherwise than by virtue and to the extent of some lease or tenancy hereby fully disclosed: And I make this solemn declaration, conscientiously believing the same to be true.

JAMES G. EDWARDS.

Dated at Sydney, this 17th day of October, 1882.

Made and subscribed by the abovenamed James George Edwards, this 17th day of October, 1882, in the presence of,—

JNO. GRAHAM, J.P.

To the Registrar-General,—

I, James George Edwards, the above declarant, do hereby apply to have the land described in the above declaration brought under the provisions of the Real Property Act, and request you to issue the Certificate of Title in the name of myself.

Dated at Sydney, this 17th day of October, 1882.

Witness to Signature,—

JNO. GRAHAM, J.P.

JAMES G. EDWARDS.

Schedule referred to.

12th November, 1856—Grant from Crown to William Roberts.

2nd April, 1881—Conveyance, said William Roberts to applicant.

Registered No. 953, Book 217.

JAMES G. EDWARDS.

I certify that the within application is correct for the purposes of the Real Property Act.

JAMES G. EDWARDS.

Lodged by GEO. KENYON.

Mr. A. Bonton to The Registrar-General.

Sir,

North Shore, 26 April, 1883.

With regard to my request of the 21st instant, I have, on inquiry from District-Surveyor Woolrych, ascertained the important fact that not only some of the original boundary-lines of old grants in the parish of Gordon, county of Cumberland, were investigated, but that they were re-marked on the ground, and corners fixed by the Government Surveyor (and are considerably at variance with those of J. G. Edwards's surveyor). For instance, the north boundary of the Government road between my land (original D. D. Matthews's 60 acres grant) and the 45 acres 2 rood 29 perches, originally W. Roberts's, (now J. G. Edwards's) noted on margin, as well as the south-east corner of D. D. Matthews's 60 acres above mentioned, are re-marked in the usual way on the ground. [See diagram in margin.]

Hoping that this may help towards the object of my letter of the 21st instant,

I am, &c.,

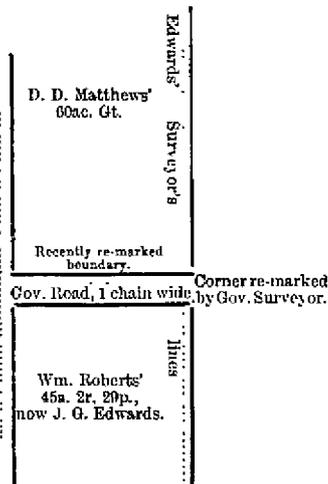
A. BONTON.

Notice under the Real Property Act

No 5,668.

45 acres 2 roods 29 perches, parish of Gordon, county of Cumberland; applicant, J. G. Edwards.

Published in Sydney Morning Herald of 10 March, 1883.



NOTE.—Dotted lines show the boundaries as defined by Edwards' surveyor. Vide 82-11,550 Ain.

Mr.

Mr. J. G. Edwards to The Registrar-General.

Sir,

Ward-street, St. Leonards, 7 July, 1883.

I am surprised to find that you have been requested by the Lands Department to delay the issue of certificate of title to 45 acres 2 roods 29 perches, in the parish of Gordon, pending action which the said Department contemplates taking on the report of Surveyor Fariola.

I am convinced that you do not approve of the tardy and clumsy manner in which the other branch has been dealing with my case; therefore, my object now is not to complain of the Department of which you are the worthy head, but to remind you how matters stand, which evidently are not understood in the Surveyor-General's Office.

As you remember, I have long since had the certificate of title for all the other blocks belonging to me, enumerated in the Under Secretary's letter, excepting the one mentioned above. To request you to withhold this one, when the others have been granted, can serve no other purpose than to ask you to condemn your own action. I respectfully submit that you cannot consistently refuse the certificate now applied for, and I now formally request that you will allow me to receive it. Evidently the Lands Branch is just waking up to the investigation of Boyle's old survey and my original application to bring three other portions under the Act. You will remember that when Boyle's survey was questioned I abandoned that application, so far as it contained my departure from the old descriptions, and you were pleased to grant me a certificate for those portions which have since been cut up and partly sold. But my recent application was never referred to the Surveyor-General, and since it accords with the description, and every other particular contained in the Crown grant without the slightest departure therefrom, there can be no grounds for the action taken. No error is admitted in the old deed. A certificate is applied for agreeing with that deed. Why then the delay? This block has been subdivided, auction plan prepared, and other expenses incurred to bring it into the market, and now it is sought to postpone the matter indefinitely. Surveyor Fariola's survey may be accurate, but I will prove either to the Minister for Lands, or at the Supreme Court, that the position he assigns to Matthews's eastern boundary is at variance with Raper, who measured Roberts's twenty-eight years ago, and disagrees with a number of certificates issued by your Department, and is not in the position accepted and recognized during thirty-seven years.

Yours, &c.,

JAMES G. EDWARDS.

The letter received by this Department from the Under Secretary for Lands regarding this matter has the following paragraph:—"I have the honor to request that you will be good enough to cause the issue of any certificate of title for any of the portions referred to to be delayed, pending final action in this Department on the surveyor's report." From this Mr. Edwards will see the necessity of corresponding with the Under Secretary for Lands upon this matter; at present we are unable to help him.—R. M. PEARSON, Principal Draftsman, 10/7/83.

Reply, 83/553. When done with this letter to go in case 5,668 (delayed pigeon-hole). Inform.—H.N., 10.

The Deputy Registrar-General to Mr. J. G. Edwards.

Registrar-General's Department, Land Titles Office,

Sydney, 10 July, 1883.

Sir,

In reply to your letter requesting to be allowed receipt of certificate of title to 45 acres 2 roods 29 perches in parish of Gordon, pending action of Lands Department, I have the honor to submit the following report of the Principal Draftsman:—"The letter received by this Department from the Under Secretary for Lands, regarding this matter, has the following paragraph:—

"I have the honor to request that you will be good enough to cause the issue of any certificate of title for any of the portions referred to to be delayed, pending further action in this Department on the Surveyor's report."

From this Mr. Edwards will see the necessity of corresponding with the Under Secretary for Lands upon this matter. At present we are unable to help him.

I have, &c.,

HY. NEWCOMBE,

Deputy Registrar-General.

Examiners' Report.

No. 5,668; value, £300.

Application of James George Edwards.

Property—45 acres 2 roods 29 perches, near Lane Cove, in the parish of Gordon, and county of Cumberland.

Title—Shown by application and deposited deeds.

Search to be continued.

We recommend this property to be passed under section 16 of the Real Property Act, with such qualifications as are note dbelow.

Dated this 26th day of February, 1883.

F. J. PLOMLEY,	} Examiners of Titles.
H. D. MADDOCK,	

26/2/83.

Qualifications referred to in Examiners' Report.

1. The usual insolvency search against applicant should prove satisfactory.
2. Dower to be noted as contingent, unless negatived or released in wife (if any) of William Roberts (Crown grantee).

D.

D.
 Passed under section 16 as recommended ; 70 days notice. Advertisements as usual. Search
 to be made.—E.G.W., 28/2/83.
 Qualification No. 2 forwarded.—C.H.M., 3/3/83. .

Application No. 5,668.—Draftsman's Report.
 45 acres 2 roods 29 perches, near Lane Cove, in the parish of Gordon, and county of Cumberland.
 Plan, descriptions, and search exd.

Dated 23rd February, 1883.

ROBERT M. PEARSON,
 Principal Draftsman.

The Under Secretary for Lands to The Registrar-General.

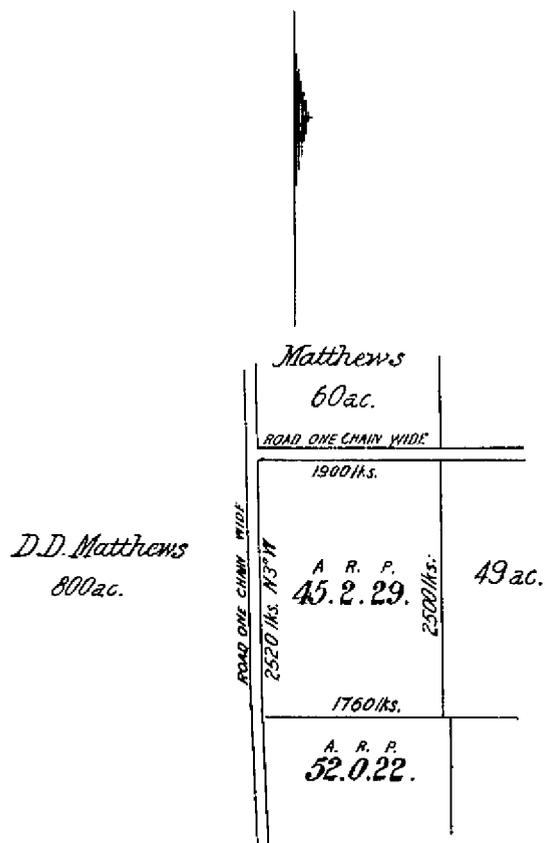
Sir,

Department of Lands, Sydney, 9 May, 1883.
 Mr. Licensed-Surveyor Fariola de Rozzoli having reported that Mr. D. D. Matthews's grants
 of 800 and 60 acres respectively, and portions 36, 37, 38, 39, 40, and 44, parish of Gordon, county of
 Cumberland, encroach on an old survey by Mr. Licensed-Surveyor Raper, and a recent one by Mr.
 Licensed-Surveyor Curtis, on a reserved Government road, I have the honor to request that you will be
 good enough to cause the issue of any certificate of title for any of the portions referred to to be delayed,
 pending final action in this Department on the surveyor's report.

I have, &c.,
 CHARLES OLIVER,
 Under Secretary.

[Sketch.]

Tracing
showing land near Lane Cove
 Parish of Gordon, County of Cumberland.
 Case 5668.
 Scale 20 chains to an inch.



(Sig. 802.-)

1883.
(THIRD SESSION.)
NEW SOUTH WALES.

REAL PROPERTY ACT.
(RETURNS UNDER, FOR 1882.)

Presented to Parliament by Command.

RETURN of the Number of Applications, with amount of Fees, &c., under the Real Property Act, from
1st January to 31st December, 1882.

Months	No. of Appli- cations	No. of Prop- erties.	Area.		Value	Fees.			Total						
			Town and Suburban.	Country.		Assurance.	Com- missioners.	Certificates and other Dealings.							
			a.	r. p.	a.	r. p.	£	s.	d.	£	s.	d.	£	s.	d.
January	25	31	270	1 22½	7,800	2 30½	52,095	10	8	109	0	10	46	5	0
February	17	32	140	3 10¾	644	2 0	32,977	3	0	68	14	1	33	10	0
March	26	35	99	3 22½	1,199	3 24	60,080	0	0	125	3	4	46	10	0
April	21	31	683	3 15¼	1,477	1 31	126,547	10	0	263	11	2	43	10	0
May	20	25	63	0 20	496	0 9	13,710	0	0	28	13	4	26	0	0
June	23	38	89	2 0	4,035	2 14	98,638	10	0	205	8	4	47	0	0
July	36	41	95	2 39¾	842	2 30½	126,491	0	0	263	10	7	67	5	0
August	21	51	49	0 21½	9,204	2 14	65,605	0	0	136	13	7	45	5	0
September	24	29	101	0 21½	4,027	2 37	34,276	0	0	71	8	8	40	10	0
October	25	46	93	0 18¾	7,356	0 4	57,917	10	0	120	13	3	52	0	0
November	34	79	184	1 9½	13,402	3 16	96,800	0	0	201	13	5	60	15	0
December	15	42	626	1 8½	1,942	3 29	72,746	0	0	152	6	1	30	0	0
Totals	287	480	2,497	1 9½	52,439	3 38¾	837,883	3	8	1,746	16	8	538	10	0

The above Return is exclusive of seven applications which have been withdrawn.

RETURN of the number of Crown Grants registered under the Real Property Act, from 1st January to
31st December, 1882.

Months.	No. of Grants.	Area.		Value.	Assurance.	
		Town and Suburban.	Country.			
		a.	r. p.	£	s.	d.
January	499	235	0 11	59,012	2	33
February	596	101	1 38	94,597	2	18
March	306	10	1 6	48,083	0	34½
April	378	28	2 12½	57,422	3	33½
May	1,528	488	1 1½	227,651	2	8
June	274	176	0 19	13,009	1	37
July	585	109	2 3½	60,294	3	6
August	923	209	1 27½	135,292	0	18½
September	1,577	353	0 10½	231,310	0	31
October	1,266	304	2 27	173,897	3	6½
November	661	39	0 9½	119,326	1	29
December	372	91	1 27	35,303	0	32
Totals	8,965	2,146	3 33½	1,255,302	0	6½

Note.—Amount of consideration money for Transfers under the Act for the year

£	s.	d.
2,960,405	0	0
4,710,855	0	0

Amount secured by Mortgage under the Act for the year

Total area under the Act to end of year 1882—12,062,219 acres 2 roods 22 perches

Total value of land under the Act to end of year 1882

£	s.	d.
10,001,389	14	0

E. G. WARD,
Registrar-General.

RETURN of Transactions registered under the Real Property Act, for the year ending 31st December, 1882.

Months.	Transfers.	Consideration of Transfers. £	Mortgages.	Consideration of Mortgages. £	Discharges.	Consideration of Discharges. £	Transfers of Mortgage.	Foreclosures of Mortgage.	Encumbrances.	Consideration of Encumbrances. £	Transfers of Encumbrance.	Leases.	Transfers of Lease.	Surrenders of Lease.	Re-entry of Lease.	Caveat.	Withdrawal of Caveat.	Writs or Warrants.	Satisfaction of Writs or Warrants.	Notice of Deaths.	Notice of Marriages.	Notice of Resumption.	Vesting Orders.	Powers of Attorney.	Registered Proprietor (Official Assignee).	Transmission by Endorsement.	Registration Abstracts.	Surrender of Registration Abstracts.	Total.	
January	613	238,028	165	818,000	140	187,798	2	...	1	1,000	...	5	2	3	16	14	1	1	6	...	...	...	...	...	3	17	...	...	889
February	581	344,877	185	849,427	123	218,778	8	...	...	...	...	3	5	...	13	12	6	...	...	4	...	1	...	...	2	13	...	...	906
March	678	389,115	257	689,934	156	161,642	5	1	1	...	...	6	3	...	17	9	...	1	8	...	...	...	...	...	1	13	...	...	1,156
April	493	155,864	181	206,161	136	86,641	5	...	...	...	...	5	3	1	10	3	3	...	...	3	...	1	1	...	...	6	...	...	850
May	678	273,613	247	307,071	168	111,611	4	...	...	...	...	6	12	...	24	8	4	...	...	6	1	...	...	1	6	14	...	...	1,171
June	731	273,020	244	407,775	155	110,756	2	1	18	5	3	10	15	3	1	1	9	...	2	2	2	44	1,248
July	722	178,196	226	501,714	128	276,194	4	...	1	1,200	...	16	3	...	31	9	1	3	1	5	...	5	...	...	6	8	...	...	1,168
August	763	316,118	260	490,604	126	702,847	4	...	...	...	...	9	1	1	15	11	...	1	6	...	...	1	1	...	6	7	...	...	1,212
September	627	276,139	223	570,264	126	73,339	2	...	1	...	...	24	1	...	21	12	3	...	...	5	1	6	2	...	1	15	...	...	1,073
October	632	214,101	189	510,661	108	157,422	7	...	...	...	...	30	11	2	15	10	2	1	1	3	...	...	...	...	...	24	...	...	1,037
November	542	153,591	221	187,192	129	243,151	6	10	1	1	14	8	1	2	1	1	1	1	8	947
December	512	197,753	207	177,052	118	87,291	6	18	2	1	15	9	6	...	6	8	22	922
Totals	7,422	2,060,405	2,605	4,710,855	1,603	2,417,450	55	1	4	2,200	1	150	49	12	3,201	120	24	10	62	2	23	7	2	...	80	190	8	12,579

Total numbers of endorsements

Total numbers of new certificates

19,897

5,424

E. G. WARD,
Registrar-General.

1883-4.

NEW SOUTH WALES.

REAL PROPERTY ACT.

(RETURNS UNDER, FOR 1883.)

Presented to Parliament by Command.

RETURN of the Number of Applications, with amount of Fees, &c., under the Real Property Act, from 1st January to 31st December, 1883.

Months.	No. of Applications.	No. of Properties.	Area.		Value.	Fees.								
			Town and Suburban.	Country.		Assurance.	Commissioners.	Certificates and other Dealings.	Total.					
			a.	r.	p.	£	s.	d.	£	s.	d.	£	s.	d.
January	16	43	172	2	31½	2,639	1	6	60,996	0	0	126	0	8
February	16	26	60	2	12½	849	3	27	96,755	0	0	201	11	6
March	23	43	116	3	23½	355	1	6½	43,018	0	0	89	19	9
April	23	39	91	3	17½	4,771	0	21	80,616	0	0	167	18	11
May	17	29	93	0	19½	2,361	0	32½	45,096	0	0	93	19	1
June	23	28	53	1	37½	3,141	0	23½	114,534	0	0	238	12	3
July	27	49	513	2	31½	1,937	1	20	84,053	0	0	163	0	1
August	25	34	105	2	5½	1,440	2	2½	56,243	0	0	117	3	7
September	17	20	158	3	12½	405	0	1	36,957	0	0	76	19	0
October	32	42	86	1	29½	1,190	0	17½	60,542	0	0	126	2	9
November	21	26	163	1	20½	775	3	7	32,758	10	0	68	5	0
December	24	27	155	3	13½	366	3	16	91,985	0	0	191	12	9
Totals	264	406	1,772	1	19½	20,233	2	20½	803,553	10	0	1,661	5	4
												495	15	0
												14,883	19	8
												17,041	0	0

The above Return is exclusive of eight applications which have been withdrawn.

E. G. WARD,
Registrar-General.

RETURN of the number of Crown Grants registered under the Real Property Act, from 1st January to 31st December, 1883.

Months.	No. of Grants.	Area.		Value.	Assurance.					
		Town and Suburban.	Country.							
		a.	r.	p.	£	s.	d.	£	s.	d.
January	605	58	0	14½	88,214	2	3	183	19	1
February	1,177	61	3	38½	151,484	1	15	375	4	10
March	1,011	215	2	30½	155,108	2	12	393	4	1
April	883	218	2	11½	94,931	0	14	232	5	0
May	1,170	121	1	1½	212,977	3	20	534	13	10
June	665	53	2	9	97,722	2	16	253	13	2
July	517	103	3	10½	54,585	1	12	134	8	11
August	701	166	0	33½	90,967	2	16	238	8	1
September	273	130	3	16½	40,640	1	23	108	19	4
October	749	327	3	23½	66,176	2	32	203	17	3
November	283	101	0	19½	18,250	3	36	45	3	2
December	131	72	1	26½	9,127	0	13	15	6	2
Totals	8,200	1,636	1	36½	1,038,921	3	34	2,714	2	11

Note.—Amount of consideration-money for Transfers under the Act for the year 1883 2,004,774 0 0
 Amount secured by Mortgage under the Act for the year 1883 5,781,167 0 0
 Total area under the Act at end of the year 1883—13,723,731 acres 0 roods 12 perches. 21,126,794 3 7
 Total value of land under the Act at end of 1883

E. G. WARD,
Registrar-General.

RETURN of Transactions under the Real Property Act, for year ending 31st December, 1883.

1883.	Transfer.	Consideration of Transfer.	Encumbrance.	Consideration of Encumbrance.	Mortgage.	Consideration of Mortgage.	Discharge.	Consideration of Discharge.	Foreclosure of Mortgage.	Notice of Resumption.	Transfer of Mortgage.	Caveat.	Withdrawal of Caveat.	Lease.	Surrender of Lease.	Transfer of Lease.	Writ.	Surrender of Writ.	Notice of Marriage.	Notice of Death.	Vesting Order.	Power of Attorney.	Registered Proprietor (Official Assignee).	Transmission by Endorsement.	Re-entry of Lease.	Total No. of Dealings.	Total No. of Endorsements.
		£		£		£		£																			
January	524	177,345	...	...	205	463,926	133	151,274	...	1	2	14	8	20	..	2	2	..	1	3	1	..	..	23	...	939	1,586
February	649	263,276	...	...	234	316,610	97	85,837	1	2	1	17	8	27	..	2	...	1	...	7	..	..	2	12	...	1,060	2,403
March	562	220,106	...	...	220	405,343	126	109,609	...	1	5	7	5	16	1	1	10	1	...	8	...	1	...	26	1	991	1,647
April	693	180,270	...	...	249	756,774	106	132,428	...	1	2	16	9	11	2	1	2	2	1	7	1	...	3	11	2	1,119	1,259
May	663	126,448	1	1,000	266	386,620	152	171,450	...	...	12	10	11	12	...	2	...	..	...	8	...	1	6	21	..	1,165	1,157
June	643	493,474	..	...	276	1,121,095	103	71,704	...	3	8	20	9	6	..	5	3	...	..	3	2	...	1	10	1	1,093	1,603
July	724	164,422	1	...	236	464,187	110	333,089	...	1	4	14	3	5	..	5	...	1	...	3	1	...	1	40	...	1,149	1,051
August	665	189,262	...	...	230	575,938	118	128,401	...	5	6	20	13	5	1	3	2	...	...	5	...	1	2	29	...	1,105	1,703
September	647	172,568	...	...	207	401,787	95	81,320	...	3	12	11	6	6	2	2	5	...	...	7	...	1	1	16	...	1,021	649
October	737	201,066	...	...	260	355,065	92	79,048	...	1	14	22	15	17	3	1	6	...	...	6	...	1	1	27	...	1,203	922
November	564	223,452	...	...	221	250,407	115	131,022	...	...	6	25	12	5	...	...	2	...	1	4	1	...	1	30	...	987	2,537
December	576	193,085	2	...	221	282,815	122	357,914	...	3	4	25	12	2	...	1	2	1	1	1	2	...	1	22	...	998	1,285
Totals	7,647	2,604,774	4	1,000	2,825	5,781,167	1,369	1,833,096	1	21	76	201	111	132	9	25	34	6	4	62	8	5	19	267	4	12,830	17,802

Sydney: Thomas Richards, Government Printer.—1884.

E. G. WARD,
Registrar-General.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND TITLES OFFICE.

(NUMBER OF CASES DEALT WITH, &c.)

Ordered by the Legislative Assembly to be printed, 11 June, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 21st May, 1884, That there be laid upon the Table of this House, a Return showing:—

“(1.) The number of cases passed through the Land Titles Office during the years 1882 and 1883 respectively.

“(2.) The names of the Examiners by whom the Titles were reported on.

“(3.) The number of Titles passed by each Examiner.”

(Mr. Poole, for Mr. Withers.)

8. LAND TITLES OFFICE (*Formal Motion*):—*Mr. Poole*, for *Mr. Withers*, moved pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

(1.) The number of cases passed through the Land Titles Office during the years 1882 and 1883 respectively.

(2.) The names of the Examiners by whom the Titles were reported on.

(3.) The number of Titles passed by each Examiner.

Question put and passed.

(1.) 526 in 1882, and 513 in 1883.

(2.) Messrs. E. Burton, H. D. Maddock, and F. J. Plomley.

(3.)						1882.		1883.
	Mr. Burton	...	...	...	...	114	...	98
	Mr. Maddock	...	...	...	...	517	...	478
	Mr. Plomley	...	...	...	...	369	...	451

[765 copies—Approximate Cost of Printing (labour and material), £1 2s. 4d.]

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUGAR INDUSTRY.

(PETITION OF SUGAR-PLANTERS AND OTHERS.)

Received by the Legislative Assembly, 27 May, 1884.

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

The Petition of the undersigned Sugar-planters, Sugar-manufacturers, and others resident in the Clarence River District,—

HUMBLY SHOWETH:—

That your Petitioners are deeply interested in the progress and prosperity of the Colony of New South Wales, and especially that portion of it known as the Clarence River District.

That the climate and soil of this district are of a character which precludes the cultivation of wheat and many other of the ordinary farm products of other parts of the Colony.

That up to within the last few years the agricultural output of the district was chiefly confined to maize, for which commodity there is but a limited market, especially when through the civilization and settlement of the islands of the Pacific very large quantities of maize are now being and likely to be brought into competition with the produce of this Colony.

That about the year 1869, anticipating some such result in respect to maize production, and consequently the very unprofitable returns which farmers would derive from a maize crop alone, it was resolved, with a view to alleviate any such disaster to the farmers of this district as would follow an over-production of maize, upon which they then almost entirely relied, and at the same time to endeavour to increase the wealth of the Colony as a whole by the establishment of a new industry, to resort to sugar-cane planting and manufacturing, and thereby to test not only the suitability of the soil and climate to the production thereof, but also to test the capacity of European labour against the coloured labour employed in sugar-cane planting and manufacturing in other countries.

That from calculations made at the time—calculations which results have since proved to be correct—it was gathered that, to establish and maintain the sugar industry by means of European labour in this Colony, it would be absolutely necessary that every encouragement should be given by the State to those investing capital in the venture, and that the duty on the imported article should be maintained at the then rate, or in effect, that without the protection afforded by that duty and the most liberal encouragement, it would be impossible for European labour in an uncertain climate to compete successfully with the more suitable climates and far cheaper labour obtainable in countries where the industry had either been long established, or might be established, under such highly favourable circumstances as greater suitability of climate and cheapness of labour affords.

That, in entering upon this new industry, it was patent that serious difficulties would have of necessity to be contended with, but it was hoped that those engaged in it would receive liberal encouragement and support from the Government and people of the country. Especially was it hoped that the distillation laws would be amended so as to enable sugar-manufacturers to utilize what has, in the absence of that amendment, become a waste product, and by that utilization to produce an article which would at the same time yield a revenue to the State, more than equivalent to any apparent loss that might be shown by a lessening of the revenue derived in the shape of taxation upon imported sugar through the production of home-grown sugar.

That from the first attempt to establish the sugar industry those engaged in it have had to contend with many difficulties that were unforeseen in the first instance. It has been found that the climate has not been entirely suitable to the growth of cane, the winter season being so severe as in many instances to entirely destroy the crop, while in the majority of cases the severe frosts have so retarded the growth of the cane as to render the cost of cultivation and manufacture equal the returns for the manufactured article.

That the labour supply has been of the most uncertain and irregular character, while at the same time the rate of wages demanded has been far higher than those usual in farming pursuits.

That notwithstanding those and other drawbacks and difficulties, there are at the present time in this district, exclusive of the mills the property of one large Company, forty-four (44) steam and seven (7) cattle mills, all manufactured in the Colony; the average number of hands employed at each mill being twenty-five (25) for a period of some sixteen (16) weeks during each season; the average wages being twenty-seven shillings and six pence (27s. 6d.) per week, exclusive of board and lodging which are also provided.

That the aggregate value of the sugar mills in the Clarence district, exclusive of those of the Company already referred to, is about £100,000, exclusive of the land; no insignificant amount, looking at it from that view alone, at stake in connection with this only partially established industry.

That the total yield of sugar is on an average not more than ninety (90) tons to each mill, the average value of which during the last season in the metropolitan market being from £22 to £25 per ton. That the cost of cultivating the cane and conveying it to the mill averages quite eight shillings (8s.) per ton

of cane, of which from fifteen to twenty tons are required to yield one ton of sugar, or say from £6 to £8 per ton of sugar, while the cost of manufacturing is equal, at the class of mills now more particularly referred to, to from £5 to £6 per ton; thus leaving only £8 per ton to cover insurance, rent, charges, and interest upon the capital invested in the purchase and erection of machinery and mill premises.

That not only is the margin so low as shown upon successful years and during one of the most favourable seasons experienced, but it has been proved by experience that such is the severity of the frosts that one year out of every three positive loss may reasonably be calculated upon.

That your Petitioners find, upon reference to the Statistical Register for the years 1880, 1881, and 1882, that the production of sugar in this Colony has only reached respectively 146,003 cwt., 159,048 cwt., and 210,568½ cwt., while for the same years there was imported into the Colony 395,300 cwt., 543,289 cwt., and 649,820 cwt. of raw sugar; facts that prove to demonstration that the production of the home article has in no way detrimentally affected the importation of foreign-grown sugar, or lessened the revenue derivable from the imported article.

That while the attempt that is being made to establish sugar-growing as a permanent industry in this Colony has undoubtedly given some impetus to the mechanical and manufacturing industries of the Colony, afforded beneficial employment to a large number of persons at high rates of wages, done something to relieve the hitherto maize-growers of the Colony from a glutted market for the sale of their produce, lessened the actual cost to consumers of sugar, and helped on the progress of the State, those engaged in it are not receiving nor have they received that measure of encouragement which they are undoubtedly entitled to for their efforts in striving to serve the country so well, their treatment in this respect being in strong contrast to the liberal encouragement extended to sugar growers and manufacturers in the adjoining Colony of Queensland.

That your Petitioners have learnt that in that Colony much encouragement is given to the establishment of the sugar industry in many ways, not the least of which are special labour provisions and an exceedingly liberal distillation law compared to that of this Colony.

That the statutes now in force in this Colony in relation to distillation are adapted only to the manufacture of spirits in large quantities, far beyond the reach of small capitalists, and therefore entirely unsuited to the interests of the sugar-manufacturers of New South Wales.

That in consequence of the want of a liberal Distillation Act, suitable to their needs, the raw sugar manufacturers have hitherto, and are now, losing the entire profit which would otherwise accrue to them from the distillation of mill-refuse and molasses, for which they have no remunerative means of disposal.

That not only are the small mill-owners thereby deprived of a source of profit, but an unfair advantage and monopoly is given to the large capitalists able to carry on operations on a scale of magnitude sufficient to pay them within the provisions of the existing distillation law.

That your Petitioners submit that the passing of a law which would enable the small mill-owners to utilize the refuse of the mills and molasses (the latter now unsalable) would not only give those mill-owners a profit, but would also have the effect to cheapen sugar to the consumer, thereby enabling him the more readily to bear the burden of taxation in respect to other articles not so much a necessity of existence as sugar. And further, that a duty imposed upon spirits so distilled would more than recoup any falling off in the revenue derived from imported sugar.

That the yield of colonial distilled spirits, as shown by the Statistical Register for the year 1882, from 25,035 cwt. of molasses, was 119,066 gallons, or equal to a little over one gallon of spirits to two gallons of molasses.

That the total yield of molasses for the year 1882, not including skimmings and mill-refuse, from the distillation of which alone the whole mill expenses should be met, was 69,260 cwt. The yield of spirits from that quantity of molasses would have amounted to at least 211,623 gallons, which, at a duty of only six shillings (6s.) per gallon, would return for revenue nearly £110,000, beside yielding the manufacturers, at two shillings (2s.) per gallon, £31,162.

Your Petitioners submit, under all these circumstances and the difficulties that surround the establishment of the sugar industry, in respect to climate and expensive labour, that the fullest possible encouragement should be given to those engaged in it, and especially should they be placed in a position, by an amendment of the distillation laws, to utilize what are now waste products.

That if they are so encouraged and legislated for, it will be largely for the benefit of the people of the country, by widening the avenues for manufacturing industry, lessening the cost of sugar production, thereby retaining money in the country, and at the same time cheapening the article to the consumers, as well as securing the waste product referred to as a source from which a large revenue may be derived, and thus indirectly relieve the Government from the unsatisfactory course of resorting to the taxation for revenue purposes of commodities of every-day necessity and of home production.

That unless encouragement and assistance of the nature suggested are afforded to sugar planters and manufacturers your Petitioners fear that, considering all the difficulties they have to contend with, the industry as being established at present will collapse, thereby entailing very severe loss if not absolute ruin upon a large number of industrious and energetic persons who have in the best interests of the country expended their capital, and in many instances involved themselves in debt, while seeking under great difficulties to increase the productiveness and wealth of this country.

That, in the opinion of your Petitioners, it is the duty of those who administer the Government of this country, as well as of its people generally, to encourage all those who endeavour to establish new industries, and that to act otherwise, either by imposing restrictive laws which give other countries superior advantages in the home market, or by withholding measures which would facilitate the operations of those engaged in such industries, is evidence of mis-government and a disregard of the best interests of the community.

Your Petitioners therefore humbly pray that you will take the premises into your most favourable consideration and grant such relief as you may deem advisable, and especially such an amendment of the distillation laws as will enable sugar-manufacturers and others to carry on distillation in a manner and to an extent suited to small capitalists under proper supervision.

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

[Here follow 487 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

HOUSE OF THE GOOD SHEPHERD AND SYDNEY FEMALE REFUGE.

(PAPERS CONNECTED WITH OCCUPATION OF PITT-STREET PREMISES.)

Ordered by the Legislative Assembly to be printed, 26 March, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 28th November, 1883, That there be laid upon the Table of this House,—

“Copies of all letters, papers, minutes, and correspondence of every kind
“between the Colonial Secretary, the Secretary for Lands, and all other
“public officers, and the persons who applied for and afterwards obtained
“permission to occupy that portion of the public lands situated in Pitt-
“street South, upon which is now erected the Houses of the Good Shepherd
“and Sydney Female Refuge.”

(Mr. Poole.)

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HOUSE OF THE GOOD SHEPHERD AND SYDNEY FEMALE REFUGE.

No. 1.

Memorandum by Governor Gipps.

WRITE to the Sheriff and inform him that no sums having been provided for the maintenance, during the year 1884, of the Gaols at Windsor, Liverpool, and Campbelltown, those establishments must of course be entirely reduced before the 1st of January next, and the prisoners removed to Parramatta.

Request him to state whether any, and if any, what orders or proclamations it may be necessary for the Government to issue, in order to carry the proposed measures legally into effect.

G. G.,
24th November, 1843.

No. 2.

The Sheriff to The Colonial Secretary.

Sir,

Sheriff's Office, Sydney, 6 December, 1843.

I have the honor to acknowledge the receipt of your letter of the 4th instant, respecting the removal of the prisoners from the Gaols at Windsor, Campbelltown, and Liverpool, to Parramatta, and in reply to state that if His Excellency the Governor will be pleased to intimate to their Honors the Judges that the above three Gaols must be abolished by the 1st of January, 1844, they will thereon give me the necessary authority to remove the prisoners before that period.

I have, &c.,
ADOLPHUS W. YOUNG,
Sheriff.

Minute on No. 1.

Write to the Chief Justice as herein suggested.—G.G., 9th December, 1843.

No. 3.

The Chief Clerk of the Supreme Court to The Colonial Secretary.

Sir,

Supreme Court Office, 21 December, 1843.

I am requested by their Honors the Judges to transmit herewith copies of two orders for the removal of prisoners from the Gaols lately abolished, and have the honor to request that you will be pleased to cause their insertion in the forthcoming Government Gazette.

I have, &c.,
D. B. HUTCHINSON,
(For Chief Clerk of Supreme Court).

Minute on No. 3.

Order accordingly.—G.G., 21 December, 1843.

No. 4.

Memorandum by Governor Gipps.

LET notice be given to the Visiting Magistrate that it is proposed to break up this establishment on the 1st January next, and request he will inform all persons now receiving salary in the establishment that their employment will cease on the said 1st of January next.

G. G.,
8th September, 1845.

But before the establishment is actually broken up, it will be necessary to look up the Prisons Act, 4 Vic. No. 29. A doubt may perhaps arise whether consistently with this Act, and especially the 1st and 6th clauses of it, the establishment can be broken up without an Act of Council; on the other hand, the establishment has hitherto been supported entirely out of Court Funds, and I can no longer apply the funds placed at my disposal for convict purposes to the support of it. It may perhaps be necessary to consult the Law officers on the subject.

G. G.,
8th September, 1845.

Minute on No. 4.

Before writing to the Law officers, I have taken the liberty of enclosing the papers showing the course pursued when the gaols at Windsor, Campbelltown, and Liverpool were abolished.

24 September.

It is presumed that nothing more will be required in breaking up the establishment at the House of Correction than was necessary when the gaols at Windsor, Campbelltown, and Liverpool were discontinued. But it may be necessary to ascertain whether under the 1st and 6th section of the Act 4 Vic. No. 29, the gaol at Darlinghurst is also a House of Correction, or whether it will be necessary to declare it such on breaking up the Establishment at Carter's Barracks.

The Prison at Darlinghurst is already a House of Correction, under the Governor's proclamation of 2nd June, but it may nevertheless be as well to refer to the Law officers, because the transfer of prisoners in the former cases referred to was apparently made under the authority of the 17th section of the Act from one gaol under the Sheriff's control to another, also under his control; but in the present instance this condition is wanting, for the House of Correction at Carter's Barrack is expressly exempted from the Sheriff's control by the 3rd section of the same Act.

15 October.

No. 5.

No. 5.

The Colonial Secretary to The Crown Solicitor.

Sir,

Colonial Secretary's Office, Sydney, 18 October, 1845.

His Excellency the Governor having determined to break up the House of Correction at Carter's Barracks, on the 1st January next, I have the honor to request that you will obtain the opinion of the Attorney and Solicitor General as to what steps (if any) are necessary in order to discontinue the establishment, and remove the prisoners who may be confined therein.

When it was resolved, at the close of the year 1843, to abolish the gaols at Campbelltown, Windsor, and Liverpool, it was deemed sufficient to obtain orders from the Judges of the Supreme Court for the removal of the prisoners to Parramatta, copies of which orders are enclosed.

This course was apparently adopted under the authority of the 17th section of the Gaols and Prisons Act, 4 Vic. No. 29, which empowers the Sheriff, with the sanction of a Judge, to remove any prisoner whatever from any gaol under his control to any other gaol being also under his control.

In the present instance, however, one of these conditions is wanting, as you are doubtless aware that by the proviso attached to the 3rd section of the Act referred to, this establishment was exempted from the control of the Sheriff.

I have, &c.,

W. ELYARD, JUNR.

No. 6.

The Crown Solicitor to The Colonial Secretary.

Sir,

Crown Solicitor's Office, Sydney, 24 October, 1845.

I have the honor to acknowledge the receipt of your letter of the 18th instant, informing me that His Excellency the Governor had determined to break up the House of Correction at Carter's Barracks, on the 1st January next, and requesting that I would obtain the opinion of the Attorney and Solicitor General as to what steps (if any) are necessary in order to discontinue the establishment and remove the prisoners who may be confined therein.

I now beg to enclose the opinion of the Attorney and Solicitor General accordingly.

I have, &c.,

J. MOORE DILLON,

Criminal Crown Solicitor.

Minute on No. 6.

This opinion seems to proceed on the assumption that it will be necessary to remove the prisoners from the present House of Correction to Darlinghurst Gaol, but I scarcely think any removal will be necessary. All I want is to prevent any more persons, whether free or bond, being sent to Carter's Barracks.—G.G. But before this is acted on I must get a return from Captain Innes of the number of men in the House of Correction, and the nature of their offences.—G.G., 25 October.

[Enclosure to No. 6.]

24 October, 1845.

We are of opinion that the Sheriff cannot remove the prisoners from Carter's Barracks to the new gaol at Darlinghurst under a Judge's order, in pursuance of section 17 of the Act of 4 Vic. No. 29, now under the authority of enactment in the latter part of the section 15, on the new gaol being proclaimed as the House of Correction for the district of Sydney, because Carter's Barracks is not a "gaol under his control" within the meaning of the former section, nor are the prisoners therein "prisoners in his custody" within the terms of the latter enactment.

We are, however, disposed to think that under the earlier part of section 15 the Sheriff may, upon receiving a notice by order of the Governor, remove the prisoners to the new gaol, and that the Governor is authorized to order such removal upon such gaol being proclaimed as above. But as the power of the Governor in this behalf depends upon whether the object of removal can be said to come within the expression "for any of the purposes of this Act," and as we are not entirely free from doubt whether, upon such a strict construction of the whole of this section as would *in favorem libertatis* to put upon it, a removal by His Excellency's order under the circumstances contemplated would be deemed to be duly authorized, we think it will be advisable that a short bill should be introduced into the Legislative Council for the purpose of removing all difficulty upon the subject.

J. H. PLUNKETT, Attorney-General.
W. M. MANNING, Solicitor-General.

No. 7.

The Colonial Secretary to The Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 27 February, 1847.

In reference to your letter of the 9th April, 1846, I have now the honor, by direction of His Excellency the Governor, to inform you that it does not appear to be the intention of the Commanding Royal Engineer to appropriate any portion of the late Carter's Barracks to a Military Prison.

I have, &c.,

W. ELYARD, JUNR.,

(For the Colonial Secretary).

No. 8.

The Right Rev. Dr. Gregory to Governor Fitz Roy.

Sir,

Sydney, 26 June, 1848.

With reference to a conversation which the Most Reverend the Archbishop had with your Excellency some ten days since relative to the appropriating a portion of Carter's Barracks for a charitable purpose, I do myself the honor, by direction of His Grace, respectfully to request that Your Excellency may be pleased to direct that part of the abovementioned building, known as the "Sheriff's Prison" may be give up to us for a Magdalen Asylum.

I have, &c.,

H. G. GREGORY,

Vicar-General.

Minutes

Minutes on No. 8.

Should not an Institution of this kind be in the nature of a general one, to which persons of all denominations might be received? It is on this principle the Benevolent Asylum is conducted.—3 July.

By His Excellency the Governor:—I believe this is the intention of the Archbishop, but all the reply I gave him was that if he would make his application in writing I would take it into consideration. Would it not be as well to bring this before the Executive Council?—C.A.F., 4th July.

B.C., 5th July, 1848.—E.D.T. Laid before the Executive Council, 24th July, 1848, Min. No. 48/24.—F.L.M. Ask Mr. Lewis to send me the plan of the ground on which the old House of Correction stands, and to state whether any part of it is likely to be required for the formation of streets, and showing in pencil on the plan how they will intersect the land.—3 Nov., 1848. Remind Mr. Lewis respecting the plan of the old House of Correction. Immediate.—11 Nov., 1848.

No. 9.**Minute by the Executive Council.**

No. 48-328.

Executive Council Office, Sydney, 23 August, 1848.

SUMMARY of proceedings of the Executive Council on the 21th July, 1848, relative to a letter from Dr. Gregory, requesting that a portion of Carter's Barracks may be appropriated to the purposes of a Magdalen Asylum.

Minute 48-24, confirmed 2nd August, 1848.

His Excellency the Governor lays before the Council Dr. Gregory's letter of the 26th June, 1848.

The Council advise that this application should be acceded to on the distinct understanding that the proposed institution will be, like the Benevolent Asylum, open to persons of all denominations alike, and that it will be managed like the Benevolent Asylum by a Committee selected from the community at large.

FRANCIS L. MEREWETHER,
Clerk of the Council.

Minute on No. 9.

By the Governor:—Approved.—C.A.F., 26 August, 1848.

No. 10.**The Colonial Secretary to The Very Reverend Dr. Gregory.**

Very Reverend Sir,

Colonial Secretary's Office, Sydney, 29 August, 1848.

His Excellency the Governor having laid before the Executive Council your letter of the 26th June last, requesting that that portion of the Carter's Barracks known as "The Sheriff's Prison," may be appropriated to the purposes of a Magdalen Asylum, I am instructed to acquaint you that, with the advice of the Council, His Excellency approves of your application being acceded to, on the distinct understanding that the proposed institution will be, like the Benevolent Asylum, open to all persons of all denominations alike, and that it will be managed, like the Benevolent Asylum, by a committee chosen from the community at large.

I have, &c.,

E. DEAS THOMSON.

No. 11.**The Colonial Secretary to The Colonial Architect.**

Sir,

Colonial Secretary's Office, Sydney, 31 August, 1848.

I do myself the honor to inform you that on the application of the Very Reverend Dr. Gregory, His Excellency the Governor, with the advice of the Executive Council, has sanctioned the appropriation of that portion of the Carter's Barracks, known as "The Sheriff's Prison," to the purposes of a Magdalen Asylum, on the distinct understanding that the proposed institution will be, like the Benevolent Asylum, open to all persons of all denominations alike, and that it will be managed, like the Benevolent Asylum, by a committee selected from the community at large.

I have, &c.,

E. DEAS THOMSON.

No. 12.**The Secretary, Sydney Female Refuge Society, to The Colonial Secretary.**

Sir,

Gloucester-terrace, Sydney, 31 August, 1848.

I am instructed by the Committee of Management of the Sydney Female Refuge Society to forward, for the information of His Excellency the Governor, a copy of a circular (marked No. 1), which was addressed to upwards of 100 influential gentlemen in Sydney and its vicinity, preparatory to a public meeting held on the 21st instant, which was also advertised in the public newspapers for seven days previously. Not in papers.

Annexed to circular No 1 is a copy of the draft of rules for the Sydney Female Refuge Society, which were unanimously adopted at the public meeting, and which it is presumed are sufficiently explanatory of the nature and objects of the society, and of the plan of operation which it is proposed to adopt. It will be observed that its constitution is liberal and comprehensive, no limitation of a sectarian character, either as to the membership or management of the society with respect to those whose reformation is contemplated, having been introduced.

I have the honor also to enclose a copy of a circular (marked No. 2) which the Committee of Management appointed at the public meeting of the 21st instant have issued, with the view of soliciting subscriptions and donations from the public. This circular contains a list of the office bearers who have been selected from various religious denominations. Nothing can be more gratifying than the assurances of sympathy and support which the Committee have received from gentlemen of rank and station, as well as from ministers of religion of all persuasions. Not in papers.
The

The Committee of Management are therefore induced to hope that upon a consideration of all the circumstances of the case it may appear expedient to His Excellency the Governor to grant to the Society suitable premises for the carrying out of the object proposed.

I have, &c.,
JAMES B. LAUGHTON,
Secretary, S.F.R.S.

Minute on No. 12.

Laid before the Executive Council, 28 Nov., 1848.—F.L.M.

No. 13.

The Surveyor-General to The Colonial Secretary.

Sir, Surveyor-General's Office, Sydney, 5 September, 1848.

I do myself the honor to acknowledge the receipt of your letter of the 31st ultimo, informing me that on the application of the Very Reverend Dr. Gregory, His Excellency the Governor, with the advice of the Executive Council, had sanctioned the appropriation of that portion of the Carter's Barracks, known as "The Sheriff's Prison," to the purposes of a Magdalen Asylum, on the conditions stated. I therefore beg leave to invite your attention to the circumstance of an acre of land having been granted on the 4th December, 1837 (*vide* registry in your office, No. 24, folio No. 325, 6, 7, 8, and 9), in order that I may be apprised whether it is His Excellency's intention that the appropriation of the Sheriff's Prison should be permanent, or that it should be merely used until the edifice contemplated by the grant above referred to can be erected and applied.

I have, &c.,
T. L. MITCHELL,
Surveyor-General.

Minutes on No. 13.

It seems that the other papers cannot be traced. The Deed in question bears date 4 December, 1837, and is in favour of trustees for the erection and management of buildings to be appropriated as a place of refuge for destitute females.—13 September.

By His Excellency the Governor:—Approved as a temporary arrangement, as proposed in the last part of this letter.—C.A.F., 13th.

No. 14.

The Right Rev. Dr. Gregory to The Colonial Secretary.

Sir, Sydney, 18 September, 1848.

I do myself the honor, by direction of the Most Reverend the Archbishop, in acknowledging your letter of the 29th August, to state that we accept the portion of Carter's Barracks appropriated for the purpose of a Magdalen Asylum, on the terms proposed by the Government; and, furthermore, to inform you that His Grace the Archbishop has consented to become President, and the following gentlemen have also given their consent to act on the Committee of that Institution, viz.:—The Very Reverend Dr. Gregory, Vicar-General; Honorable John H. Plunkett, Esq., Her Majesty's Attorney-General; William Macpherson, Esq., Legislative Council; Joseph L. Innes, Esq., Chief Commissioner of Police; The Reverend John M'Encroe, Dean of Sydney; Mortimer W. Lewis, Esq., Colonial Architect; Mr. Robert Coveny.

I have, &c.,
H. G. GREGORY,
Vicar-General.

Minutes on No. 14.

By His Excellency the Governor:—For the Executive Council.—C.A.F., 27th.

Laid before the Executive Council, 28 November, 1848.—F.L.M.

No. 15.

The Colonial Secretary to The Colonial Architect.

Sir, Colonial Secretary's Office, Sydney, 3 November, 1848.

I do myself the honor to request that you will furnish me with a plan of the ground on which the old House of Correction stands, stating whether any part of it is likely to be required for the formation of streets, and showing in pencil on the plan how they will intersect the land.

I have, &c.,
W. ELYARD, JUNR.

No. 16.

The Colonial Secretary to The Colonial Architect.

Sir, Colonial Secretary's Office, Sydney, 13 November, 1848.

I do myself the honor to remind you that you have as yet omitted to furnish the plan of the ground on which the old House of Correction stands, called for by my letter of the 3rd instant.

I have, &c.,
W. ELYARD, JUNR.

No. 17.

The Colonial Architect to The Colonial Secretary.

Sir, Colonial Architect's Office, Sydney, 15 November, 1848.

In attention to your letter, dated the 3rd instant, requesting me to furnish a plan of the ground upon which the old House of Correction stands, stating whether any portion of it is likely to be required for the formation of streets, I do myself the honor to transmit the accompanying plan borrowed from the
Commanding

Commanding Royal Engineers Office, showing the ground in question, with the adjoining land and buildings in the occupation of the Commissariat, the Mounted Police, the Magdalen Hospital, and the Superintendent of Police; and I find, after inquiry at the Surveyor-General's Office, that there are not any streets now contemplated or projected that will in any way interfere with the land or buildings referred to.

I have, &c.,
MORTIMER WM. LEWIS,
Colonial Architect

Minute on No. 17.

Laid before the Executive Council, 28 November, 1848.—F.L.M.

No. 18.

The Right Rev. Dr. Gregory to The Attorney-General.

Sir,

St. Mary's Priory, Sydney, 27 November, 1848.

I have the honor, by direction of the Most Reverend the Archbishop, to state that, in addition to the names of the gentlemen who have already consented to act on the Committee of the Magdalen Asylum, Mr. Gregory (the Prothonotary, Supreme Court) and the Rev. Dr. M'Garvie have expressed their intention of rendering their assistance. Many to whom application has been made have excused themselves, on the ground of their connection with the Institution of a similar nature about to be established.

I transmit you the accompanying letter from the Rev. William B. Boyce, Principal of the Methodists, as a specimen of the excuses made for not joining the Institution.

I have, &c.,
H. J. GREGORY, V.G.

Minute on No. 18.

Laid before the Executive Council, 28 Nov., 1848.—F.L.M.

[*Enclosure to No. 18.*]

The Rev. W. B. Boyce to The Very Rev. Dr. Gregory.

My dear Sir,

Wollongong, 22 November, 1848.

The delay in acknowledging your kind note of the 14th has been occasioned by my absence in the country, and by the necessity of referring to Sydney, to ascertain my position with the other Society which was instituted soon after the one under the patronage of the Catholic clergy. I regret that there should be any appearance of rivalry in the Institutions, which are of a kindred character, and I am obliged, in justice, to exonerate the Catholic clergy from any blame, as they have from the first, as far as I can learn, manifested a friendly liberality which I fear has not been cordially responded to. Until, however, the question of friendly union (not controlled) has been fairly brought before the Committee to which I belong, I think I ought not to give in my formal adhesion to an Institution which they may regard as a rival. It is with just regret that I have come to this determination, as I am specially anxious publicly to manifest my admiration of and my sympathy with the purely Charitable Institutions which are mainly under the patronage of the Catholics of New South Wales. I trust that some measure of union will be speedily agreed upon, by which the one Society, with a mixed Committee, for financial purposes, will be organized in two branches, under separate management, for moral and religious training—the one Catholic and the other Protestant,—by which means the wants of the poor outcasts may be met, and no room left for any suspicion of sectarian bias or favoritism; and I regard this union, for financial purposes, the most desirable, as I am satisfied that Government assistance will be necessary, and that aid which I believe would be readily granted to a general Institution would be refused to one of an exclusive character, or which appears to be so.

Should, however, this union not take place, I shall feel it my duty to give an equal measure of support to the Institutions under the special patronage of the Catholic clergy, not because my support can avail much, but simply as an expression of kindly feeling on my part, and on the part of the body to which I belong, towards the Catholics of the Colony.

Meanwhile, allow me to subscribe myself, with every sentiment of respect and regard,—

Yours sincerely,
WILLIAM B. BOYCE.

[*Minute on above.*]

Laid before the Executive Council, 28 November, 1848.—F.L.M.

No. 19.

Mr. R. Mansfield to The Hon. E. Deas Thomson.

My dear Sir,

Wednesday evening, 6 December, 1848.

As we happened to have a meeting of the Refuge Committee this evening, I took the opportunity of mentioning the conversation I had with you on Monday last, relative to a coalition between the two Societies; and I am happy to say that the opinion upon which you and I were agreed, as to the desirability of a coalition, met with the unanimous concurrence of the members present, and I am authorized to assure you that the Committee are prepared to take every proper step on their part towards carrying such an arrangement into effect—consistently, of course, with the comprehensive principle of the Charity they represent.

I may add that the object of this evening's meeting was to consider what should be done with reference to our not having received from you an official reply to our letter of August last; and upon my stating what you had said to me on that subject, it was agreed to adjourn for a few days longer.

It is therefore scarcely necessary for me to remark that my present communication is not intended to interfere with the due course of our official correspondence.

I remain, &c.,
R. MANSFIELD.

Minute on No. 19.

Put with other papers relating to this case.

No. 20.

No. 20.

The Rev. J. B. Laughton to The Colonial Secretary.

Sir,

Gloucester-terrace, Sydney, 21 December, 1848.

I am directed by the Committee of Management of the Sydney Female Refuge Society respectfully to solicit your attention to the unusual interval which has now elapsed without their having been favoured with any reply to their communication of the 31st August last.

I am directed to inform you that, in consequence of this delay, the operations of the Society have been wholly suspended during a period of four months; that the public subscriptions, which had amounted to nearly £200, have ceased, and that the Committee are consequently reduced to a position of painful embarrassment, the members being repeatedly applied to for information by the subscribers, to whom the Committee are responsible; that the greatest dissatisfaction has been caused among the subscribers, and that the Society has been most seriously damaged in public estimation.

The Committee therefore most earnestly solicit the favour of an early reply to their application, as it will be impossible for them to delay much longer reporting to their constituents and explaining the causes of their apparent inactivity.

I have, &c.,

JAMES B. LAUGHTON,

Secretary.

Minute on No. 20.

This awaits the summoning of Council. Write to the Immigration Agent to say that it is urgently required.—22nd December. Immediate.

No. 21.

Minute by the Executive Council.

PROCEEDINGS of the Executive Council on the 12th December, 1848, relative to the appropriation of buildings in Carter's Barracks to the uses of a Magdalen Asylum. Minute No. 48-48, confirmed 19th December, 1848.

With reference to the proceedings on the 28th ultimo, the Council resume the consideration of Dr. Gregory's letter, intimating, on the part of the Society which he represents, its acceptance of the portion of Carter's Barracks known as the "Old Debtors' Prison," on the conditions proposed, and submitting the names of the Committee of Management, and of the application from the Secretary to the Female Refuge Society for a building for the Institution which it is about to form. It appears, from a report of the Colonial Architect, and from the plan which he has submitted, that the further portion of Carter's Barracks which used to be the House of Correction does not interfere with any projected streets. The Council therefore see no reason why these buildings also should not be used as a Magdalen Asylum, should they not be required for military purposes by the General in command of the Forces, at whose disposal they are primarily placed by Her Majesty's Government.

The Council however regret to find that the parties interested themselves in the formation of a Magdalen Asylum have not combined for the establishment of a single Institution conducted on the same comprehensive principles as the Benevolent Asylum, but that they have become divided into two distinct societies, and as such have made separate applications to the Government for the use of the buildings at its disposal.

By a letter dated the 26th June last, in which reference is made to a previous personal communication on the subject between His Excellency and Archbishop Polding, Dr. Gregory made application that "the part of Carter's Barracks known as the Sheriff's Prison might be given up to them for a Magdalen Asylum."

This application was laid before the Council on the 24th July, when the Council advised that it "should be acceded to, on the distinct understanding that the proposed Institution should be, like the Benevolent Society, open to persons of all denominations alike, and that it should be managed, like the Benevolent Asylum, by a Committee selected from the community at large."

In reply to a communication made to him, in accordance with this advice of the Council, Dr. Gregory stated: "By direction of the Most Reverend the Archbishop, that they accepted the portion of Carter's Barracks appropriated for the purpose of a Magdalen Asylum, on the terms proposed; that His Grace the Archbishop had consented to become President, and that the following gentlemen had also given their consent to act on the Committee of that Institution, viz:—The Very Rev. Dr. Gregory (Vicar-General), Hon. John H. Plunkett (Her Majesty's Attorney-General), William M'Pherson, Esq., Legislative Council, Joseph L. Innes, Esq. (Chief Commissioner of Police), the Rev. John McEncroe (Dean of Sydney), Mortimer W. Lewis, Esq. (Colonial Architect), Mr. Robert Coveny."

On the receipt of this reply the Governor did not formally lay it before the Council; but having ascertained the opinion of the members that the selection of the Committee was not in accordance with the terms on which the building had been proposed to Dr. Gregory, that it was not such as would be likely to gain the confidence of the community at large, and that under its management the proposed Asylum would be virtually, if not nominally, a Roman Catholic Institution, His Excellency deferred the consideration of the matter, pending the result of a communication which the Attorney-General undertook to make Dr. Gregory on the subject.

In consequence of that communication Dr. Gregory wrote to the Attorney-General the letter before the Council, in which he states that, in addition to the persons before named, Mr. Gregory, the Prothonotary of the Supreme Court, and the Rev. Dr. M'Garrie, the present Moderator of the Presbyterian Church, will act on the Committee, but that many (amongst whom Mr. Boyce is specially named) have excused themselves on the ground of their connection with the Institution of a similar nature about to be established.

As Dr. Gregory's application was prior to that of the Female Refuge Society, by some months, the Council consider it right that the parties on whose behalf his application was made should have a full opportunity of moulding the establishment already formed by them into an Institution of such a general and comprehensive character as to satisfy the conditions on which the building asked for was placed at their disposal, and on which it was accepted.

The

The Council therefore recommend that the building, being the portion of Carter's Barracks known as the "Debtors' Prison," which it appears has been already placed in the possession of and repaired by the parties in question, should be allowed to remain in their occupation, and that the old House of Correction should be placed at the disposal of the Female Refuge Society. This arrangement for the accommodation of the two Societies is sanctioned by the Council, in the earnest hope that the juxtaposition of their establishments, and the obvious advantages which would arise from their coalition, as regards economy of management, will speedily lead to their union. The Council however think it necessary to state that they cannot advise, as a permanent measure, the adoption of an arrangement based upon the present division of the two Institutions, and they therefore recommend that both parties should be distinctly informed that, in allowing the use of the buildings which it is proposed to assign to them respectively, the Government does not make, nor intend to make, a final surrender of them to either party exclusively, but that, in the event of a coalition taking place between the two Societies, the Government will be prepared to make a permanent grant of the whole of the land for the purposes of the united Society.

It will of course be necessary to add that the whole of this arrangement must be subject to the ultimate approval of Her Majesty's Government, as the Local Government has no power to make any permanent appropriation of any part of the premises forming the site of the old House of Correction without express authority to that effect from the Right Honorable the Secretary of State.

Executive Council Office, Sydney, 22 December, 1848.

FRANCIS L. MEREWETHER,
Clerk of the Council.

Minute on No. 21.

By His Excellency the Governor:—Approved.—C.A.F., 23 December.

No. 22.

The Colonial Secretary to The Right Rev. Dr. Gregory.

Sir,

Colonial Secretary's Office, Sydney, 27 December, 1848.

Referring to your letter of the 18th September last, in reply to mine of the 29th August, relative to the appropriation of a portion of Carter's Barracks to the purposes of a Magdalen Asylum, I am now directed by His Excellency the Governor to transmit for your information a summary of the proceedings of the Executive Council on this matter, in connection with an application for a portion of the same building, which was made to the Government by the Female Refuge Society.

As the circumstances attending these applications are so fully set forth in the Minute of Council, it is only necessary that I should convey to you His Excellency's approval generally of the statement of the case therein contained, and his entire participation in the hope expressed by the Council that the two Societies may be eventually united.

I am instructed explicitly to repeat here what is already stated in the Minute of Council,—that the entire arrangement is subject to the ultimate approval of Her Majesty's Government.

The matters detailed in the enclosed Minute of Council will, it is believed, sufficiently explain the delay which has occurred in disposing of this case.

I have, &c.,
E. DEAS THOMSON.

No. 23.

The Colonial Secretary to The Rev. J. B. Laughton.

Reverend Sir,

Colonial Secretary's Office, 27 December, 1848.

Referring to your letter of the 21st August, applying, on behalf of the Female Refuge Society, for the grant of suitable buildings for carrying out the objects of that Society, and to your letter of the 21st instant, urging a speedy reply, I am now directed by the Governor to transmit for your information a summary of the proceedings of the Executive Council on this matter, in connection with a previous application made by the Very Reverend Dr. Gregory for the appropriation of a portion of the Carter's Barracks for the purposes of a Magdalen Asylum.

As the circumstances attending these applications are so fully set forth in the Minute of Council, it is only necessary that I should convey to you His Excellency's approval generally of the statement of the case therein contained, and his entire participation in the hope expressed by the Council that the two Societies may be eventually united; and I am instructed explicitly to repeat here what is already stated in the Minute of Council,—that the entire arrangement is subject to the ultimate approval of Her Majesty's Government.

The matters detailed in the enclosed Minute of Council will, it is believed, sufficiently explain the delay which has occurred in disposing of this case.

I have, &c.,
E. DEAS THOMSON.

No. 24.

The Colonial Secretary to The Assistant Military Secretary.

Sir,

Colonial Secretary's Office, Sydney, 2 January, 1849.

I do myself the honor to inform you that applications having been made by the Female Refuge Society for the part of a suitable building for carrying out the object of that Society, it is proposed to place at the disposal of the Society that portion of the Carter's Barracks known as the old House of Correction, should the same not be required for military purposes by the Major-General Commanding.

I am therefore desired to request that you will be so good as to invite His Excellency to cause me to be apprised whether the buildings in question will be needed for military purposes.

I have, &c.,
E. DEAS THOMSON.

No. 25.

The Assistant Military Secretary to The Colonial Secretary.

Sir, Assistant Military Secretary's Office, Sydney, 12 January, 1849.

I have had the honor to receive and submit to the Major-General Commanding your letter of the 2nd instant, respecting an application which had been made by the Female Refuge Society for the grant of a suitable building for carrying out the object of that Society, and stating that it is proposed to place at the disposal of the Society that portion of the Carter's Barracks known as the old House of Correction, should the same not be required for military purposes.

In reply, I am directed to acquaint you, for the information of His Excellency the Governor, that the buildings in question will not be needed for military purposes.

I have, &c.,
EDW. WYNYARD.

Minutes on No. 25.

The buildings can now be appropriated, as recommended by the Executive Council.—C.A.F., 16th.

As the former instructions in this case anticipated this reply, nothing further appears necessary.—20th. Instructions are still necessary for the delivery of the building (the old House of Correction) to the Female Refuge Society on the terms mentioned.—Immediate, 3rd February, 1849.

No. 26.

The Rev. J. B. Laughton to The Colonial Secretary.

Sir, Gloucester-terrace, Sydney, 19 January, 1849.

I am directed by the committee of management of the Sydney Female Refuge Society to acknowledge the receipt of your communication, bearing date the 27th December, 1848, and of the Minute of Proceedings of the Executive Council, relative to the application of the Committee for premises, by which that communication was accompanied.

I am directed to convey to you the thanks of the Committee for the very liberal proposal of His Excellency to place the old House of Correction at the disposal of the Society, subject to the confirmation of the Right Honorable the Secretary of State. The Committee feel deep satisfaction in accepting the proposal, and respectfully request that steps may be taken for placing them in immediate possession of the premises.

With regard to the Society which has been formed under the auspices of the Most Reverend Archbishop Polding, the Committee of the Refuge Society fully recognize the importance of coalition, both as regards economy of management and the permanent occupancy of the premises. I am directed to assure you that the Committee of the Refuge Society are prepared to make every effort, consistently with the comprehensive principles of their Society, for the carrying into effect of the wishes expressed in the Minute of Council with reference to that subject.

I have, &c.,
JAMES B. LAUGHTON,
Secretary.

Minutes on No. 26.

Is anything further necessary? Mr. Laughton asks that the Committee may be placed in possession.—23 January. Has the General answered the reference made to him?—23 January. Answer received, 13 January, but the papers do not appear to have been returned to Records.—25 January.

No. 27.

The Colonial Secretary to The Colonial Architect.

Sir, Colonial Secretary's Office, Sydney, 7 February, 1849.

Application having been made by the Female Refuge Society for the grant of suitable buildings for carrying out the objects of that Society, I do myself the honor to inform you that His Excellency the Governor has been pleased, with the advice of the Executive Council, to sanction the appropriation of that portion of the Carter's Barracks which was formerly used as a House of Correction, to the accommodation of the Society in question.

2. I am therefore directed to request that you will be so good as to place the Society in possession of the premises.

3. The appropriation of the old House of Correction to the purposes of a Refuge Asylum is temporary only, and subject to the ultimate approval of the Secretary of State.

4. I beg to acquaint you at the same time that the arrangement for the accommodation for the Institution in question and the Magdalen Asylum is sanctioned, in the hope that the juxtaposition of the two establishments, and the obvious advantages which would arise from their coalition, as regards economy of management, will lead to their union.

5. In conclusion, I am to state that the Societies referred to have been distinctly informed that, in allowing the use of the buildings which have been assigned them respectively, the Government does not make nor intend to make a final surrender of them to either party exclusively, but that in the event of a coalition taking place between the two Societies the Government will be prepared to make a permanent grant of the whole of the land for the purposes of the united Society.

I have, &c.,
(For the Colonial Secretary),
W. ELYARD, JUNR.

No. 28.

The Colonial Architect to The Colonial Secretary.

Sir,

Colonial Architect's Office, Sydney, 19 March, 1849.

In attention to your letter of the 7th ultimo, informing me of the sanction of the appropriation to the accommodation of the Female Refuge Society of that portion of the Carter's Barracks which was formerly used as a House of Correction, and directing me to place the Society in possession of the premises, I do myself the honor to state that I this day gave possession of the abovenamed premises to Mr. Ambrose Foss, on behalf of the Female Refuge Society, and herewith transmit a written acknowledgment of the same.

I have, &c.,

MORTIMER W. LEWIS,
Colonial Architect.

[Enclosure to No. 28.]

Sydney, 19 March, 1849.

DELIVERED over this day, by the Colonial Architect, to Ambrose Foss, Esq., on behalf of the Female Refuge Society, that portion of Carter's Barracks which was formerly used as a House of Correction.

MORTIMER W. LEWIS,
Colonial Architect.

Received from the Colonial Architect, for the Female Refuge Society, the premises above-mentioned.

AMBROSE FOSS.

No. 29.

The Rev. J. B. Laughton to The Colonial Secretary.

Sir,

Gloucester-terrace, Sydney, 30 April, 1849.

I am instructed by the Committee of Management of the Sydney Female Refuge Society to forward, for the information of His Excellency the Governor, a copy of a correspondence which has taken place between the Committee of the Refuge Society and that of the House of the Good Shepherd, with reference to the coalition suggested in the minute of the Executive Council which accompanied your letter of the 27th December, 1848, and again urged in your subsequent communication of the 7th February last; and the Committee desire me to express their sincere regret that their efforts to carry out the suggestions of the Executive have been unsuccessful.

The Committee regret that so long a period should have elapsed before it was in their power to communicate the result of their proposals to the Committee of the House of the Good Shepherd. The delay is accounted for, in one of the communications from the latter Committee, by the absence of the Rev. Dr. Gregory on a missionary tour.

The Committee further deem it right to call attention to the very unsatisfactory nature of the reasons offered by the Committee of the House of the Good Shepherd for declining to coalesce. The principles of self-support upon which they lay so much stress, as if it were peculiar to their own Institution, is recognized no less decidedly in the rules of the Female Refuge Society; and the only motive on the part of the latter for insisting on an elective Committee and a lay President and Secretary was that the Society might be entirely free from a sectarian character.

It can scarcely be necessary to add that the services of the Committee of Management and of the Ladies' Visiting Committee of the Refuge Society are entirely gratuitous.

The Committee therefore desire me to express their hope that, as nothing which lay in their power towards the effecting of a coalition has been left undone, they may be considered as having fulfilled on their part the conditions specified in the Minute of Council previously referred to, and that the Sydney Female Refuge Society may be deemed worthy of receiving a permanent grant of the premises now in their possession.

I have, &c.,

JAMES B. LAUGHTON,
Secretary.

[Enclosure A to No. 29.]

The Rev. J. B. Laughton to The Very Rev. Dr. Gregory, V.G.

Sydney Female Refuge Society's Committee Rooms, Gloucester-terrace,
Sydney, 19 January, 1849.

Very Reverend Sir,

I am desired by the Committee of Management of the Sydney Female Refuge Society to inform you that the Committee have recently received a communication from the Colonial Secretary, intimating the willingness of the local Government to place at the disposal of the Refuge Society the premises known as the old House of Correction, and that the Committee have accepted that offer.

In a minute of proceedings which accompanied the Colonial Secretary's communication, the Executive Council conveys a very strong intimation of its wish that a coalition should be formed between the Society having similar objects with which you are connected and the Female Refuge Society. I am therefore desired by the Committee of the last-named Institution to state that they are ready, on their part, to take every step, consistently with the principles of the Society they represent, for carrying out the wishes of the Government, and that the Committee would feel obliged by an intimation of the views of your Committee with reference to the practicability of such a coalition.

I have, &c.,

JAMES B. LAUGHTON,
Secretary.

[Enclosure B to No. 29.]

Mr P. M. Stallard to The Rev. J. B. Laughton.

Sydney, 25 January, 1849.

Sir, I have the honor, on the part of the Vicar-General, to acknowledge your letter of the 19th instant. Yesterday it was laid before the Committee of the House of the Good Shepherd, and under their direction I now transmit a copy of the rules by which that Institution has been governed. I enclose also a summary of its results up to the present time.

The Committee have adopted this course in the first instance, in order to enable the Committee of the Sydney Female Refuge Society to judge how far it may be practicable to form a coalition.

The Committee of the House of the Good Shepherd will be happy to be favoured with the result in due course.

I have, &c.,

P. M. STALLARD,
Secretary.

[Sub-enclosure

[Sub-enclosure A to Enclosure B.]

House of the Good Shepherd, instituted 9 April, 1848.

AMONG the many unhappy females who, under the influence of want or of other causes, seek in a life of sin to gain the means of subsistence, experience convinces us that there are numbers of individuals who are disposed to reform. Whilst remaining in their ordinary haunts, exposed to the influence of example and under the immediate pressure of want, very great obstacles are in their way. The Institution has been founded for the purpose of offering to the female who wishes to renounce her evil habits a place of retirement. No distinction is made in reference to religion or country; she may be attended and instructed by any Christian minister she may prefer.

The immediate superintendence of the inmates is placed in the hands of the Sisters of Charity, who, by education, inclination, and habit are admirably qualified to administer that consolation and encouragement, that kind and tender care, which are requisite to gain the poor erring souls to virtue.

It is scarcely requisite to add that their services are gratuitous—their motives and intentions of the purest and highest character. With the religious tenets and practices of the inmates who may differ from them in religion they will never interfere.

Regulations for the general government of the Institution.

1. Before an applicant shall be admitted as an inmate of the Institution one month will be passed in a state of probation. During this time she will be apart from the inmates, if the circumstances of the establishment permit. During that period she will be informed of the manner in which she is to conduct herself when the period of her probation shall expire. In the meantime it will be the duty of the sister under whose especial care she is placed gently to bring her to regularity of life, to correct habits of evil, of coarse and vulgar speaking, and to prepare her to associate with the inmates in a manner free from offence and likely to promote the general peace and edification of the Institution.

2. If the applicant bring with her a trunk or parcel, it is to be opened in her presence and in the presence of the Sister Superioress. If the applicant be possessed of money or of property unjustly acquired, restitution is to be made to the lawful owner, if possible; if unknown, let it or the worth thereof be given to the sick poor. Moreover, the wages of iniquity must not be in this establishment.

3. If the applicant has money honestly acquired, she will give it to the Sister Superioress, who will without delay deposit it in the Savings Bank, to be given to the said person when she leaves the House.

4. It is a fundamental principle of this Institution that it shall be in a great measure self-supporting. The inmates are therefore not only to discharge all the domestic duties thereof, but, moreover, by a proper employment of their time and ability, to provide themselves with food and raiment. Extraordinary expenses, which are necessarily many in an infant establishment, it will be the earnest desire of the founders and of the friends of the Institution to meet by means extra to the ordinary resources of the house.

5. The applicants admitted within the walls of the Institution will be distinguished by a name which the Superioress will give. All communications from without by letter or personal interview must be regulated by the discretion of the Superioress. They will not be encouraged, and only permitted in cases of necessity. The inmates are not to be distinguished from each other by any peculiarity of dress.

6. When the bell rings, each inmate will without delay proceed to the place and duty of which notice is given. If indisposed and not able to rise without inconvenience when called in the morning, word must be sent to the Sisters' Infirmary.

7. Strict silence is to be observed in the dormitory and dressing-room. Silence is to be observed in these places, and at those hours the Superioress may direct.

8. All must attend to the refectory hours unless indisposed. During dinner and supper a portion of the New Testament is to be read by one of the sisters. The Superioress will select books to be read during the entire or a part of the time remaining, which may tend to general edification and instruction.

Let the tables be cleared immediately after meals. If the house messenger or any other be detained so that she cannot occupy her place in the refectory at the ordinary time, she must take her meals in the kitchen.

9. Two hours of recreation will be allowed each day—one hour after dinner, one after supper. During the time of recreation they will converse in the spirit of Christian charity: they will carefully avoid all contention, and every topic, religious or civil, likely to occasion it. Remarks on religion or country calculated to give offence are in the strictest manner prohibited moreover.

10. No one is to speak of her past life, no one is to reproach another with her past errors. All must endeavour to speak in a gentle tone of voice. Coarse vulgar language, rough and boisterous conduct, are strictly forbidden.

11. All must take part according to their ability, and under the direction of the Superioress, in the domestic duties of the establishment. Under her directions, and as circumstances permit, all not otherwise engaged will attend the public work-room from 9 in the morning until a short space before dinner. In like manner, from 3 to 6 in the afternoon, and from 8 until 9 in the evening. All will retire for prayer in the morning and in the evening, the Catholic inmates with the Sister Superioress. The ministers attending will have the goodness to arrange as they deem best for those belonging to their respective denominations.

12. No one is to be absent from public duty without leave of the Superioress.

13. All are to be in bed and lights extinguished at 10, or any other hour the Superioress may fix. The Superioress will not herself retire until she has personally seen this rule carried into effect.

Since 1841 the Sisters of Charity have had under their immediate care nearly 100 penitents. The House of the Good Shepherd at present contains ten inmates.

The 100 may be thus classed:—

Thirty persons of respectable connections, some through drunkenness or other causes, living apart from their husbands; other young persons deluded by designing men. These have been restored to their families and are doing well.

Upwards of sixty of a lower class. Of these, five have married; thirty-two reformed and have been useful members of society for a considerable time; four in service under the surveillance of the sisters; six have died; nine returned to their former habits.

Previously to the opening of the House of the Good Shepherd, on the 9th April, 1848, the plan adopted by the sisters was to place the unfortunate females under the care of trustworthy housekeepers. This plan, attended with many inconveniences and much expense, was given up in April last, when, as above remarked, the House of the Good Shepherd, or the Magdalen Asylum as it was first designated, was opened for their reception.

[Enclosure C to No. 29.]

The Rev. J. B. Laughton to Mr. P. M. Stallard.

Sir, Sydney Female Refuge Society Committee Rooms, Gloucester-terrace, Sydney, 1 February, 1849.

I am directed by the Committee of Management of the Sydney Female Refuge Society to acknowledge the receipt of your communication of the 25th ultimo, and of the rules of the House of the Good Shepherd and summary of results by which it was accompanied. Your letter and accompanying documents were laid before the Committee of the Refuge Society yesterday evening, and I am desired to express the regret of the Committee that they were unable to gather from anything contained in them the sentiments of the Committee of the House of the Good Shepherd as to the practicability of a coalition.

Waving that point, however, and with a view to abridge further proceedings, the Committee think it may be advisable at once to state some of the points which they consider it would be essential to maintain in the event of a coalition taking place. A few copies of the rules of the Refuge Society are enclosed herewith, for facility of reference.

The points which the Committee think it necessary to mention at present are:—

First—That the Committee of Management of the united Society shall be elected by the subscribers to the existing Societies in public meeting assembled; and secondly, that the President and Secretary of the United Society shall be laymen.

The

The Committee of the Refuge Society see no objection whatever to the Sisters of Charity being considered eligible as members of the Ladies' Committee, for the internal management of the united Institution.

Should the Committee of the House of the Good Shepherd be disposed to accept the two conditions above specified, the Committee of the Refuge Society would suggest that the remaining terms of the coalition should be arranged at a conference to be managed by three members of each Committee, on behalf of their respective Societies.

I have, &c.,
JAMES B. LAUGHTON,
Secretary.

[Enclosure D to No. 29.]

The Rev. J. B. Laughton to Mr. P. M. Stallard.

Sir, Sydney Female Refuge Society Committee Rooms, Gloucester-terrace, Sydney, 8 March, 1849.

I am desired by the Committee of Management of the Sydney Female Refuge Society to call your attention to the interval which has elapsed since the date of my last communication, viz., February 1st, without my having been favoured with any acknowledgment, and to request that you will have the goodness to inform me whether you have received that communication, and if so, when it is probable that we may receive the decision of the Committee of the House of the Good Shepherd.

As the operations of our Committee are in the meantime suspended, I am sure that I need offer no other explanation of the reason which has induced us to make this request.

I have, &c.,
JAMES B. LAUGHTON,
Secretary.

[Enclosure E to No. 29.]

Mr. P. M. Stallard to The Rev. J. B. Laughton.

Sir,

Sydney, 9 March, 1849.

I have the honor to acknowledge the receipt of your letter, dated the 8th instant, and in reply to inform you that your communication of the 1st February was duly received and transmitted to the Very Reverend Dr. Gregory, who was absent on missionary duties in the country, which have led him as far as Albury, on the Murray. This, I have no doubt, has caused the delay in receiving the Vicar-General's answer to the letter of the 1st ultimo.

I have, &c.,
P. M. STALLARD,
Secretary.

[Enclosure F to No. 29.]

Mr. P. M. Stallard to The Rev. J. B. Laughton.

Sir,

Sydney, 19 April, 1849.

I have the honor, by direction of the Very Reverend the Vicar-General, to communicate the reply of the Committee of the House of the Good Shepherd to the "points" submitted for their consideration, in your letter of the 1st February last.

In consideration of the three regulations which are deemed essential, the Committee regret that they meet in them a principle altogether antagonistic and opposed to that which they have adopted. The first regulation is founded on the supposition that the Institution is to be principally supported by subscriptions, and in pursuance of this supposition, lays down, as the basis of government, that the officers are to be elected by the subscribers. The principle on which the House of the Good Shepherd has been established, and on which it is intended to be continued, is self-support—that is, by the labour and industrious pursuits of the inmates. For extraordinary expenses recourse will be had to the charity of the public, and its generosity will be solicited by an annual sermon, if requisite; still the principle will be adhered to, namely, self-support.

The Committee do not see any reason for excluding clergymen from the offices of President and Secretary. In harmony with the principles of self-support, it appears highly advantageous that they who preside over and have the interior management should, from a high motive, give their services gratuitously. Thus the Sisters of Charity have done, and are prepared to continue to do. Whilst, therefore, the Committee are fully sensible of the kind consideration which would withdraw all objection to their eligibility to the Ladies' Board of Management, they cannot depart from the arrangement made, which brings all the principles of the Institution into harmony, exalts its character, saves so much expense, which has so well answered its purpose, as is proved into evidence by the present state of the institution.

I have, &c.,
P. M. STALLARD,
Secretary.

No. 30.

Minute by the Executive Council.

SUMMARY of the proceedings of the Executive Council, on the 8th May, 1849, relative to the application of the Female Refuge Society for a grant of the premises now in their possession. Minute No. 49-20. Confirmed, 22 May, 1849.

Referring to the proceedings on the 12th December last, His Excellency the Governor lays before the Council a letter from Mr. Laughton, Secretary to the Female Refuge Society, in which he reports that an attempt made by the Committee of that Society to form a coalition with the House of the Good Shepherd has proved unsuccessful; and requests, on the part of the Committee, that as nothing which lay in their power towards the effecting of a coalition has been left undone, they may be considered as having fulfilled on their part the conditions specified in the Minute of Council previously referred to, and that the Sydney Female Refuge Society may be deemed worthy of receiving a permanent grant of the premises now in their possession.

2. The Council record their opinion that it would be premature on the part of the Government to pledge itself to any permanent arrangement in this matter, and they recommend that Mr. Laughton should be so informed.

Executive Council Office, Sydney, 23 May, 1849.

FRANCIS L. S. MEREWETHER,
Clerk of the Council.

Minute on No. 30.

By the Governor:—Approved.—C.A.F.

No. 31.

The Colonial Secretary to The Rev. J. B. Laughton.

Sir,

Colonial Secretary's Office, Sydney, 31 May, 1849.

I have the honor to acknowledge the receipt of your letter of the 30th ultimo, reporting that the attempt made by the Committee of the Female Refuge Society to form a coalition with the House of the Good Shepherd has proved unsuccessful, and applying, on behalf of the Committee, for a permanent grant of the premises now in the occupation of the Refuge Society.

2.

2. In reply, I am directed by His Excellency the Governor to inform you that, your communication having been submitted to the Executive Council, it is considered that it would be premature on the part of the Government to pledge itself to any permanent arrangement in this matter.

I have, &c.,
E. DEAS THOMSON.

No. 32.

The Rev. J. B. Laughton to The Colonial Secretary.

Sir,

Sydney, 9 June, 1849.

I am instructed by the Committee of Management of the Sydney Female Refuge Society to acknowledge the receipt of your communication of the 31st ultimo, in which you state that "it is considered that it would be premature on the part of the Government to pledge itself to any permanent arrangement in this matter."

The Committee are anxious to explain that they did not expect that the local Government would pledge itself to a permanent grant of the premises, the impossibility of such a pledge having been represented to them in your previous communications. They merely hoped that, upon a careful consideration of the case, His Excellency might feel at liberty to recommend the claims of the Female Refuge Society to the favourable notice of the Home Government.

I have, &c.,
JAMES B. LAUGHTON,
Secretary, S. F. R. Society.

No. 33.

The Rev. J. M'Encroe to The Colonial Secretary.

Sir,

Sydney, 4 September, 1849.

I am directed by the gentlemen of the Committee of the House of the Good Shepherd to request you will have the goodness to lay before His Excellency the Governor an application on their part, for the use of the shed and buildings at the north end of that portion of Carter's Barracks already appropriated for the above Institution, in which there are at present twenty inmates. Many applications for admission have been refused from the want of sufficient room to accommodate a greater number.

I have, &c.,
J. M'ENCROE,
Secretary.

No. 34.

The Colonial Secretary to The Rev. J. M'Encroe.

Reverend Sir,

Colonial Secretary's Office, 14 September, 1849.

Having laid before the Governor your letter of the 4th instant, preferring an application on behalf of the Committee of the House of the Good Shepherd for the use of the shed and buildings at the north end of the portion of Carter's Barracks which is already appropriated for the above Institution,—I am instructed to inform you that His Excellency regrets that he cannot sanction any addition to the accommodation already afforded to the House of the Good Shepherd

I have, &c.,
E. DEAS THOMSON.

No. 35.

The Rev. J. M'Encroe to The Colonial Secretary.

Sir,

St. Mary's Priory, Sydney, 26 July, 1851.

I have the honor, by direction of the Committee of the House of the Good Shepherd, to enclose, for the information of His Excellency the Governor-General, a report of the numbers admitted to that Institution since its commencement.

I have further the honor to state, that the present House room is too limited for the number of inmates, and that several applicants have been refused admission solely for want of room. The Visiting Surgeon complains very much of the want of a room as a hospital, as many of those admitted require a course of medical treatment. A work-room is also very much required. The Sisters of Charity who have kindly taken charge of the House have been obliged to give up some of their own limited apartments for the accommodation of well-disposed penitents, rather than refuse their admission. The Committee therefore respectfully beg leave to urge their former application on His Excellency's kind consideration for the use of some of the premises, when vacant, in the same lane, adjoining the Institution.

I have, &c.,
J. M'ENCROE.

Minutes on No. 35.

By His Excellency the Governor:—Were there any, or what buildings or rooms on them which have not been appropriated to other uses?—C.A.F., 29th July, 1851. The Colonial Architect is requested to report.—B.C., 5th August, 1851.—W.C.

[Enclosure

[Enclosure to No. 35.]

REPORT of the number of Penitents admitted into the House of the Good Shepherd during the period from the 1st of January, 1848, to the 30th June, 1851.

1848.		How disposed of.	No.
Number admitted.....	8	Died	1
		Sent to situations	4
		„ from the House	3
			8
„	1849. 34	Married	5
		Sent to situations	7
		Returned to their parents	5
		Left the House without finishing their probation	14
		Remained after her probation	1
		Sent from the House by order of the Doctor	2
			34
„	1850. 36	Married	1
		Sent to situations	8
		Returned to their husbands	7
		Left the House without finishing probation	5
		Remained after probation	10
		Sent to the Asylum	1
		Sent from the House by Doctor	3
		Died	1
			36
„	1851. 25	Sent to situation	1
		Returned to her mother	1
		Left the House without finishing probation	4
		Returned to their husbands	4
		Remained in the House	15
			25
Number of inmates at present in the House			28
„ applicants refused for want of room			10

No. 36.

The Colonial Architect to The Colonial Secretary.

Sir,

Colonial Architect's Office, Sydney, 13 September, 1851.

In attention to your letter of the 10th instant, calling for a report on the enclosed communication from the Rev. J. M'Encroe, respecting the want of accommodation in the House of the Good Shepherd, which was referred to me on the 5th August last,—

2. I do myself the honor to state that the additional buildings applied for are in the occupation of the police, and cannot be spared until the new barrack for the mounted patrol is erected. I have seen the Rev. Mr. M'Encroe and explained this to him.

I have, &c.,

EDMUND T. BLACKET,
Colonial Architect.

No. 37.

The Rev. J. M'Encroe to The Colonial Secretary.

Sir,

St. Mary's, Sydney, 10 September, 1852.

Referring to my letter of the 26th July, 1851, applying, on the part of the Committee of the House of the Good Shepherd, for the use of some of the premises in the lane adjoining that Institution, and to your answer of 27th September, 1851, stating that the premises in question were occupied by the mounted police, I have now the honor to inform you that (hearing that these premises are now vacant) the Committee respectfully beg leave to renew their former application for the kind consideration of His Excellency the Governor-General.

I have, &c.,

J. M'ENCROE.

Secretary.

Minutes on No. 37.

By His Excellency the Governor :—Refer to the Colonial Architect to report whether these buildings are now vacant. —C.A.F., 13 Sept.

The Colonial Architect, B.C., September, 1852.—W. ELYARD, jun.

No. 38.

The Colonial Architect to The Colonial Secretary.

Sir, Colonial Architect's Office, Sydney, 24 September, 1852.

In attention to the minute of His Excellency the Governor-General upon the enclosed communication from the Rev. J. M'Encroe, renewing the application of the Committee of the House of the Good Shepherd for the use of certain premises at Carter's Barracks,—

2. I do myself the honor to state that the premises in question have been vacated by the police, and I am not aware of any objection to their being used by the Committee of the Institution referred to.

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

Minute on No. 38.

Let me see the plan of the buildings, and there should be marked thereon the portions thereof for which application is now made.—25 September.

No. 39.

The Colonial Secretary to The Colonial Architect.

Sir, Colonial Secretary's Office, Sydney, 8 October, 1852.

With reference to your letter of the 24th ultimo, respecting the premises at Carter's Barracks lately occupied by the mounted police, I have the honor to request that you will furnish me with a plan of the buildings referred to, showing those portions for which application is now made by the Committee of the House of the Good Shepherd.

I have, &c.,
W. ELYARD, JUN.

No. 40.

The Colonial Architect to The Colonial Secretary.

Sir, Colonial Architect's Office, 2 November, 1852.

I have the honor to forward herewith a plan of the buildings at Carter's Barracks, lately occupied by the mounted police, showing (in black) those portions for which application is now made by the Committee of the House of the Good Shepherd, as applied for in your letter of 8th October last.

I have, &c.,
J. C. WHITE,
(For the Colonial Architect).

Minutes on No. 40.

Ask him to mark on the plan the portion of these premises which the Society for the Refuge of Destitute Young Women has been authorized to occupy.

Is the whole space marked black now applied for vacant?—3rd November.

No. 41.

The Colonial Secretary to The Colonial Architect.

Sir, Colonial Secretary's Office, Sydney, 18 November, 1852.

With reference to your letter of the 2nd instant, transmitting a plan of the buildings at Carter's Barracks, lately occupied by the mounted police, I have the honor to request that you will be good enough to mark on the plan the portions of those premises which the Society for the Refuge of Destitute Young Women has been authorized to occupy, and to inform me if the whole space marked black now applied for is vacant.

I have, &c.,
W. ELYARD, JUNR.

No. 42.

The Colonial Architect to The Colonial Secretary.

Sir, Colonial Architect's Office, Sydney, 29 November, 1852.

Agreeably to the instructions conveyed in your letter of the 18th instant, with reference to the application of the Society for the Refuge of Destitute Females for certain premises at Carter's Barracks,—

2. I do myself the honor to return the plan of the buildings at Carter's Barracks, having marked thereon the portion of the premises which the Society in question has already been authorized to occupy.

3. The whole of the portion marked black on the plan is vacant.

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

Minutes on No. 42.

By His Excellency the Governor:—For the Executive Council.—C.A.F. B.C., 6th December, 1852.—W.E. Laid before the Executive Council, 13th December, 1852.—M.F.

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No. 43.

Minute by the Executive Council.

Executive Council Office, Sydney, 21 December, 1852.

PROCEEDINGS of the Executive Council, on the 13th December, 1852, with respect to increased accommodation for the House of the Good Shepherd.

His Excellency the Governor-General lays before the Council a letter from the Very Reverend Dean M'Encroe, Secretary to the Institution known as the "House of the Good Shepherd," renewing a request preferred by him last year for the use of certain additional premises and buildings recently vacated by the police, which adjoin the buildings already appropriated to that Institution.

2. Having inspected the plan of the premises submitted by the Colonial Architect, the Council advise that the Institution referred to should be permitted the use of the additional space and included buildings, indicated thereon by the letters A, B, C, D, E, F, G, H, I, K.

M. FITZPATRICK,
Clerk of the Council.

Minute on No. 43.

By His Excellency the Governor:—Approved.—C.A.F., 23rd December.

No. 44.

The Colonial Secretary to The Deputy Surveyor-General.

Sir, Colonial Secretary's Office, Sydney, 31 December, 1852.

In transmitting to you the accompanying plan of the premises at Carter's Barracks recently vacated by the police, I have the honor to request that you will cause to be made and to be forwarded to this Department a sketch of the portions indicated by the letters A, B, C, D, E, F, G, H, I, K, which His Excellency the Governor-General has, under the advice of the Executive Council, permitted the use of to the Institution known as the "House of the Good Shepherd," in addition to the buildings already appropriated to that Institution.

I have, &c.,
E. DEAS THOMSON.

No. 45.

The Deputy Surveyor-General to The Colonial Secretary.

Sir, Surveyor-General's Office, Sydney, 17 January, 1853.

In reply to your letter of the 31st ultimo, wherein you forwarded to me a plan of the premises at Carter's Barracks recently vacated by the police, and requested me to cause a sketch to be prepared and forwarded to you of the portions indicated by the letters A, B, C, D, E, F, G, H, I, K, which His Excellency has, under the advice of the Executive Council, permitted the use of to the Institution known as the "House of the Good Shepherd," in addition to the buildings already appropriated to that Institution, I have the honor to return herewith the plan which you forwarded to me, and to enclose at the same time a sketch showing the position of land indicated therein by the letters above enumerated, tinted pink.

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

No. 45A.

The Colonial Secretary to The Colonial Architect.

Sir, Colonial Secretary's Office, Sydney, 25 January, 1853.

Referring to your letter of the 29th November last, I have now the honor to inform you that His Excellency the Governor-General, under the advice of the Executive Council, has approved of the Institution known as the "House of the Good Shepherd," being permitted the use of the additional premises recently vacated by the police, adjoining the buildings already appropriated to that Institution, and indicated on the accompanying plan by the letters A, B, C, D, E, F, G, H, I, K, to which effect the Secretary has been apprised.

I have, &c.,
W. ELYARD, JUN.

No. 46.

The Rev. J. M'Encroe to The Colonial Secretary.

Sir, St. Mary's Priory, Sydney, 19 July, 1853.

I have the honor to acknowledge the receipt of your letter of 25 January, conveying the kind permission of His Excellency the Governor-General to use certain premises adjoining the House of the Good Shepherd, for the convenience of the inmates of that Institution.

I have been informed by the Superintendent of Police that these premises will soon be vacated. In the meantime, I do myself the honor to convey to His Excellency the grateful thanks of the Committee and of the friends of the House of the Good Shepherd for the above favour. I am also directed by the Committee of that Institution to furnish you with the following statistics regarding the number of females received in the House since its first opening, and how they have been afterwards disposed of; also, a list of the several items received in aid of the Institution, and of the disbursement made on account of the same.

I have, &c.,
J. M'ENCROE,
Secretary.

[Enclosure A to No. 46.]

REPORT of the House of the Good Shepherd.

1851.		
1 January	In the Institution	20
31 December	Admitted up to the end of year	47
	How provided for.	
	Returned to their husbands	9
	Married	5
	Taken home by their parents	5
	Left the house before their probation	5
	Sent to the Infirmary	2
	Refused for want of room	5
1852.		
1 January	In the Institution	28
31 December	Admitted up to the end of the year	74
	How provided for.	
	Sent to situations	20
	Married	7
	Returned to their husbands	16
	Sent to the Infirmary	3
	Taken home by their friends	11
	Left the Institution before their probation	6
	Applicants obliged to be refused for want of room	19
1853.		
1 January	In the Institution	32
30 June	Admitted up to the end of this half-year	34
	How provided for those who remained from the last year.	
	Sent to situations	10
	Married	4
	Returned to their husbands	5
	Removed from the Institution	6
	Left the House before their probation	5
	Remaining	*36
	Married this year	1
	Returned to her husband	1
	In the Institution at present	34

* 1853.—Eight refused this year for want of room

[Enclosure B to No. 46.]

		£	s.	d.
1851.				
31 December	Cash received for the penitents' work and washing, up to this date	141	11	0
1852.				
31 December	Up to the end of the year	296	1	11
1853.				
30 June	Up to this date	227	11	6
	Proceeds of work done	£	665	4 5
1851.				
31 December	Donations and subscriptions, including the money received from the Treasury, remaining from the bazaar	152	8	11½
1852.				
31 December	Donations and subscriptions, together with proceeds from a soirée, and boxes in St. Mary's Cathedral	162	10	1
1853.				
30 June	Donations and the proceeds of St. Patrick's soirée and St. Mary's boxes, up to this date	123	15	4
	Donations, subscriptions, &c.	438	14	4½
	Cash received for the penitents' work	665	4	5
	Total received	£	1,103	18 9½
1851.				
31 December	Total year's expenditure	310	6	1½
1852.				
31 December	Do do	520	14	5½
1853.				
30 June	Expenses up to the present date	315	5	2½
	Total expenditure	£	1,156	5 9½
			1,103	18 9½
			£52	7 0
N.B.—There are only fourteen yearly subscribers at £1 each, and a charitable widow who subscribed £12 a year to the Institution.				
	Balance in arrears	£	52	7 0

No. 47.

The Rev. J. M'Encroe to The Colonial Secretary.

Sir,

Sydney, 14 December, 1853.

I do myself the honor, by direction of the Committee of the House of the Good Shepherd, to return His Excellency the Governor-General their respectful thanks for the use of the piece of land and the old building thereon, lately given for the use of this Charitable Institution.

The police have only left these dilapidated buildings a few weeks since, and, being in a most dangerous and tottering state, had to be taken down, and the Committee now request the permission of His Excellency to erect on the site of these buildings adjoining the Good Shepherd House, and with the old materials procured from the buildings, a two-story house of about 46 feet long by 22 feet wide, the lower floor to be used as a chapel and the upper as a dormitory.

I have further the honor to transmit to you a report of the number of penitents received into the Institution from its commencement, in January, 1848, to the present time, and how these have turned out or are being provided for; also an account of the several sums received and expended for the support of the Institution during that period.

I have, &c.,

J. M'ENCROE,

Honorary Secretary.

Minutes on No. 47.

The Council regret that they do not feel at liberty to advise a compliance with this request.—M. FITZPATRICK, Clerk of the Council, 4 January, 1854.

By His Excellency the Governor:—Approved.—C.A.F., 7th January.

[Enclosure A to No. 47.]

REPORT of the number of Penitents admitted into the House of the Good Shepherd, and how disposed of.

	Died.	Sent to situations.	Sent from the House by order of the Doctor.	Returned to their husbands.	Married.	Sent to the Asylum.	Returned to their parents.	Left the House without finishing their probation.	Remaining.	Total.
1848. Admitted, 8	1	4	3	.....	.....	.....	.....	.....	.....	8
1849. Admitted, 34 .....	.....	7	2	.....	5	.....	5	14	1	34
1850. Admitted, 36	1	8	3	7	1	1	.....	5	10	36
*1851. Remaining, 10 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Admitted, 72 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	1	.....	13	5	2	6	9	46	82
†1852. Remaining, 46 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Admitted, 49 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	20	.....	16	7	3	11	6	32	95
†1853. Remaining, 32 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Admitted, 66 .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	21	6	10	9	2	9	11	30	98
Totals 264	2	61	14	46	27	8	31	45	.....	.....

* There were ten applicants this year refused for want of room. † There were nineteen applicants refused this year for want of room. ‡ There were eight applicants refused this year for want of room.

[Enclosure B to No. 47.]

Amount of Funds received for the support of the House of the Good Shepherd, and the disbursement of the same:—

	£	s.	d.		£	s.	d.
1851. 31 December	Received for penitents' work—washing, &c., up to this date	141	11	0	Total expenditure during the year 1851	310	6 1½
	Donations and subscriptions, including the money received from the Treasurer, remaining from the bazaar	152	8	11½			
		£	293	19	11½	£	310 6 1½
1852. 31 December	Received for the penitents' work—washing, &c.	296	1	11	Total expenditure during the year 1852	520	14 5½
	Donations and subscriptions, together with the proceeds of a soirée and St. Mary's poor boxes	162	10	1			
		£	358	12	0	£	520 14 5½
1853. 31 December	Received for the penitents' work—washing, &c.	320	9	9	Total expenditure during the year 1853	715	15 8½
	Donations and subscriptions	101	0	0			
		£	421	9	9	£	715 15 8½
	Total received for three years	£	1,074	1	8½	Total expenditure for three years	£ 1,546 16 3½

No. 48.

The Right Rev. Dr. Gregory and others to The Colonial Secretary.

Sir,

Vicar-General's Office, 7 November, 1856.

We have the honor to solicit the favourable consideration of His Excellency the Governor-General for the enclosed certified statement of the income and expenditure of the House of the Good Shepherd, during the years 1853, 1854, 1855, 1856, with a table of the number of the penitents received during that time, and the result of their residence.

It is trusted that His Excellency may consider the establishment to have a good title to rank among those Charitable Institutions for which encouragement and permanence were intended to be secured by the Government notification published in the Gazette of March 23rd, 1839, and that he may be pleased to recommend, in conformity with the promises of that notification, a vote of money equal to the annual sum derived from private contributions.

Also, we venture respectfully to hope that His Excellency may be pleased to recommend a further annual grant equal or in some other proportion to the amount produced by the labour of the penitents themselves during their seclusion, as shown by the statement. The benefits of the Institution would thus be expended in a degree co-ordinate with its efficacy, because greater numbers could be received; and as the most earnest wish of the most satisfactory penitents is always to do some little for the rescue of fellow victims from a state of depraving misery, the salutary gratification of that wish would, it is submitted, stimulate and confirm those habits of cheerful industry which would form an additional safeguard against relapse. We believe that His Excellency's consideration of the matter will incline him to sanction our conviction that no more useful and hopeful expenditure of public money could be proposed.

We have, &c.,

H. G. ABBOT GREGORY, V.G.
J. M'ENCROE.
WM. MACPHERSON.
ROBERT COVENY.
JOHN M'LERIE.

[Enclosure to No. 48.]

Abstract of the Report of the House of the Good Shepherd for the year 1853.

	£	s.	d.		£	s.	d.
Donations and subscriptions	262	9	0	Total expenditure	767	3	8
Received for the work and washing of the penitents	557	15	1	In Treasurer's hands	53	0	5
	<hr/>				<hr/>		
	£820	4	1		£820	4	1

For the year 1854.

	£	s.	d.		£	s.	d.
Donations and subscriptions	277	8	1	Total expenditure	955	19	11
Received for work of penitents	713	0	8	In Treasurer's hands,	34	8	10
	<hr/>				<hr/>		
	£990	8	9		£990	8	9

For the year 1855.

	£	s.	d.		£	s.	d.
Donations and subscriptions	312	4	0	Expenditure	940	14	10
Received for work	639	9	2	In Treasurer's hands	10	18	4
	<hr/>				<hr/>		
	£951	13	2		£951	13	2

For the year 1856, to September 30.

	£	s.	d.		£	s.	d.
Donations and subscriptions	170	11	0	Expenditure	680	1	6
Received for work	509	6	9				
For Treasurer	0	3	9				
	<hr/>				<hr/>		
	£680	1	6		£680	1	6

Numerical Return.

	1853.	1854.	1855.	1856.
Received during the year	69	89	84	52
Sent to situations	19	12	17	7
Taken home by their friends	20	22	17	2
Married	3	2	1	...
Remaining in house	27	35	40	43
	<hr/>	<hr/>	<hr/>	<hr/>
	69	89	84	52

	1854.	1855.	1856.
Left before probation	8	6	...
Sent to Infirmary	10	3	...
Refused for want of room	17	45	20

Minute on above.

We, the undersigned, certify that the statement on the opposite page is correct.—M. S. GIBBONS, Superioress, T. J. MARINSON.

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No. 49.

Memo. by Colonial Secretary.

It would seem desirable, as a general rule, to encourage Institutions of this character by a contribution from the public funds, equal to the amount raised by private subscription, but the same principle would scarcely be applicable to the amount produced by the labour of the penitents.

It is stated, however, that the Institution was established and is intended to be continued on the self-supporting principle. On this ground, and also on account of the financial arrangements having already been laid before the Assembly, I regret that it is not expedient to entertain the present application.

H.W.P.,

15 November, 1856.

No. 50.

The Colonial Secretary to The Right Rev. Dr. Gregory and others.

Gentlemen,

Colonial Secretary's Office, Sydney, 19 November, 1856.

I am directed to acknowledge the receipt of your letter of the 7th instant, enclosing a statement of the income and expenditure of the House of the Good Shepherd during the years 1853, 1854, 1855, and 1856, with a table of the number of the penitents received during those years, and the result of their residence, and requesting that a sum of money may be appropriated in aid of the Institution, equal to the annual amount derived from private contributions; also, that a further yearly grant may be made to it equal or in some other proportion to the amount produced by the labour of the penitents themselves during their seclusion.

2. In reply, I am desired to inform you that, although it would seem desirable as a general rule to encourage Institutions of the character of the House of the Good Shepherd by some contribution from the public funds, not exceeding the amount raised by private subscriptions, the same principle would scarcely be applicable to the sum produced by the labour of the penitents. In the case, however, of the Institution now referred to, it appears by a letter addressed, on the 19th April, 1849, to the Reverend Mr. Laughton, by the Secretary, that it was established and was intended to be continued on the self-supporting system; and adverting to this circumstance, and to that of the financial arrangements having been already laid before Parliament, the Colonial Secretary regrets that it is not deemed expedient at present to entertain your application.

I have, &c.,

W. ELYARD.

No. 51.

Mr. J. A. Barker to The Private Secretary.

Sir,

Steam-mills, Sydney, 10 March, 1857.

May I request the favour of your laying the enclosed memorial before His Excellency the Governor.

I have, &c.,

J. A. BARKER.

Minute on No. 51.

I have great doubts as to the advisability of maintaining these detached semi-official, semi-private establishments.—W.D., 11 March, '57.

[Enclosure to No. 51.]

Messrs. Jones, Cowlshaw, & Houlding to His Excellency the Governor-General.

To His Excellency Sir William Thomas Denison, Knight, Governor-General of the Australian Colonies, Vice-Admiral of the same, and Governor-in-Chief of New South Wales and its Dependencies.

The respectful memorial of the Committee of Management of the Sydney Female Refuge,—

SHOWETH :—

That your Memorialists have under their management the above-named Institution, established in 1848, situated in those premises formerly occupied by the Government for a tread-mill, the use of which was permitted them by His Excellency Governor-General Fitzroy.

The Institution having now been established nearly nine years, and the object of its founders attended with considerable success, it becomes necessary to place it on a more permanent basis, by securing land for the site of the buildings which, although about £1,000 have been expended on them, will shortly be inadequate to provide suitably for the inmates; and as the land is only held upon sufferance, no considerable sum of money can be properly applied to further erections.

Your Committee, therefore, observing that grants of land are still made for public purposes, and being convinced of the absolute necessity of the existence of a Female Refuge in this city, respectfully request that your Excellency will be pleased to cause the said premises now occupied by your Committee to be conveyed to trustees for the Sydney Female Refuge.

And will ever pray, &c.

DAVID JONES, Chairman.
THOMAS COWLISHAW.
J. B. HOULDING.

Minutes on above.

The Executive Council advise that the Committee of Management be permitted to continue their use of the premises in question for the purposes of the Institution; but as the Society has not been incorporated, they regret that they cannot recommend that the land be absolutely granted to trustees as prayed.—EDWARD C. MEREWETHER, Clerk of the Council, 8 April, 1857. By the Governor :—Approved.—W.D., 9 April, 1857.

No. 52.

No. 52.

Petition by Committee of Management, Sydney Female Refuge.

To His Excellency Sir William Thomas Denison, Knight Commander of the Most Honorable Order of the Bath, &c., &c.

The respectful memorial of the Committee of Management of the Sydney Female Refuge,—
SHOWETH:—

That your Memorialists are successfully carrying out the objects of this Institution, as will be shown by the accompanying report for the year ending October, 1856; but notwithstanding the many humane subscribers who give it their support, and the money earned by the inmates at needlework and washing, your Committee find very great difficulty in paying the current expenses, maintaining the efficiency of the establishment, and providing for the increasing demands necessarily arising in such a rapidly-augmenting population; and, sensible of the value and importance of this Institution, your Memorialists consider it to belong to that class of public undertakings that very properly enjoy the countenance and support of the Government.

Your Memorialists, therefore, most respectfully request that your Excellency will cause to be placed yearly on the future public Estimates a sum of money equal to the amount subscribed by the colonists for the support of the Sydney Female Refuge.

And will ever pray, &c.

THOMAS BREILLAT.
JOHN CALDWELL.
THOMAS COWLISHAW.
THOMAS HOGG.
J. A. BARKER,
Hon. Secretary and Treasurer.

Minutes on No. 52.

I am under the impression that this Society was formed expressly on the self-supporting system. Let the former papers be searched for, in order that the facts may be discovered.—H. W. B., 30/4/57. This appears to be the case, as stated.—8 April. Express my regret that, as the Institution was founded simply upon the principle of the self-supporting system, the Government can scarcely feel at liberty to accede to this application.—H. W. P., 9 April.

No. 53.

The Principal Under Secretary to The Committee of Management, Sydney Female Refuge.

Gentlemen,

Colonial Secretary's Office, Sydney, 15 April, 1857.

I am directed to acknowledge the receipt of your memorial, without date, praying that a sum of money, equal in amount to that raised by private subscription, may be placed annually on the Estimates for the support of the Sydney Female Refuge, and in reply to express the regret of the Colonial Secretary that, as the Institution in question was founded expressly upon the principle of the self-supporting system, the Government can scarcely feel at liberty to accede to your application.

I have, &c.,
W. ELYARD.

No. 54.

The Principal Under Secretary to Mr. J. A. Barker.

Sir,

Colonial Secretary's Office, Sydney, 16 April, 1857.

In acknowledging the receipt of your letter of the 10th ultimo, addressed to the Private Secretary, covering a memorial from the Committee of Management of the Sydney Female Refuge, praying that the premises now occupied by them may be conveyed to trustees for the Institution, I am directed to state that, under the advice of the Executive Council, there will be no objection to the Committee continuing their use of the premises in question for the purposes of the Institution, but that as the Society has not been incorporated, the Government regret that they cannot approve of the land being absolutely granted to trustees, as prayed for.

I have, &c.,
W. ELYARD.

No. 55.

The Principal Under Secretary to The Under Secretary for Lands and Works.

Sir,

Colonial Secretary's Office, Sydney, 30 April, 1857.

I am directed to annex, for the information of the Secretary for Land and Public Works, a copy of a letter that has been addressed to the Honorary Secretary and Treasurer of the Sydney Female Refuge, in reply to an application made by the Committee of that Institution for the conveyance to trustees of the premises now occupied by them.

I have, &c.,
W. ELYARD.

[Enclosure to No. 55.]

The Principal Under Secretary to J. A. Barker, Esq.

Sir,

Colonial Secretary's Office, Sydney, 16 April, 1857.

In acknowledging the receipt of your letter of the 10th ultimo, addressed to the Private Secretary, covering a memorial from the Committee of Management of the Sydney Female Refuge, praying that the premises now occupied by them may be conveyed to trustees for the Institution, I am directed to state that, under the advice of the Executive Council, there will be no objection to the Committee continuing their use of the premises in question for the purposes of the Institution, but that as the Society has not been incorporated, the Government regret that they cannot approve of the land being absolutely granted to trustees as prayed for.

I have, &c.,
W. ELYARD.

No. 56.

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No. 56.

Mr. J. A. Barker to The Colonial Secretary.

Sir,

Sydney, 6 May, 1857.

I have the honor to acknowledge the receipt of your letter, 16 April, in reply to my letter of 10th ultimo, in which you state "as the Society had not been incorporated, the Government regret that they cannot approve of the land being absolutely granted to trustees, as prayed for."

I have now the honor to request to be informed whether, if the Legislature grant the Society an Act of Incorporation, the Government will in such case grant the land to trustees for the special purposes of the Institution.

I have, &c.,

J. A. BARKER,

Hon. Secretary and Treasurer.

Minute on No. 56.

It would scarcely, I think, be possible to give a definite answer to this inquiry, in anticipation of many circumstances which cannot at present enable the Government to arrive at a conclusion.—H.W.P., 13th May.

No. 57.

The Principal Under Secretary to Mr. J. A. Barker.

Sir,

Colonial Secretary's Office, Sydney, 16 May, 1857.

In reply to your letter of the 6th instant, inquiring whether "in the event of the Legislature granting the Sydney Female Refuge Society an Act of Incorporation, the Government will grant the land now occupied by the Society to trustees for the special purposes of the Institution," I am directed to inform you that the Colonial Secretary thinks that it would scarcely be possible to give a definite answer to your inquiry, in anticipation of many circumstances which cannot at present enable the Government to arrive at a conclusion.

I have, &c.,

W. ELYARD.

No. 58.

Mr. J. A. Barker to The Colonial Secretary.

Sir,

Sydney Female Refuge, 19 June, 1857.

Referring again to your letter, I have the honor to inform you that the Committee for the management of the Refuge Institution instruct me to convey to you their dissatisfaction at your decision with respect to disallowing Government aid to this Institution on the ground that it was self-supporting.

The Committee endeavour to make the Institution industrial and reclaiming; by the report it will be seen that the sum of money the inmates earned amounted to nearly one-third of the current expenses of the establishment.

The Committee hope you will be pleased to reconsider the justness of their claim to Government aid to the extent of the amount subscribed by the public, and most earnestly and respectfully request that the sum of £500 may be placed on the Estimates for 1858, in aid of and for the support of this acknowledged excellent Institution, which not only takes from the public streets the unfortunate and degraded human objects, but renders them useful whilst under probation, and not unfrequently places them as respectable and useful members of society.

I have, &c.,

J. A. BARKER,

Hon. Secretary and Treasurer.

Minutes on No. 58.

This Institution was established on the distinct understanding that it should be self-supporting, as was also a similar Institution, the House of the Good Shepherd.

On this ground, assistance from the public funds has been in both cases refused. The present letter appears against the refusal on the part of the Female Refuge. The objects of both Institutions are no doubt very good, but should public moneys be given to them, seeing that they were established expressly on the self-supporting system?—H.W.P., 1 July.

I do not think that these Institutions have a claim to assistance from the General Revenue; their object is no doubt a good one, but it is one which appeals to private charity, more particularly as the Refuge Institution was founded upon the self-supporting principle. The Committee must proportion their expenditure to their means.—W.D., 1 July, 1857.

As it appears that this Society was instituted and has hitherto been conducted on the self-supporting principle system, the Council are of opinion that it has no claim upon the Government for assistance from the public funds, and regret therefore that they cannot advise that this request be complied with.—EDWARD C. MEREWETHER, Clerk of the Council, 15 July, 1857.

No. 59.

The Principal Under Secretary to Mr. J. A. Barker.

Sir,

Colonial Secretary's Office, Sydney, 22 July, 1857.

I am directed to acknowledge the receipt of your letter of the 19th ultimo, requesting a favourable reconsideration of the application of the Committee of the Sydney Female Refuge for aid from Government towards the support of that Institution, and to inform you that, as the Female Refuge Society was instituted and has hitherto been conducted on the self-supporting system, the Executive Council, to whom your communication has been submitted, are of opinion that it has no claim upon the Government for assistance from the public funds, and they regret therefore that they cannot advise that the request preferred through you should be complied with.

I have, &c.,

W. ELYARD.

No. 60.

The Trustees of the House of the Good Shepherd to The Colonial Secretary.

Sir,

Vicar-General's Office, 5 September, 1857.

On the 7th November last we had the honor to address a letter to you, showing ground for our hope that His Excellency the Governor-General might be pleased to sanction the payment to the House of the Good Shepherd of an annual sum equal to the amount of private subscriptions, and of a further sum equal to the earnings of the penitents' labour. Your answer, dated 19th November, was to a certain extent favourable; it acknowledged the title of the Institution to aid from the public funds, so far as the amount of public contributions might reach, but on the other hand, it pointed out that the Institution had been represented as self-supporting, and further, that the Government financial arrangements for the then current year having been completed, it was not deemed expedient at that moment to entertain the application.

2. We have now the honor respectfully to renew our application, trusting that the time may be more favourable. With respect to the self-supporting character of the Institute, we submit that it has hitherto been fully maintained; still, His Excellency and Council may perhaps be disposed to consider that if the self-devotion of the Religious who are in care of the House had a somewhat wider scope furnished them by a moderate grant from the Public Funds, the best interests of the public might be largely benefited.

3. We beg further to state, that at the present time the number of inmates in the House of the Good Shepherd is so great (there being forty-four penitents, eighteen children, and eight Nuns conducting the establishment), that some immediate additional accommodation is absolutely necessary, indeed we almost dread the coming summer without it. Now we cannot very well urge subscribers to lay out their money upon buildings of which the site is not appropriated. Would His Excellency's Government be disposed to grant us a title, secure as to possession.

4. We are prepared, and the Sisters of the Good Shepherd are prepared to take a still greater responsibility for the public interest if the Government should see fit to entrust it to us; and from what His Grace the Archbishop has reported to us of His Excellency's encouraging estimate of our Institution, we venture at once to make the following suggestion, viz., that the large yard lately occupied by the Police (and as a depôt by the Corporation, who no longer require it, as they have recently sold all the horses, &c., which were kept there) might furnish a site, and some of the appliances for a Reformatory School. A portion moreover of the buildings in the same yard would be available, under the direction of the Sisters, as a Temporary Asylum for young females, who in a state of destitution, as to respectable friends and lodging, are frequently exposed to very serious dangers.

5. And with general reference to the statement above made as to the crowded condition of the House of the Good Shepherd, we may suggest also, that the additional space contained in such a yard would enable us to carry out that system of classification which is so desirable in itself, and is indeed known to be an object of His Excellency's solicitude.

We have, &c.,

J. ABBOT GREGORY, V.G.,
J. M'ENCROE,
ROBERT COVENY,
JOHN M'LERIE,
WM. MACPHERSON,

Trustees of the House of the Good Shepherd.

The Hon. Thomas Barker, M.L.C., to The Colonial Secretary.

Sir,

Sydney, 21 October, 1857.

I have the honor to call your attention to the position of the Sydney Female Refuge, and to inform you that, in consequence of the repeated refusal by the late Ministry to grant pecuniary assistance to the Committee, they have requested me to move the House of Assembly to obtain what they consider they are in common with other Charitable Institutions entitled to receive from the Government.

Before taking this step, I beg to be permitted to lay before you the position and working of the Institution, by which I hope you will be led to admit the claim of pecuniary aid in proportion to the amount subscribed by the public.

The Sydney Female Refuge was established in the year 1849, and the Committee of Management were put into possession of the Government premises known as the "Old Treadmill."

Besides the Committee of gentlemen who manage the general affairs of the Institution, another Committee, consisting of ladies, aided by a Matron, conduct the internal arrangements.

The inmates are kept fully employed at washing and needlework; good order is preserved, and their general conduct is unblamable.

The premises, although old, are kept in good order, having had about £1,000 expended in repairs and roofing.

I beg to refer you for further information to the printed report and regulations enclosed, also a list of the names of the gentlemen and ladies who form the Committee.

The Committee respectfully solicit that the Government would place on the Supplementary Estimates for 1858 a sum equal to the amount collected from the public, not exceeding £500. I am informed by the Committee that the Government refused to accede to their request, because it was stated to be founded on the principles of the self-supporting system. Although the benevolent men who originated this humane Institution hoped to have such support from the public as might enable them to pay its expenses, and this is now found not to be the case, surely it should not prevent the Government from affording the usual assistance given in such cases, particularly if it is clearly shown that the management is good and the results are beneficial to the unfortunate women and to the public generally.

The

The very limited means at the disposal of the Committee prevent an extension of the usefulness of the Institution, and at this moment I am informed that the state of the funds is such as to almost threaten the abandonment of the undertaking.

I have, &c.,
T. BARKER.

Minute on No. 61.

Inform that a similar application has been made from the Manager of the Good Shepherd and refused.—A., 29 October.

[*Enclosure to No. 61.*]

LADIES' COMMITTEE.

Lady Denison, Patroness, | Mrs. Deas Thomson, President,
Mrs. Clark Irving, Secretary.

Mrs. Allen,	Mrs. Mills,
Mrs. Beazely,	Mrs. Alexander,
Mrs. Lloyd,	Mrs. Eggleston,
Mrs. Wilks,	Mrs. J. Thompson,
Mrs. Wright,	Mrs. Dickson,
Mrs. Salmon,	Mrs. Cook,
Mrs. Eckow,	Mrs. Gand,

Mrs. Caldwell.

Matron, Mrs. Baker.

GENTLEMEN'S COMMITTEE.

Sir Alfred Stephen, President.

Vice-Presidents.

John Alexander, Esq. | Thomas Barker, Esq.
James Comrie.

GENERAL COMMITTEE.

Geo. Allen, Esq.,	Thomas Cowlshaw, Esq.,
Chas. Cowper, Esq.,	T. C. Breillat, Esq.,
H. G. Douglas, Esq.,	John Caldwell, Esq.,
Thomas Hagg, Esq.,	David Jones, Esq.,
John M'Levie, Esq.,	J. K. Holding, Esq.,
Charles Nathan, Esq.,	H. C. Burnell, Esq.,

Hon. Secretary and Treasurer, James Barker.

No. 62.

The Principal Under Secretary to The Hon. Thomas Barker, M.L.C.

Sir,

Colonial Secretary's Office, Sydney, 31 October, 1857.

In acknowledging the receipt of your letter of the 21st instant, requesting that a sum equal to the amount collected from the public in aid of the Sydney Female Refuge Society may be placed on the Estimates, as a contribution from Government towards the Institution, I am directed to inform you that a similar application has been made by the Manager of the House of the Good Shepherd, and that it was not deemed expedient to entertain the application.

I have, &c.,
W. ELYARD.

No. 63.

The Right Rev. Dr. Gregory and others to The Colonial Secretary.

Sir,

House of the Good Shepherd, 29 December, 1857.

We have the honor to solicit the attention of His Excellency the Governor-General and the Executive Council to the circumstances of the public charity known as the House of the Good Shepherd.

On the 3rd September last we had the honor of addressing to you a letter renewing, on grounds acknowledged by Government itself, our respectful claim to have the Institution set on one of the Public Charities entitled to some aid from the public purse; pointing out also that, being mere tenants at will, we could not advise subscribers to expend money on additional building, unless His Excellency's Government should be pleased to allow or guarantee securing to us a permanency of tenure. And further, a scheme for extending the benefits of the Institution, by establishing in the police yard a Reformatory School, was proposed, in the hope that it might attract His Excellency's favourable consideration.

We have not yet been favoured with an answer to the above-named letter; and as a large sum arising from a bazaar has recently accrued to the funds of the Institution, we venture to beg renewed attention to the matter at an early opportunity, at least in so far as regards the nature of the title by which we may be allowed to hold the buildings and the land.

We have, &c.,
H. J. ABBOT GREGORY, V.G.,
J. M'ENCROE,
JNO. M'LERIE,
Trustees.

Minutes on No. 63.

By the Under Secretary:—Obtain from the Chief Secretary's Office (if they are not here already) the papers showing the terms on which the building originally handed over to the Institution of the Good Shepherd was held.—M.F., 2 March.

The Surveyor-General should be asked to let me have the original from which he caused to be made the tracings.—JOHN R. Original and copy herewith.—A. G. M'LEAN, 30 August, 1859.

No. 64.

The Right Rev. Dr. Gregory to The Secretary for Lands and Public Works.

Sir,

Vicar-General's Office, 14 September, 1858.

I have the honor to enclose a tracing for the purpose of showing the distribution of the land desired between the Female Refuge Society and the House of the Good Shepherd, and of soliciting the sanction of Government to the said distribution. The ground coloured light blue, together with the piece bounded by dark blue lines, is the present holding of the Good Shepherd, and the ground bounded by black lines, together with that bounded by yellow, is the present holding of the Female Refuge. The Female Refuge Society have agreed to give the plot at the rear, bounded by yellow, in exchange for the plot bounded by dark blue and having frontage to the main street. It is hoped that the Government will confirm this distribution, and will further allow the Good Shepherd to occupy the bit of land bounded by red at the rear, which will afford us a back entrance.

2. It is with very great earnestness that the trustees of the Good Shepherd solicit from the Government a grant of this newly arranged site of these premises. They have for some time now had money in hand for the erection of new buildings, which they are not justified in placing on an uncertain tenure, and yet the crowded state of the Institution at present is such that they feel some alarm at the prospect of the rapidly approaching summer, if it should come upon them in their present extremely insufficient accommodation.

I have, &c.,

H. G. ABBOT GREGORY.

Minute on No. 64.

This application may be so far complied with that the Good Shepherd may be at once put in possession of the land asked, with the exception of the last-mentioned portion, which is understood to be occupied by the officers engaged procuring horses for India. When their holding of it is at an end the Good Shepherd cannot be put in possession, but may be afterwards. Even if desirable to make a grant of the land for the purposes mentioned, the Government are not in a position in the present state of the law to do so, therefore it is not necessary now to discuss the question whether or not it would be proper to make so valuable a grant for such a purpose; nevertheless, as I am desirous of enabling the trustees to erect the building and make the expenditure necessary therewith, so that the money shall not be lost, I have, after consultation with my colleagues, arrived at the conclusion that they may be appraised that, in the event of the Government resuming the land, the full value of their improvements thereon shall be reimbursed to them. Inform.

The other Society may also be informed of the decision arrived at, and that in all respects their hold of their portion of the land will be the same as that of the Good Shepherd.—*JOHN R.*

No. 65.

Mr. J. Barker to The Secretary for Lands.

My dear Sir,

Steam mills, Sydney, 15 February, 1859.

I enclose a copy of a resolution which was carried unanimously at a meeting of the Female Refuge Committee, held yesterday.

You will perceive that all has been conceded to the Institution of the Good Shepherd, with the exception of the expense of the division wall.

I am, &c.,

JAMES BARKER.

Minutes on No. 65.

I am sorry that my efforts to induce the Female Refuge Society to arrange amicably with the Committee of the Good Shepherd for the erection of the wall in question should have failed. It is now, however, only left for me to confirm the diagram of the land as indicated, leaving the parties interested to settle between them, in the usual way, the question of the erection of the wall, if any is to be erected.—*JOHN R.*, 16 February.

For the information of the Surveyor-General.—*M.F.*, B.C., 24 February, 1859.

[Enclosure to No. 65.]

The deputation appointed to wait on the Secretary for Lands and Public Works having reported that, in the interview they had with that gentleman, they had consented to give up to the House of the Good Shepherd 6 feet of the ground fronting to Pitt-street, but that they could not agree to bear any portion of the expense of the subdivision wall which would be required, as the Female Refuge were not seeking any alteration: Resolved that this meeting approve of the steps taken by the deputation, and confirm their determination not to pay any of the expense of the wall, the House of the Good Shepherd deriving all the benefit of the concession made by this Institution.

14 February, 1859.

No. 66.

The Secretary for Lands to Mr. Barker.

My dear Mr. Barker,

17 September, 1859.

I have seen the Right Reverend Abbot Gregory, who admits the error in the plan, and is willing to give up the land and take only under your plan; but as the Good Shepherd Committee have expended a considerable sum in laying foundations, &c., should you insist on their giving up the land in question, they will demand that you pay one-half the expense of the dividing wall, a course which they had not contemplated taking, and which they are empowered to take.

On the whole, I think you had better arrange the matter. Will you meet them at my office on Monday, at 9 a.m.

Yours, &c.,

JOHN ROBERTSON.

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No. 67.

Mr. J. Barker to The Secretary for Lands and Public Works.

Sir,

Sydney, 22 December, 1859.

I am directed by the Committee of the Sydney Female Refuge to inform you that, after considering the offer made by the Right Reverend Abbot Gregory, through you, viz, that the Committee of the Good Shepherd were willing to be at the whole expense in the erection of the division wall, provided the Committee of the Female Refuge would consent to the division here taken and commenced building upon by the Committee of the Good Shepherd, they resolved that they would adhere to the line of division only which they had previously agreed upon and marked on their plan, left in your office, which division they understood from you had been decided upon and adopted by the Committee of the Good Shepherd some time since.

I have, &c.,

JAMES BARKER,

Honorary Secretary and Treasurer.

No. 68.

Mr. J. Barker to The Secretary for Lands and Public Works.

Sir,

Sydney, 24 September, 1859.

In reference to your letter, containing the offer of the Right Reverend Abbot Gregory, I find that I have omitted to say the Committee of the Sydney Female Refuge agree to the proposition that they shall pay one-half the expense of the party wall between the two premises, and that they are prepared to do so in the same way that the law provides in cases of other adjoining properties, and that the Committee will offer no difficulty on that head.

I have, &c.,

JAMES BARKER,

Honorary Secretary and Treasurer.

[Enclosure to No. 68.]

Report upon the position of the boundary-line dividing the land occupied by the Female Refuge and the House of the Good Shepherd, situate in new Pitt-street, Sydney. The Roman Catholic Institution has encroached with all its buildings 15 feet 6 inches upon the Protestant Institution; also the wall in the rear, dividing the two properties, has encroached 15 feet. This report is furnished upon the plan furnished by James Barker, Esquire.

CHARLES F. LANGLEY,

Surveyor.

Pitt and King Streets, 15 December, 1859.

No. 69.

Mr. J. Barker to The Secretary for Lands and Public Works.

Sir,

Sydney, 29 December, 1859.

I am directed by the Committee of the Sydney Female Refuge to draw the attention of the Government to the following statement:—

In November or December, 1858, an application was made by Archbishop Polding, through Dr. Williams, to the Secretary of the Sydney Female Refuge, stating that it was the wish of His Lordship to make a division of the land occupied by the two Institutions, viz., the Good Shepherd and the Female Refuge, showing a plan on which was marked the line of division expected by the Roman Catholic body, which division was objected to by the Committee of the Female Refuge; but they had a plan drawn showing the line they were willing to agree upon, and also proposed to make an entire change of premises, taking the part offered to the Good Shepherd with that they were occupying, and giving up the land they were in possession of, with the buildings thereon, which plan was sent to the then Minister of Lands and Works (John Robertson, Esq.), who approved of the division of the land, as shown in the tracing sent by the Committee of the Female Refuge, which was afterwards consented to by Archbishop Polding, as will be seen by letters addressed to the Secretary of the Female Refuge from the Department of Lands and Public Works, dated 4th December, 1858, 21st February, 1859, and 30th September, 1859. In the last was enclosed a tracing showing the division marked out and fixed upon by the Government for the guidance of both Institutions.

The point the Committee of the Female Refuge are now desirous of drawing the attention of the Government to is as follows:—That the Roman Catholic body have taken possession and erected a building on 15 feet of the ground belonging to the Refuge, as marked out on the Government plan and surveyed by the Rev. — Langley, a copy of whose report is enclosed.

The Committee of the Female Refuge make this appeal to the Minister of Lands in order that they may have the land restored, or be allowed such compensation as the Government think they are justly entitled to.

A deputation from the Committee will wait upon the Minister of Lands, to give such further explanation as may be required, at such time as he may appoint.

I have, &c.,

JAMES BARKER,

Honorary Secretary.

Minute on No. 69.

I was under the impression that this matter was finally settled by Mr. Robertson. It may be proper to afford Dr. Gregory an opportunity for explanation.—M.F., 15 January.

No. 70.

Mr. J. Barker to The Secretary for Lands and Public Works.

Sir,

Sydney, 16 January, 1860.

The Committee of the Sydney Female Refuge direct me to inquire what decision the Government have come to, respecting the land taken possession of by the Catholic body belonging to the Protestant Institution.

I have, &c.,

JAMES BARKER,

Hon. Secretary.

No. 71.

No. 71.

Mr. J. Barker to The Secretary for Lands and Public Works.

Sir,

Sydney, 22 February, 1860.

I am directed by the Committee of the Sydney Female Refuge to request the favour of you to appoint a time to receive a deputation from the Committee, respecting the portion of land taken possession of and built upon by the Institution of the Good Shepherd.

I am, &c.,

JAMES BARKER,
Hon. Secretary to the Sydney Female Refuge.

No. 72.

The Right Rev. Dr. Gregory to The Under Secretary for Lands.

Sir,

Vicar-General's Office, 20 March, 1860.

In reply to your letter of the 6th instant, enclosing a copy of letter from the Sydney Female Refuge, I have the honor to furnish a statement in brief of the course pursued by the Committee of the Good Shepherd, from the commencement of their action in the matter of the building complained of.

After the lapse of nearly a year, wasted in the vain endeavour to come to a friendly arrangement with the Committee of the Sydney Female Refuge, the Very Reverend Dean O'Connell and Dr. Williams waited upon the Honorable the Secretary for Lands and Works, and requested him to take the matter into his own hands on behalf of the Government, and make a division of the land in question.

A plan of division was sent from his office, and the Committee of the Good Shepherd, relying upon it, began their building. His Grace the Archbishop, be it observed, never saw this plan; it passed at once into the hands of those who were to conduct the building. After the foundation of this new building had been laid, it was intimated that some members of the Committee of the Sydney Female Refuge objected to the division, and then Dean O'Connell, with Dr. Williams, waited on Mr. Robertson, offering to take up the foundations if the Government would refund the money, as if there were any error it certainly did not lie with the Good Shepherd. Mr. Robertson did not agree to this, and as contracts had been entered into, the building, after a delay of some days, was proceeded with.

I wish, in conclusion, to lay before Mr. Robertson the following facts, viz. :—

- 1st. That a sum of £1,800 has been expended on the building, occupying the exact site, as the Committee of the Good Shepherd naturally believed, assigned to them by authority.
- 2nd. That the Good Shepherd, though under the conduct of Sisters, is open to penitents of any creed.
- 3rd. That the number of inmates is usually over sixty, whilst the other Institution has seldom more than a dozen.
- 4th. That the Sydney Female Refuge has borne no part of the expense of the boundary wall.

H. G. ABBOT GREGORY.

No. 73.

The Rev. W. M. O'Connell to The Secretary for Lands.

Sir,

Vicar-General's Office, 20 November, 1860.

I have the honor, on the part of the Committee of the House of the Good Shepherd, to enclose a tracing copied from that enclosed in your letter of the 30th September, 1859, showing the block of land occupied by the two Institutions, the Female Refuge and the Good Shepherd, and distinguishing by the yellow lines a strip promised to be added to the House of the Good Shepherd when it ceases to be occupied by the officers engaged in procuring horses for India. As the Committee are about to make some addition to their buildings, and are informed that the strip bounded by the yellow lines is no longer used for the abovenamed purpose, they now respectfully solicit permission to take possession and include it in their permanent fence.

I have, &c.,

W. M. O'CONNELL.

Minutes on No. 73.

Ask Captain M'Levie if he will have the kindness to say (if in his power) whether the land is any longer required?—M.F., 22 November.

The piece of land referred to is fitted with open stalls, and is frequently used by the mounted police when the number of horses at the station exceed the number of stalls in the permanent stables.—J.M'L., I.G.P., 23 November.

No. 74.

Mr. J. Barker to The Secretary for Lands.

Sir,

Waverley, 8 January, 1861.

I am directed by the Committee of the Sydney Female Refuge Institution to request the favour of the Government to give them possession of the remaining part of the piece of land allotted to the Institution by the Government; a portion having been taken possession of and built upon by the Roman Catholic body, they are desirous of obtaining the part now left.

I have, &c.,

JAMES BARKER,
Honorary Secretary and Treasurer.

Minute

Minute on No. 74.

I understood from Mr. Barker, although it is not made apparent in this letter, that the Good Shepherd Institution Committee have taken possession of a portion of the land belonging to the Refuge Society, even under the distribution of the land as indicated on the plan that was some time ago the subject of complaint by the Refuge Society. If this is so, the Refuge Society should be put in possession. The Attorney-General had better take means to ascertain the fact.—JOHN R., 14 January.

No. 75.

Mr. J. Barker to The Secretary for Lands.

Sir,

Waverley, 18 February, 1861.

I am directed by the Committee of the Sydney Female Refuge Institution to draw the attention of the Government to their application of date 8th January last, viz., that they might be put in possession of the remaining portion of the land allotted to the Institution by the Government; they now being desirous of erecting some buildings on the site, they beg that no further delay may take place.

I have, &c.,

JAMES BARKER,

Honorary Secretary and Treasurer.

No. 76.

Memorandum by the Secretary for Lands.

THE continued disputes about the land between the Good Shepherd people and the Female Refuge Institution seems to be so thoroughly hopeless that I would like to meet the parties interested on the ground, on Tuesday next, at 11 a.m. I shall want the papers and the Acting Surveyor-General with me. Communicate with both Committees.

JOHN R., 5 March, 1861.

Minutes on No. 76.

Submit papers and forward them quickly to Acting Surveyor-General.—M.F., 8 March.
Papers herewith. I have made a note of the appointment.—A.G.M., 8 March.

No. 77.

Memo. by Surveyor-General.

House of Good Shepherd and Female Refuge.

It will be seen from the within papers, that the deputation from the Female Refuge Society to the Secretary for Lands agreed to give to the House of the Good Shepherd 6 feet of ground for a passage, with the understanding that the partition wall was to be built jointly by the Societies; but that at a meeting of the Female Refuge Society it was subsequently determined that the 6 feet should be given up, but that the expense of building the wall should be wholly borne by the Good Shepherd Society, as the other Society did not seek or desire the change.

The Secretary for Lands, by minute of 16th February, 1859, did not concur in this arrangement, but determined the division of the land, leaving the parties to arrange, in the usual way, the erection of the wall.

Under the interview of this morning of Mr. Robertson and myself with the parties interested on the ground, and the arrangement that the erection of the wall was to be governed by the decision in the papers, the cost of its erection must therefore be mutually borne by the Societies.

Mr. Licensed-Surveyor Armstrong will mark forthwith the position for the new wall.

A.G.M., 12 March, 1861.

Minutes on No. 77.

Submitted, 14 March. Inform fully both Societies.—JOHN R., 28 March, 1861.

No. 78.

Mr. Licensed-Surveyor Armstrong to The Acting Surveyor-General.

Sir,

Macquarie-street, 17 March, 1861.

In accordance with the instructions received from you, dated 12th instant, I have laid out and marked in a substantial manner those parts of the boundary pointed out by you between the premises occupied by the Society at the Sydney Female Refuge and the House of the Good Shepherd; also the new boundary to be a line of wall on the south-east and north-east side, the latter being from verbal instruction.

The accompanying sketch will explain the dimensions taken, &c.

I have, &c.,

JOHN ARMSTRONG,

Licensed-Surveyor.

No. 79.

Question by Mr. Buchanan, with answer by Secretary for Lands.

29 NOVEMBER, 1871.

Question No. 1.—

(1.) The Old Carter's Barracks:—*Mr. Stewart*, on behalf of Mr. Buchanan, asked the Secretary for Lands, pursuant to Notice No. 1,—To whom was the ground known as the Old Carter's Barracks granted, and for what purpose? *Answer,—*

Answer,—

Mr. Wilson answered,—The ground in question was never granted, but that portion of Carter's Barracks originally known as the Debtors' Prison was in 1848 placed at the disposal of a Society, of which Archbishop Polding was President, for a Magdalen Asylum. That portion known as the Old House of Correction was at the same time placed at the disposal of the Female Refuge Society, for a similar purpose, but a grant was refused to either party unless the two Societies amalgamated, as in the case of the Benevolent Asylum. The following is a paragraph in the Executive Council Minute of 19th December, 1848:—"The Council therefore recommend that that building, being the portion of Carter's Barracks known as the Debtors' Prison, which it appears has been already placed in the possession of and repaired by the parties in question, should be allowed to remain in their occupation, and that the Old House of Correction should be placed at the disposal of the Female Refuge Society. This arrangement for the accommodation of the two Societies is sanctioned by the Council, in the earnest hope that the juxtaposition of their establishments, and the obvious advantage which would arise from their coalition, as regards economy of management, will speedily lead to their union. The Council however think it necessary to state that they cannot advise as a permanent measure the adoption of an arrangement based upon the present division of the two Institutions; and they therefore recommend that both parties should be distinctly informed that, in allowing the use of the buildings which it is proposed to assign to them respectively, the Government does not make, nor intend to make, a final surrender of them to either party exclusively, but that, in the event of a coalition taking place between the two Societies, the Government will be prepared to make a permanent grant of the whole of the land for the purposes of the united Society." The remainder of the site of Carter's Barracks is occupied by the Mounted Police.

No. 80.

Question by Mr. Stuart, with answer by Secretary for Lands.

TUESDAY, 1 DECEMBER, 1871.

(1.) Land opposite Darlinghurst Gaol:—Mr. Stuart asked the Secretary for Lands, pursuant to Notice No. 1,—

- (1.) Whether an acre of land opposite the Gaol at Darlinghurst was vested in Trustees for the benefit of Destitute Females, by Sir Richard Bourke, in the year 1837?
- (2.) What has been done in pursuance of the Trust?
- (3.) How is the land now occupied?
- (4.) Who are the acting Trustees?

Mr. Wilson answered,—

- (1.) Yes. The Trustees were John Joseph Therry, John McEncroe, John Hubert Plunkett, Roger Therry, John Edye Manning, William Macpherson.
- (2.) In consequence, probably, of the use of the portion of Carter's Barracks having been authorized for a like purpose, the land has never been used for the purpose for which it was granted.
- (3.) A cottage has been built on the land, which has been used for many years past as a Home and Registry Office for Domestic Servants.
- (4.) The whole of the original Trustees are now dead, with the exception of Sir Roger Therry, who has left the Colony. The Registry Office is reported to be under the control of the "Presbytery of the Sacred Heart Church."

No. 81.

Memorandum.

THE questions of Mr. Buchanan and Mr. Stuart in the House, with the answers regarding the site of Carter's Barracks, &c. &c., put and given a few days ago, should, most probably, be obtained from the Government Printing Office, and placed with these papers.—J.S.A., 9 December, 1871.

By the Secretary for Lands:—Approved.—J.B.W., 16 December. The Government Printer.—O.R. (For the Under-Secretary). Questions, which are both by Mr. Stuart, are now herewith.—O.R., 20 December.

No. 82.

Mr. T. Makinson to The Under-Secretary for Lands.

Sir,

I have the honor, by direction of His Grace Archbishop Vaughan, to make application for the deed of grant of the land occupied by the House of the Good Shepherd or Good Samaritan (formerly known as the site of Carter's Barracks) and to request that the undernamed may be appointed as Trustees, viz., Most Reverend Roger Bede Vaughan, Very Reverend John Felix Sheridan, Mary Anne Adamson, Margaret Mary Gertrude Byrne, John Barlow, Esquire.

St. John's College, 27 March, 1870.

I have, &c.,
THOMAS MAKINSON,
Secretary.

No. 83.

Memorandum.

House of the Good Shepherd.
An application has been made by the Secretary to His Grace Archbishop Vaughan for a deed of grant of the land in Pitt-street, formerly known as the site for Carter's Barracks, and now occupied by the House of the

the Good Shepherd or Good Samaritan. The names of trustees have been suggested for the Minister's approval. It appears, from the enclosed papers, that in 1848 a portion of Carter's Barracks, known as the "Debtors' Prison," was placed at the disposal of a Society, of which the late Archbishop Polding was President, for a Magdalen Asylum. The portion known as the "old House of Correction" was placed at the disposal of the Female Refuge Society, for a similar purpose, but a grant was refused either party unless the Societies amalgamated.

From a letter dated 30 April, 1849, and its enclosures, it appears that after corresponding on the subject, the coalition of the Societies referred to could not be brought about.

This was explained by Mr. Laughton, the Secretary to the Sydney Female Refuge Society, and a request was made by him for a grant of the land occupied by that Society.

After receiving the advice of the Executive Council, His Excellency Governor Fitz Roy decided that it would be premature on the part of the Government to pledge itself to any permanent arrangement in the matter.

Nothing further has been done towards giving absolute grants of the land.

J.D.D., 8 May, 1879.

[Minutes on No. 83.]

Submitted for the consideration of the Minister for Lands.—L.G.T., 16 May, 1879.

By the Under-Secretary :—If the land has never been dedicated, the application for a grant cannot in any case be complied with. I infer from this minute that there has been no dedication.—W.W.S., 24 June, 79.

No, it has not. The point for consideration is, whether the Archbishop is to be informed in terms of this memo. ; unless, after this lapse of time, it may be thought proper to forego the condition imposed by the Executive Council, in 1848, and to issue a deed to each Society.—L.G.T., 24 June, 1879.

By the Under-Secretary :—After the lapse of time which has occurred since the original authority for the occupation of this land was given (although such occupation would appear to have been undisturbed ever since), the Surveyor-General should be asked, before any decision is arrived at, to report whether any objection exists to the formal dedication and granting of the land as requested.—W.W.S., 29 July, 79.

No. 84.

Memo. by Surveyor-General.

Application for grant of land in Pitt-street South, occupied by the House of the Good Shepherd. THE sectarian character of the object for which the land was required was one of the principal reasons for refusing a grant (*vide* Executive Council minute, dated 12 December, 1848), and the reason for such refusal appears to have increased in weight, owing to the practice of granting land for sectarian or scholastic purposes within the city of Sydney having been since discontinued.

I am therefore unable to recommend that the present application be complied with, but attention is invited to the promise held out that the Government would, in the event of its resuming the land, reimburse the full value of the improvements.

13 September, 1879.

R. D. FITZGERALD,

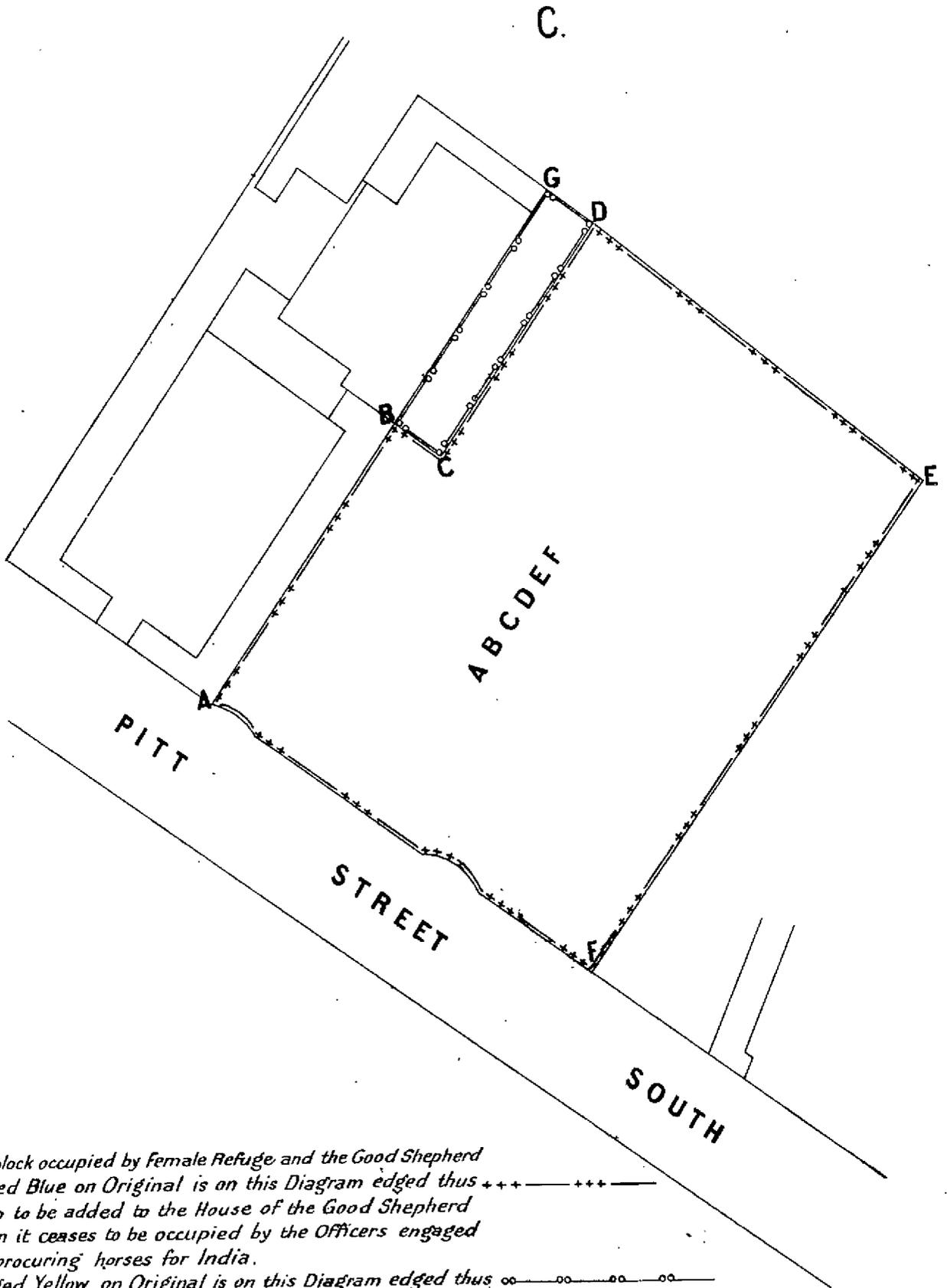
(For Surveyor-General.)

Minute on No. 84.

By the Under-Secretary :—Now for the decision of the Minister for Lands.—W.W.S., 13 November.

[Four plans.]

60/6124



NOTE

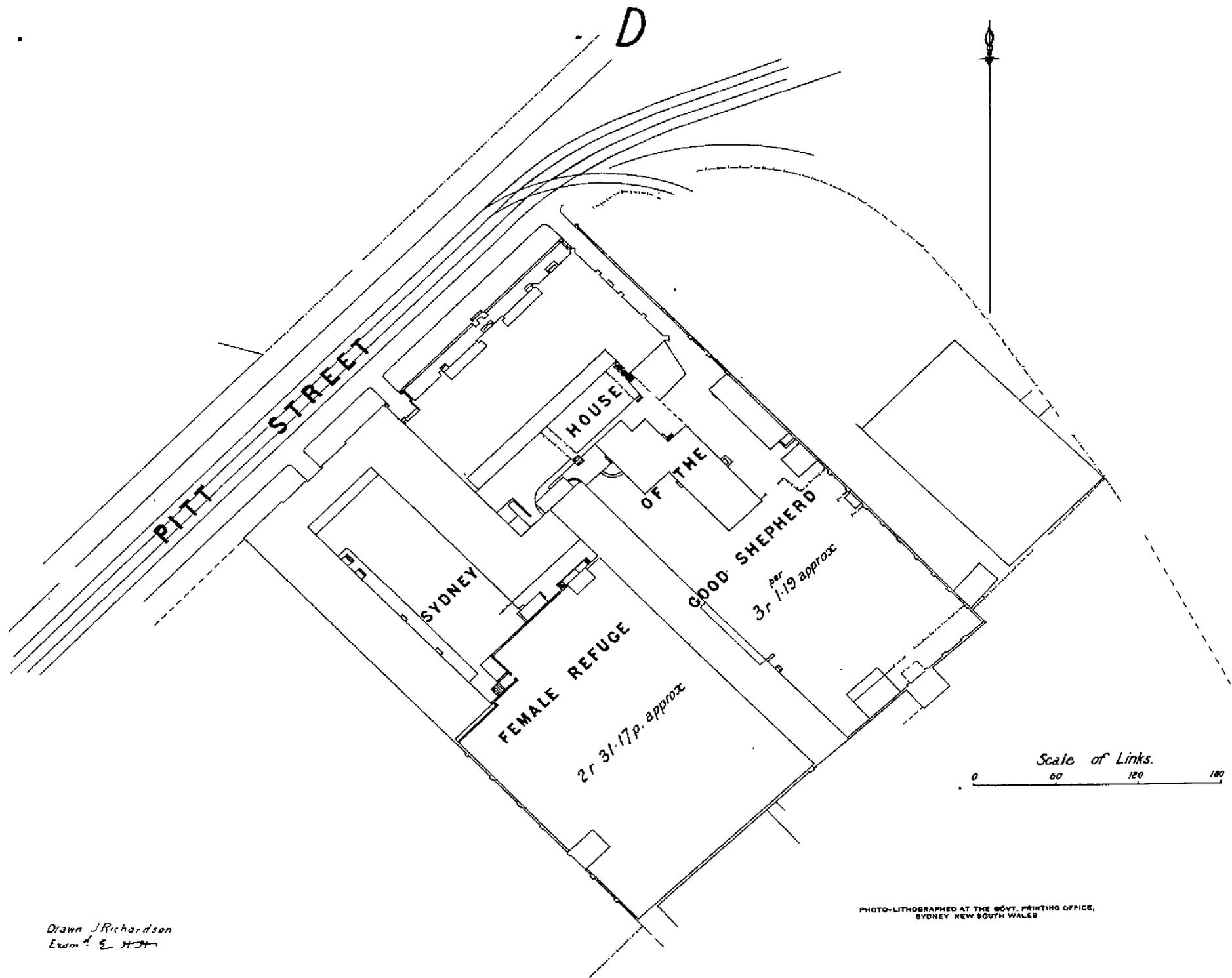
ABCDEF. {The block occupied by Female Refuge and the Good Shepherd
 edged Blue on Original is on this Diagram edged thus +++ ——— +++

BCDG {Strip to be added to the House of the Good Shepherd
 when it ceases to be occupied by the Officers engaged
 in procuring horses for India.
 edged Yellow on Original is on this Diagram edged thus oo ——— oo

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
 SYDNEY, NEW SOUTH WALES.

Drawn Jno. Richardson
 Exam'd E.A.P.

(Sig. 660-)



(660-)

Drawn J Richardson
Exam'd E H J

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY NEW SOUTH WALES

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

APPRAISEMENTS OF TOWN LOTS OF TEMORA;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
2 April, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 10. THURSDAY, 25 OCTOBER, 1883.

15. APPRAISEMENTS OF TOWN LOTS OF TEMORA:—Mr. Spring 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 appraisements of the town lots of Temora by Mr. Whittingdale Johnson or other public officer.
 - (2.) That such Committee consist of Mr. Farnell, Mr. W. J. Fergusson, Mr. Garvan, Mr. McCourt, Mr. Targett, Mr. Sydney Smith, Mr. Vaughn, Mr. A. G. Taylor, Mr. Barbour, and the Mover.
 - (3.) That the Return to Order laid upon the Table of this House on 31st May, 1883, on this subject, be referred to the Committee.
- Question put and passed.
-

VOTES No. 80. WEDNESDAY, 2 APRIL, 1884.

4. APPRAISEMENTS OF TOWN LOTS OF TEMORA:—Mr. Spring, 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 25th October, 1883.
- Ordered to be printed.
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1883-4.

 APPRAISEMENTS OF TOWN LOTS OF TEMORA.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly appointed on the 25th October, 1883,—“with power to send for persons and papers, to inquire into and report upon the appraisements of the town lots of Temora by Mr. Whittingdale Johnson or other public officer,” and to whom was referred, on the same date, “the Return to Order laid upon the Table on 31 May, 1883, on the subject,”—have agreed to the following Report:—

1. That having examined the witnesses named in the List* (whose evidence will be found appended hereto), your Committee are of opinion that the appraised value of allotments in the town of Temora, by Mr. Whittingdale Johnson, is excessive, and not justified by similar appraisements in various other gold-mining townships, nor by the prices obtained for land at Government auction sales in the neighbouring prosperous town of Cootamundra. See List, page 5

2. That your Committee have arrived at an unanimous conclusion that Mr. Whittingdale Johnson's appraisal should be reduced to the average price obtained by the Government for land sold in Cootamundra, and they recommend the case of the alienees to the favourable consideration of the Government.

GERALD SPRING,
Chairman.

No. 3 Committee Room,
Sydney, 27th March, 1884.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 13 NOVEMBER, 1883.

MEMBERS PRESENT :—

Mr. Spring,	|	Mr. Vaughn,
Mr. Sydney Smith,	|	Mr. Targett,
	Mr. Barbour.	

Mr. Spring called to the Chair.
Entry from Votes and Proceedings, appointing the Committee, and referring the Return to Order of 31st May, 1883, read by the Clerk.

Printed copies of the Papers referred, before the Committee.

Committee deliberated.

Ordered,—That Charles N. J. Oliver, Esq., Whittingdale Johnson, Esq., John E. Hicks, Esq., Mr. Joseph Deitz, and Mr. Francis Hickey be summoned to give evidence next meeting.

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

FRIDAY, 16 NOVEMBER, 1883.

MEMBERS PRESENT :—

Mr. Spring,	|	Mr. Targett,
Mr. Barbour,	|	Mr. Vaughn.

Charles N. J. Oliver, Esq. (*Under Secretary for Lands*), called in, sworn, and examined.

Witness withdrew.

Whittingdale Johnson, Esq. (*A Commissioner of Conditional Purchases*), called in, sworn, and examined.

Witness withdrew.

Mr. Joseph Deitz called in, sworn, and examined.

Witness withdrew.

Mr. Francis Hickey (*Secretary, Progress Committee, Tenora*) called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That John E. Hicks, Esq., be summoned to give evidence next meeting.

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

THURSDAY, 22 NOVEMBER, 1883.

MEMBERS PRESENT :—

Mr. Spring in the Chair.

Mr. A. G. Taylor,	|	Mr. Targett,
Mr. Barbour,	|	Mr. Vaughn,
	Mr. McCourt.	

John Edward Hicks, Esq. (*Staff Surveyor*), called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

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

THURSDAY, 29 NOVEMBER, 1883.

MEMBER PRESENT :—

Mr. Spring.

In the absence of a quorum the meeting called for this day lapsed.

TUESDAY, 25 MARCH, 1884.

MEMBERS PRESENT :—

Mr. Spring,		Mr. Targett
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In the absence of a quorum the meeting called for this day lapsed.

WEDNESDAY,

WEDNESDAY, 26 MARCH, 1884.

MEMBER PRESENT:—

Mr. Spring.

In the absence of a quorum the meeting called for this day lapsed.

THURSDAY, 27 MARCH, 1884.

MEMBERS PRESENT:—

Mr. Spring, in the Chair.

Mr. Sydney Smith,

Mr. Targett.

Chairman submitted Draft Report.
Same read and agreed to.

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1888-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

APPRAISEMENTS OF TOWN LOTS OF TEMORA.

FRIDAY, 16 NOVEMBER, 1883.

Present:—

MR. SPRING, | MR. TARGETT,
|
MR. VAUGHN.

GERALD SPRING, Esq., IN THE CHAIR.

Charles N. J. Oliver, Esq., called in and examined:—

1. *Chairman.*] You are Under Secretary for Lands? I am.
2. Do you remember an officer having been appointed to appraise the town lots at Temora? Yes.
3. Who was the officer first appointed? The only officer appointed to appraise was Mr. Whittingdale Johnson. Mr. Licensed Surveyor Hicks, in laying out the town, valued every allotment in pursuance of the general instructions which all surveyors receive, to furnish a valuation of lands surveyed by them, at the time of measurement, not only town lots but country lots.
4. Mr. Hicks had no special instructions to make this appraisalment? No.
5. Did the Government accept that appraisalment or valuation by Mr. Hicks? In some cases.
6. Why not in all cases? A protest was lodged against the valuations as being excessive.
7. And the Department, I presume, taking that view, decided upon having another appraisalment by some other officer? The matter remained in abeyance for a very long time, owing to the papers having been handed to the late Colonial Treasurer, and when Sir John Robertson became Minister for Lands it devolved on him to deal with this case; and although many of the valuations had been accepted, as that course had not been pursued throughout, he felt that he had no other course to pursue than to comply with the request for an appraisalment under the law, and he did so. I think the papers will show that he wrote a minute to that effect.
8. Then he appointed Mr. Whittingdale Johnson to appraise? Yes.
9. *Mr. Vaughn.*] Was Mr. Hicks instructed to take cognizance of the improvements upon these allotments, when appraising their value, or did he value the land only, separate from the improvements? Certainly he would not be instructed to take cognizance of the improvements. The instructions are to appraise the unimproved value of the land.
10. *Chairman.*] You know that the information given in the schedule attached to Mr. Hicks' report of his valuations is unusual in the case of valuations made by surveyors according to their general instructions? Undoubtedly. That was a special report. It is seldom that a surveyor has to deal with such a large question. Generally, similar valuations are made in cases as they occur, but Mr. Hicks having been employed in connection with the laying out of the town of Temora, furnished this report when he sent in his survey, or he formed his estimate of the value of the land at the time he was surveying it.
11. *Mr. Vaughn.*] Can you give us an idea why Mr. Hicks' valuation so far exceeded that of surveyors in similar cases on other gold-fields? That I could not say.
12. There were no special circumstances to account for the difference? No.
13. *Mr. Targott.*] Have you noted the prices? I have observed the prices that have been objected to; therefore, I have had to do so.

C. N. J.
Oliver, Esq.
16 Nov., 1883.

C. N. J.
Oliver, Esq.
16 Nov., 1883.

14. In your experience, has there been any other valuation to such a large amount? No, I do not remember that so large a quantity of land has ever been appraised at a similar price.
15. *Chairman.*] Were these prices regarded by the Department at the time as excessively high? I may say no, because the Minister of the day accepted them in many cases.
16. But not in all? Not in all, for the reason that a movement was made to have the land appraised under the law; otherwise I have no doubt Mr. Hoskins would have accepted the valuation in every case.
17. Mr. Hicks' valuation was objected to by the public, and that objection was recognized by the Department? Yes, in the manner I have described, and then delay having taken place, Sir John Robertson felt that he had no option but to treat the delay in finally dealing with the appraisement as amounting to a determination to re-open the case. I would like to refer you to a minute written by Sir John Robertson, which is among the printed papers, No. 16, on page 17.
18. *Mr. Targett.*] Sir John Robertson specially appointed Mr. Whittingdale Johnson to appraise these lots? Yes.
19. *Chairman.*] Was Mr. Johnson furnished with any standard of valuation to go by to guide him in making these appraisements? Among the papers there is an opinion of the late Attorney-General, Mr. Wisdom, on No. 19, page 18. Mr. Johnson had all these papers, and was fully aware of the different memoranda upon them; therefore I have no doubt he was guided by this opinion of the Attorney-General; but he will be able to speak for himself.
20. *Mr. Vaughn.*] Is it customary to give written instructions to appraisers? Yes, formal instructions, but no instructions as to how the land is to be appraised.
21. *Chairman.*] Mr. Johnson was in possession of Mr. Hicks' valuation? Yes, I believe he had the whole of the papers that have been printed.

Whittingdale Johnson, Esq., called in and examined:—

W. Johnson,
Esq.
16 Nov., 1883.

22. *Chairman.*] You are a Commissioner of Conditional Purchases? Yes.
23. At the request of the Government you acted as appraiser of town lots in the town of Temora? Yes.
24. In that case had you any special instructions besides the ordinary instructions attached to the papers authorizing you to make the appraisement? No special instructions beyond what is conveyed in the correspondence.
25. Being unused to that particular work, you sought for some basis to go upon in making your appraisement? Yes, because I found that the whole question at issue was the basis upon which the land should be appraised.
26. Had you been, in addition to the ordinary instructions, furnished with any previous valuations? Yes, with the valuations made by Mr. Hicks; I took his valuations as the presumed value at the time he valued the lots.
27. The difference in his valuations compared with the price of land that had been sold by auction at Cootamundra suggested to you the idea of asking for special instructions? Yes; you will see by the minutes among the papers that I specially pointed out that the valuation by Mr. Hicks was far in excess of the prices obtained by auction.
28. *Mr. Targett.*] What interval was there between the two valuations—yours and Mr. Hicks'? It must have been some considerable time.
29. His was in May 1881? I valued the lots in October, 1882.
30. *Chairman.*] Did you feel that, under the circumstances, you had gone to the task unbiassed? I felt that the Government required me to appraise the full market value of the land at the time I went there.
31. *Mr. Targett.*] Had you appraised any other mining townships? Never; but I knew as a matter of fact that they were appraised at a much lower rate and on a totally different principle.
32. *Chairman.*] You had ascertained for yourself the prices that town lots had realized at auction? Yes, I had.
33. And you found that while the maximum at Cootamundra, by auction, was £56 an acre, it rose to £900 at Temora, according to Mr. Hicks' valuation? Yes.
34. Did you consider that a very extraordinary difference? I did.
35. And not justified by the prospects of Temora at any time, as far as you knew or were led to suppose by your knowledge of the town—do you think the valuation was justified by the prospects of the town? I think it may have been the value of the land at the time it was appraised by Mr. Hicks.
36. *Mr. Vaughn.*] Did you, in your appraisement, take into consideration the value of the improvements in each allotment? I excluded the value of the improvements from the price.
37. *Mr. Targett.*] Was the township of Temora in a prosperous condition when you made your appraisement? No.
38. *Chairman.*] Its prospects were very different from what they were when Mr. Hicks made his valuation? Yes, very different.
39. Then you, taking these matters into consideration, reduced Mr. Hicks' valuation? Yes, in some instances by more than 50 per cent.; I considered that the value had deteriorated to that extent within twelve months.
40. If you had simply got instructions to go and appraise the town lots at Temora, without being acquainted with the valuations made by Mr. Hicks—had you simply gone there and judged by your own experience—would you have felt yourself justified in appraising the lots at so high a rate as you did? I would not.
41. *Mr. Vaughn.*] There were no special circumstances in the case of Temora, distinguishing it from other gold-fields townships, to make the valuation higher? No.
42. *Chairman.*] Have you been at Temora since your valuation? I have not. I would like to explain what principle I would have adopted myself:—I would have adopted as a basis the average value of town lots of a similar class sold by auction by the Government within the preceding twelve months; and for that purpose I referred to the neighbouring town of Cootamundra.
43. You know Cootamundra well? Yes.
44. It is one of the most prosperous country towns in Australia? Yes, property is increasing in value there; at present it is decreasing in Temora.

ON APPRAISEMENTS OF TOWN LOTS OF TEMORA.

45. *Mr. Targett.*] Do you not consider that a diggings township like Temora advances more rapidly than an ordinary agricultural township like Cootamundra? Yes, it does for a time.
46. Consequently a very much larger price may be given for allotments? Yes. At the time Mr. Hicks' valuations were made there were between ten and twelve thousand people on the ground; when I was there, there were barely two thousand.
47. *Chairman.*] You would not consider the price given by a Bank for a favourably situated allotment as any just measure of value of other allotments? Not subsequently.

W. Johnson,
Esq.
16 Nov., 1883.

Mr. Joseph Deitz called in and examined:—

48. *Chairman.*] You are an innkeeper in the town of Temora? Yes.
49. You had an allotment in that town appraised by Mr. Whittingdale Johnson? By Mr. Hicks first and by Mr. Johnson afterwards. I had another half an allotment appraised by Mr. Barnes.*
50. Did you, in common with your fellow-townsmen, object to Mr. Hicks' valuation of the land? Yes; a public meeting was held, and Mr. Semple and I were appointed delegates to wait upon Mr. Hoskins in reference to the matter, but I was taken ill and Mr. Semple came down alone.
51. You were the delegates appointed by the public meeting to represent the extortionate nature of the valuation? Yes.
52. Then subsequently Mr. Whittingdale Johnson went to Temora to make a fresh appraisalment? Yes. If I recollect right, Mr. Hicks' valuation in some cases amounted to £225 per allotment, or at the rate of £900 per acre.
53. £225 for a rood of land? Yes.
54. Mr. Johnson reduced that in his appraisalment? Yes, to £100.
55. Did Mr. Johnson's appraisalments seem just to the inhabitants—did they consider that they represented the real value of the land? No, they considered them too high.
56. The opinion was general amongst the inhabitants that the valuation was too high? Yes; all those who paid their money did so under protest.
57. Between the time of Mr. Hicks' valuation and Mr. Johnson's appraisalment, was there a deterioration in the value of property at Temora? Yes, it fell away fully one-half in value.
58. About what population was on the gold-field when Mr. Hicks valued the lots? It was variously estimated at from ten to twelve thousand, but when Mr. Johnson made his appraisalment I suppose there were not more than from five to six thousand people there. There may not have been so many.
59. You think the population was reduced at least one-half? Yes.
60. Since the appraisalments by Mr. Johnson has the town advanced in prosperity or otherwise? The population is reduced still more—it still keeps going back.
61. *Mr. Vaughn.*] You have been on the gold-fields for many years? Yes, since 1853.
62. Have you ever known land on gold-fields appraised at anything like the excessive value fixed by Mr. Hicks, or even by Mr. Johnson? No.
63. Were there any special circumstances in regard to Temora that would lead to the land being more highly valued? No.
64. Was it a better gold-field than others? No. Mr. Hicks' idea, from the questions he asked, seemed to be that the more improvements you put upon the land the higher he fixed its value.
65. You think that Mr. Hicks was very much influenced in his valuation by the amount of improvements on each particular lot? Yes; the greater the amount of the improvements, the greater the amount you had to pay for the land.

Mr. J. Deitz,
16 Nov., 1883.

Mr. Francis Hickey called in and examined:—

66. *Chairman.*] You are Secretary of the Progress Committee at Temora? Yes.
67. And have been so for some time? Yes, for the last two years.
68. You have been resident at Temora since its commencement as a gold-field? Yes; perhaps I put the first peg in the ground and took up the first allotment in the town.
69. You had some land in the town valued by Mr. Surveyor Hicks? Yes.
70. Did you consider that valuation too high? Yes—outrageous.
71. Was any objection made by the townspeople generally to Mr. Hicks' valuation? Yes.
72. What form did it take? It took the form of a deputation to the Minister to protest against Mr. Hicks' valuation.
73. You are aware that an appraisalment of the town was made after that by Mr. Whittingdale Johnson? Yes.
74. What was the opinion of the public generally with regard to the valuation made by Mr. Johnson? Something similar to their opinion of Mr. Hicks' valuation.
75. That it was still excessive, though a reduction on Mr. Hicks' estimate? Yes.
76. A great many of the people have paid in the amounts? Yes; a great many have done so under protest.
77. You have been acquainted a good deal with gold-fields? Yes; I was on the gold-fields in Victoria, and on different gold-fields in this Colony.
78. At the time of Mr. Hicks' valuation were things more promising in appearance at Temora than when Mr. Johnson made his appraisalment? There was a greater population, but things were not more promising; the gold-field was falling away even then.
79. Did it depreciate anything in value between the time of Mr. Hicks' valuation and Mr. Johnson's appraisalment? Yes, considerably.
80. Is property still falling in value at Temora? Yes. I would like to give you some instances, because nearly all the lots in Temora have passed through my hands as a commission agent at different times. I have in my hands an allotment of ground in the very picked part of Temora (in Hoskins-street), the best site in Temora, and I have offered the half of that allotment with a building upon it for £80, with a guarantee

Mr. F. Hickey,
16 Nov., 1883.

* ADDED (on revision):—At less than one-fourth of Mr. Johnson's appraisalment.

Mr. F. Hickey. guarantee that there is £80 worth of iron alone in the building. There is another portion of ground, two allotments I think from that, belonging to Mr. Sheridan. The building cost somewhere about £340; it was Maryborough pine, cut in Sydney and put up on the ground; and that was sold to my certain knowledge, within the last ten months, for £90. In fact, ground is of very little value there. Another case in point was an allotment sold about three months since for £25 in the very pick of the street.

16 Nov., 1883. 81. *Mr. Vaughn.*] In whose name was that allotment at the time of Mr. Hicks' valuation? The one I first mentioned belonged to Mr. McEvoy, allotment G of section 1. I think that allotment was not appraised. There is one there, allotment 9 of section 1; I sold that allotment to Mr. Meagher, and Mr. Hicks asked me what the building cost; I told him it cost £100 to build, and whether he understood me that the whole building cost £100 or not I cannot say, but I think his valuation was £100. He asked me what improvements were on the one next to it—allotment 10 of section 1—and I told him £70 or £80 worth, and I think he placed that valuation on it, which led me to believe he was valuing the ground according to the value of the improvements.

82. *Mr. Targett.*] In your experience as a commission agent, what is the highest price you have known land on a gold-field to be sold at privately? I have known as much as £190 to be paid for a quarter of an acre; that is, to erect improvements on it. People on a gold-field will give fancy prices for fancy allotments, for the purpose of building.

83. *Chairman.*] A Bank, for instance, would give a very high price for a suitable lot? Yes. At the very outset Mr. Joseph Rich purchased his allotment for £60 in the very centre of the town, and that was a fancy price at the time.

84. Was the sale for £190 at public auction? No. The original holder sold it for £12 at the very outset, when things were going ahead; and when the Bank wanted the site, which was a fancy site, they gave a high price for it.

85. Did the inhabitants, as soon as Mr. Hicks' valuation was known, protest against it? Yes; there was a public meeting called at once.

86. There was no delay? Not an hour.

87. *Mr. Targett.*] Was there any public meeting in the case of Mr. Johnson's appraisalment? Yes, in the same manner; in fact they have been protesting ever since. And when they are paying the money in, when I was sending money on behalf of some of the holders of allotments, as late as two months ago, they protested against the payment very much. Every amount I sent down to the Treasury was, at the wish of the party sending it, paid under protest. I know a lot of my time has been taken up in writing to our Members about it.

88. *Chairman.*] The town is going on steadily depreciating in value? Yes.

89. You are well acquainted with Cootamundra? Yes.

90. And have a fair idea of the relative value of town lots at Cootamundra and Temora? Yes.

91. Do you think the value of a lot in the best part of Temora approaches anything like the value of a similar lot in Cootamundra? No, for the simple reason that Cootamundra is a town in a settled district, and Temora is only a diggings township.

92. *Mr. Vaughn.*] Do you know of your own knowledge, from your experience on gold-fields, that all mining towns, after the first rush, go back, and their prosperity declines? Yes, it is generally the case.

93. *Mr. Targett.*] In your opinion, as a man having considerable experience, would the prices at which these allotments in Temora were appraised have been realized if an auction had taken place at that time? No, for the simple reason that people would not have had sufficient money to put their improvements up if they had had to pay for the ground in the first instance.

94. *Mr. Vaughn.*] Do you not know that very much land is taken up about a mining township during the first rush, and afterwards abandoned, without being purchased at all? Yes, it is the case at Temora now; you can take up many allotments there by simply taking possession, with buildings upon them too.

95. *Mr. Targett.*] Are many of the lots appraised by Mr. Hicks and Mr. Johnson now abandoned? Yes, many of them,—people will not live on them; you can go and get them almost where you like.

THURSDAY, 22 NOVEMBER, 1883.

Present:—

Mr. A. G. TAYLOR,	Mr. BARBOUR,
Mr. VAUGHN,	Mr. M'COURT,
Mr. TARGETT.	

GERALD SPRING, Esq., IN THE CHAIR.

John Edward Hicks, Esq., called in and examined:—

J. E. Hicks, Esq. 96. *Chairman.*] Are you a licensed surveyor? I am at present a staff surveyor.

97. You surveyed the town of Temora at one time? Part of it.

22 Nov., 1883. 98. Was it a part of your ordinary instructions, or had you special instructions at that time that you should furnish a valuation of the town lots? I had special instructions for the appraisalment of the lots and buildings.

99. You had instructions to value the buildings as well as the various lots? Yes.

100. What do you conceive was the nature of your instructions, so far as you were asked to value the improvements upon the various lots? The valuation of the buildings was simply made to see that there were £10 worth of improvements on each lot.

101. Merely to be sure that the mining law was carried out? Yes.

102. But in every case you gave the full value of the improvements? Yes; some of the improvements were worth £800 or £900.

103. May I ask you what was the principle you used in arriving at your valuations, or your reasons for the valuations you adopted? My instructions were very definite,—to appraise the value at the current rates at which the lots changed hands—the market rate.

104. Then you took the price at which a man bought an allotment as the value at the time of that particular lot? I had to make a number of inquiries; the people did not know at that time what I was doing, and I believe I got correct information from them.

105.

105. That is not exactly what I mean. If you had ascertained that a man had got £200 for a rood of land that morning, would you have felt yourself justified in valuing that lot at £200? I should not have taken a solitary instance; I took a number of instances and endeavoured to strike an average. My valuation is considerably less than the prices that were paid at that time for single lots—very much less. I know that in one case at least a lot was sold at the rate of £4,000 an acre. J. E. Hicks,
Esq.
22 Nov., 1883.
106. Do you think that striking such an average in your valuation would be doing justice to particular individuals? I varied my appraisement according to the position of the lots. Of course the central lots in Hoskins-street, and at some of the corners, were more valuable than others; I started with these as a basis, and further away from the centre of business I reduced the valuation as I thought right.
107. In the nucleus of the town, then, the standard of improvement would very much have ruled your valuation—the improvements made the town? Of course the improvements made the town—no doubt about it.
108. And therefore, according as the value of the improvements decreased you thought you were justified in putting a smaller price upon the land? Necessarily; the two things are combined; one could not help it.
109. There is no mistake about your definite instructions as to taking the prices that were going as the valuation you should put upon the land? I can scarcely see what other method could be adopted; there were no other means of arriving at the value of the land except by the current price.
110. You did not start upon the simple basis of the law by which the price of town lots is regulated? No, for the simple reason that £8 per acre for town lots and £2 for suburban lots is simply the upset price.
111. You did not start with such a basis? No.
112. *Mr. Vaughn.*] Had you previously valued townships on other gold-fields? No, this was the first case.
113. Were your instructions in this case in writing? Yes.
114. Have you a copy of them with you? No.
115. *Mr. Barbour.*] From whom did your instructions come? From Mr. Twynam. I may say that I had also verbal instructions from Mr. Twynam, and very often we get more information as to what we are to do verbally than from the written instructions themselves.
116. *Chairman.*] You had a conversation with Mr. Twynam on this subject? Yes.
117. More than one? I think on only one occasion he sent for me to receive instructions.
118. From anything Mr. Twynam said to you, did you leave him under the impression that you were expected to put a good valuation on these lots? No; my impression was that I had to value them, as I have said, according to the market value of the land.
119. That was laid down for you? Yes.
120. Would you have adopted that basis for a valuation if left to yourself, uncontrolled altogether, or would you have taken some other standard of valuation? I do not know what would have happened—it would depend upon the circumstances; I could not say.
121. You could not say what other standard you might have adopted if left to yourself? No.
122. In other words, you cannot say you would have adopted a standard of your own in preference to the one you adopted under instructions? No, I could not.
123. *Mr. Barbour.*] Do you think these are the instructions you refer to (*minute on No. 4, on page 3 of the printed papers*)? Yes, those were the instructions, but I know there was another note beside that. That may have been the main instructions, but I think another note followed.
124. Mr. Twynam speaks here of verbal instructions? Yes, I had verbal instructions to the effect I have mentioned.
125. *Mr. Vaughn.*] From your conversation with Mr. Twynam at this time, did you leave him with the impression on your mind that the value of land on gold-fields had not previously been obtained by the system of appraisement which had been in force? Yes, that that had been so in previous instances.
126. That the proper value of the land had not been obtained by the Government? Yes.
127. And consequently, when you valued these allotments at Temora, you had that conversation in your mind? Yes.
128. And to a certain extent it must have affected your valuation? Yes, naturally so; I had adopted the principle of the current rate—the market rate—according to my verbal instructions from Mr. Twynam.
129. *Mr. Barbour.*] I suppose you generally find that supply and demand regulates the price of land as well as of other things? Yes.
130. If there were only one allotment open for sale, would not that bring more money than if there were fifty allotments for sale? No doubt that would obtain necessarily in the excitement of the rush to the gold-field.
131. If there were only in the town of Temora a few special sites open for purchase by the public, would not those few bring longer prices than if the whole township was surveyed and hundreds of allotments were open for purchase? Necessarily, if the number of lots were limited. Of course when a larger number of allotments came upon the market there would be a depreciation; but this was not an auction sale, and therefore it is scarcely a parallel case.
132. The township, at the time you made this valuation, was very limited, and the people were all huddled together, were they not, in a small space? No, the population extended for 4 or 5 miles.
133. After you had surveyed the allotments in the township and these were offered for sale, would not the value of the different allotments be altered—they would not be so valuable as when there were only a few of them open to purchase? No, I do not think they would.
134. Do you think the exorbitant price obtained when there was a great scarcity of allotments was a fair criterion of the general value of the land for months and years afterwards? There were a large number of allotments open, not for purchase, but for any one to take up and occupy, something like thirty-two sections.
135. Are you aware that the value of land in the town of Temora is very much reduced now? I am sure of it; I was there at this time last year on the same question.
136. The prices given then must have been exorbitant prices? Not at that time, they depreciated 50 per cent. within twelve months, from falling off of the yield of gold and the departure of the population.
137. Do you think it was a fair basis for the Government to go upon in fixing the value of these lots,—the excessive prosperity which prevailed during the rush and the excessive rates given because of that prosperity, and also the scarcity of allotments? At that time I think it was, because they were all anxious to purchase—they all wished to hold the land in fee simple. At that time I am confident that my appraisement was not excessive.

- J. E. Hicks, Esq.
22 Nov., 1883.
138. That is your feeling now? It is. It may be an excessive value now, because circumstances are so extremely changed, but at the time I did not think so, and I was upheld by some of the best business men there.
139. You are now satisfied the appraisalment was excessive? I am satisfied now that the value of the land is not so great, from the altered circumstances of the case.
140. *Mr. Targett.*] Was there any land sold at Temora at anything near the prices you appraised these allotments at? Yes, certainly at the time.
141. Were you at Temora when Mr. Whittingdale Johnson made his appraisalment? Yes.
142. Did you think that a fair valuation at the time? Yes, at the time he made it.
143. Have you any knowledge of Temora at present? No, I have not been there since November last.
144. You are aware the population has diminished very much? Yes.
145. Would you consider Mr. Whittingdale Johnson's valuation an excessive one at present? I have no reason to think so.
146. Suppose the population of Temora has dwindled to half what it was then, would it be excessive? Yes, I think so.
147. *Mr. Vaughn.*] Did you value these allotments immediately after the rush? Almost at the same time.
148. *Mr. Targett.*] You think that if the town had prospered, as it promised to do, your valuation would not be excessive? No. I had at the time instances of the sale of land to support my valuation. As I have said, in one instance, a part of an allotment was bought at the rate of £4,000 an acre.
149. *Chairman.*] Did you mention that in your report? I think I did in the schedule; I am not sure that the names would be there. My information was obtained from all sorts of sources.
150. Did you put a value on that allotment in accordance with that sale? No.
151. It is quite clear that at the time of your making that valuation, Temora was in the fever of excitement that always prevails at the time of a great rush? Yes.
152. The mining prospects were very good? Yes.
153. Did you find these hopes realized when you went back some time afterwards, when Mr. Johnson made his valuation? No.
154. You found yourself justified then in agreeing with Mr. Johnson, that property had depreciated to the extent of 50 per cent. in value? Yes.
155. You had some conversation with Mr. Johnson relative to these matters? Yes.
156. And you agreed with him? Yes.
157. Was that before Mr. Johnson made his appraisalment? He held the commission at the time. I gave my evidence before him, as I am doing now, but we also had some conversation on the subject.
158. Before you were examined, you had some conversation with Mr. Johnson? Yes.
159. *Mr. Targett.*] Is it the custom to pay any rent for these allotments? No; any holder of a miner's right or business license can occupy an allotment. The Government need not sell, nor need the occupier purchase, so long as he holds a license. For that reason, I wonder the people of Temora are finding so much fault; they can simply hold, and transfer without purchasing.
160. *Mr. Vaughn.*] If you had not found the improvements upon these lots that you did find there, would you have appraised the value at such a high rate? I could not well have appraised them without the improvements, because until the improvements were made no person could tell where the business sites would be.
161. In other words, did you not take into consideration the improvements upon these blocks, in coming to an estimate of the value of the land: it appears to me that the more improvements a man made, the more you made him pay for his land? It seemed to me that the presence of the improvements indicated, as a general rule, which were the best business sites, and therefore that necessarily had its effect upon my estimate of the value of the land.
162. *Chairman.*] Supposing that the persons holding the allotments at the street corners and other places in the business part of the town had little or no improvements upon them, would you then have valued them at a lower rate because they were not improved? I would have been guided then by the best information I could acquire as to the price at which they would be saleable.
163. You would have considered that an element in the value,—the price the holder asked for the land? Yes, the marketable value.
164. Did you make any attempt, before valuing Temora, to ascertain what prices were realized by auction in Cootamundra by the Government up to that time? I cannot say I did. It may be worth while to mention that, as I suppose happens in every other case of a mining township, one man perhaps holds as many as twenty or thirty allotments, contrary to the law.
165. And in order to prevent this, you thought it a good thing to fix a high value upon these lots? That was my own idea.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

ODDFELLOWS HALL, ELIZABETH-STREET ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
9 October, 1884.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1884.

1883-4.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 21. THURSDAY, 22 NOVEMBER, 1883, A.M.

10. ODDFELLOWS HALL, ELIZABETH-STREET:—*Mr. Chapman*, for *Mr. Sutherland*, moved, pursuant to Notice,—
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report as to whether any and what damage has been done to the Society of Oddfellows in carrying on their business in the Hall, Elizabeth-street, in consequence of running the Tram-motors in Elizabeth-street.
- (2.) That such Committee consist of *Mr. Abigail*, *Mr. Cass*, *Mr. Garrard*, *Mr. Melville*, *Mr. Mitchell*, *Mr. Teece*, *Mr. Slattery*, *Mr. Dibbs*, and the Mover.
- Question put and passed.
-

VOTES No. 169. THURSDAY, 9 OCTOBER, 1884.

8. ODDFELLOWS HALL, ELIZABETH-STREET:—*Mr. Sutherland*, 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 November, 1883, a.m.; together with Appendix.
- Ordered to be printed.
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1883-4.

ODDFELLOWS HALL, ELIZABETH STREET.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 22nd November, 1883, a.m.,—“with power to send for persons and papers to inquire into and report as to whether any and what damage has been done to the Society of Oddfellows in carrying on their business in the Hall, Elizabeth-street, in consequence of running the Tram Motors in Elizabeth-street,”—have agreed to the following Report:—

1. Your Committee having examined the witnesses named in the List* (whose evidence will be found appended hereto), find as follows:—

* See List,
page 7.

- (1.) That the present site of the Oddfellows Hall in Elizabeth-street was selected and purchased by the Members of the Society of Oddfellows, Manchester Unity, because of its retired, pleasant, and healthy position facing the Public Park, and the buildings thereon have been rendered totally unsuited for the purpose for which they were intended and used. The evidence clearly proves that the sole cause is the running of steam motors and cars, which has increased even beyond what was contemplated by the Tramway Act.
- (2.) That the purchase of another site and erection of suitable buildings thereon will cost from £14,000 to £16,000; and your Committee are of opinion that the Government should, in a favourable and liberal spirit, consider the fact that this large and compulsory expenditure has been necessitated entirely by the action of the Government in running the motors and tram-cars in that street.
- (3.) That this Society has within the last eleven years contributed the large sum of £365,041 from the subscriptions of members (whose earnings in many cases are very small) for purely benevolent purposes, such as supporting the members and their families in cases of sickness and distress, and by this means has saved the public money by preventing them becoming a burden on the charitable institutions of the country.
- (4.) That the few members of this Society belonging to the Medical Institute, for the same period of eleven years, provided by their subscriptions the sum of £21,212 18s. 1d.; they have been able for this sum to provide the purest and best medicine, dispensed by their own medical dispensers at the Institute to the members and their families. The dispensary has made up 326,953 prescriptions by the three medical gentlemen employed by the Society on their daily visits at the Institute; and these doctors have made 114,015 visits to the residences of the patients other than the visits daily given at the Institute.

2. The claims of a Society, which has done so much to teach its members to be independent, frugal, industrious, and self-reliant, they having subscribed over £35,000 (thirty-five thousand pounds) per annum for carrying out their principles besides other large sums which cannot be verified at present, should be dealt with in a befitting manner. The Society never required or received any money or land from the State, but now claims an equitable compensation for their property rendered useless for their purposes by the action taken by Government for the benefit of many property-holders and the travelling public.

3. Your Committee having carefully considered this case in all its bearings, recommend it to the favourable consideration of the Government.

*No. 2 Committee Room,
Sydney, 8th October, 1884.*

JOHN SUTHERLAND,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 7 DECEMBER, 1883.

MEMBERS PRESENT :—

Mr. Sutherland, | Mr. Garrard,
Mr. Slattery.

Mr. Sutherland called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.
Committee deliberated.

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

[Adjourned.]

FRIDAY, 18 JANUARY, 1884.

MEMBER PRESENT :—

Mr. Sutherland.

In the absence of a quorum the meeting called for this day lapsed.

TUESDAY, 22 JANUARY, 1884.

MEMBERS PRESENT :—

Mr. Sutherland, | Mr. Garrard.

In the absence of a quorum the meeting called for this day lapsed.

FRIDAY, 25 JANUARY, 1884.

MEMBERS PRESENT :—

Mr. Sutherland in the Chair.

Mr. Garrard, | Mr. Mitchell.

Mr. Archibald Thompson Telfer (*a Director of the Society of Oddfellows*), called in, sworn, and examined.

Witness withdrew.

Mr. John Robinson (*Secretary, United Brothers Lodge*), called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Dr. Hankins, Mr. A. Robins, and Mr. James H. Roberts be summoned to give evidence next meeting.

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

THURSDAY, 31 JANUARY, 1884.

MEMBERS PRESENT :—

Mr. Sutherland in the Chair.

Mr. Teece, | Mr. Abigail,
Mr. Mitchell.

Dr. George Thomas Hankins called in, sworn, and examined.

Witness withdrew.

Mr. A. Robins (*Dispenser, Oddfellows Hall*) called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. James H. Roberts and Mr. John Gelding be summoned to give evidence next meeting.

[Adjourned to Wednesday next, at half-past *Two* o'clock.]

WEDNESDAY, 6 FEBRUARY, 1884.

MEMBERS PRESENT :—

Mr. Abigail, | Mr. Cass.

In the absence of a quorum the meeting called for this day elapsed.

FRIDAY,

FRIDAY, 9 MAY, 1884.

MEMBERS PRESENT:—

Mr. Sutherland in the Chair.

Mr. Cass, | Mr. Abigail.

Mr. John Gelding (*Provincial Corresponding Secretary*) called in, sworn, and examined.

Witness withdrew.

Mr. Abraham Western Chapman called in, sworn, and examined.

Witness withdrew.

Mr. William Gelding called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

[Adjourned to Friday next, at half-past *Two* o'clock.]

FRIDAY, 16 MAY, 1884.

MEMBERS PRESENT:—

Mr. Sutherland in the Chair.

Mr. Abigail, | Mr. Garrard,
Mr. Teece.

Alexander Dewar, Esq., M.D., called in, sworn, and examined.

Witness withdrew.

Mr. Edwin Schofield (*Corresponding Secretary, Oddfellows Society*) called in, sworn, and examined.

Witness withdrew.

Mr. John Edgley called in, sworn, and examined.

Witness withdrew.

Mr. James H. Roberts (*Superintendent of Tramways*) called in, sworn, and examined.

Witness withdrew.

Mr. John Godfrey called in, sworn, and examined.

Witness withdrew.

Mr. David Hunter (*Chairman, United Brother's Lodge*) called in, sworn, and examined.

Witness withdrew.

Mr. John Swadling (*President, Medical Board, Oddfellows Society*) called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

THURSDAY, 14 AUGUST, 1884.

MEMBERS PRESENT:—

Mr. Sutherland, | Mr. Teece.

In the absence of a quorum the meeting called for this day lapsed.

TUESDAY, 26 AUGUST, 1884.

MEMBERS PRESENT:—

Mr. Sutherland in the Chair.

Mr. Teece, | Mr. Garrard,
Mr. Mitchell, | Mr. Melville.

Chairman *handed in* a Writ issued against the Government by the Trustees of the Oddfellows Hall, which was ordered to be appended. (*See Appendix A.*)

Mr. John Edgley called in and further examined.

Witness withdrew.

John Joseph Davey, Esq. (*Architect*), called in, sworn, and examined.

Witness withdrew.

Mr. Edward Schofield called in and further examined.

Witness *handed in* tabulated statement of the income and expenditure of the Manchester Unity in New South Wales for years 1873 to 1883, which was ordered to be appended. (*See Appendix B.*)

Witness withdrew.

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

[Adjourned.]

WEDNESDAY, 24 SEPTEMBER, 1884.

MEMBERS PRESENT:—

Mr. Sutherland, | Mr. Abigail.

In the absence of a quorum the meeting called for this day lapsed.

THURSDAY,

THURSDAY, 2 OCTOBER, 1884.

MEMBER PRESENT:—

Mr. Sutherland.

In the absence of a quorum the meeting called for this day lapsed.

WEDNESDAY, 8 OCTOBER, 1884.

MEMBERS PRESENT:—

Mr. Sutherland in the Chair.

Mr. Teece, | Mr. Cass,
Mr. Mitchell.

Chairman *handed in* statement of number of prescriptions dispensed at the Oddfellows Institute, and the number of visits by Medical Officers of the Institution at patients' residences, and also a statement of the amount of revenue for medical benefits at the Oddfellows Institute from 1873 to 1883, which were ordered to be appended. (*See Appendices C and D.*)

Clerk submitted a claim from Dr. Hankins for £2 2s. for attendance before the Committee, which was disallowed.

Chairman submitted Draft Report.

Same read and agreed to.

Chairman to report to the House.

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1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

ODDFELLOWS HALL, ELIZABETH-STREET.

FRIDAY, 25 JANUARY, 1884

Present:—

MR. SUTHERLAND, | MR. GARRARD,
MR. MITCHELL.
JOHN SUTHERLAND, ESQ., IN THE CHAIR.

Mr. Archibald Thompson Telfer called in and examined:—

1. *Chairman.*] What position do you occupy with respect to the Oddfellows Hall in Elizabeth-street? I am one of the Directors of the Society.
2. Do you go to the Hall very often? Yes.
3. Have you found any inconvenience in the transaction of business in the Hall since the establishment of the tramways in Elizabeth-street? Yes, the noise interferes materially with the transaction of business.
4. Have the Lodge meetings very often had to stop business while the trams were passing? Yes; those who are speaking have continually to stop on account of the noise; they cannot be heard.
5. Have complaints been made to the Trustees of the Hall with reference to this inconvenience, the complainants stating that they would have to leave the Hall altogether unless the trams were stopped or the Society got fresh premises? Yes, the Lodge and Medical Board to which I belong have intimated that it will be necessary for them to remove from the Hall, unless the Trustees build other premises in Castle-reagh-street; and others have done the same thing.
6. Have you had the same complaints from every Lodge meeting at the Hall? Yes; in fact I am President of a Committee which is formed by one member for each Lodge, and they all complain of it.
7. You have been long connected with the Medical Institute which meets in the Hall? Yes, was President for two and a half years.
8. Do the doctors complain that they cannot examine their patients properly there on account of the noise of the trams, and that they are obliged to take them elsewhere? Yes, the doctors complain that they cannot listen to the action of the heart, for instance, while the trams are passing.
9. From your long knowledge of the Society and their present position, is it your opinion that they must move out of that Hall because the Lodges cannot continue to transact their business in it? We cannot stand it very much longer; in fact one cannot address a Lodge meeting and be heard; you have to stop every time a tram passes. This is more apparent in the initiation of new members, who should of course be impressed with the solemnity of the ceremony, and it seems a farce, because they cannot hear it.
10. The Hall being situated nearly in the centre of the block between Market-street and Park-street, the trams are running at their fastest when they pass it? Yes.
11. Is there any other reason that you can give the Committee why it is impossible for the Society to continue to occupy that Hall? We are suffering, and shall suffer, from the want of new members, who will not join under the present state of things; and the old members do not take the same interest in the proceedings that they used to do, because they cannot hear what goes on at the meetings.
12. Is the Society falling off in numbers and in the interest taken in its proceedings? The interest has fallen off very much; I am speaking of my own Lodge in particular.
13. *Mr. Garrard.*] Did not the occupants of the Hall suffer any disabilities, previous to the trams running in Elizabeth-street, from the noise of the ordinary vehicle traffic? None whatever.

Mr. A. T.
Telfer.

25 Jan., 1884.

- Mr. A. T. Telfer.
25 Jan., 1884.
14. Have any of the doctors actually taken away patients to other places for examination because of the noise? Yes, they have taken them home and examined them.
15. Is it not a fact that in the same street there are a number of private medical men? Yes, at the corner of Liverpool and Elizabeth Streets.
16. Do you not think the increased facilities for members to reach the Hall would more than counter-balance any disabilities from the noise? No, because when they get there they can hear nothing. Personally I like the trams on account of the convenience they afford, but the Hall is utterly ruined by them for the purpose for which it is intended.
17. What amount of damage do you think the trams have done to the property? I could not estimate that.
18. The property has not suffered except by the noise making it inconvenient to hear? I should think not. For myself, I may say, I do not feel the same interest in the proceedings as I used to do, because I cannot hear what goes on.
19. Then you are of opinion that the small attendance at the Lodge meetings arises from the inconvenience caused by the noise of the trams, and not from the multiplicity of other engagements on the part of the members? Only from the noise.
20. Mr. Mitchell.] I should like to have a return of the revenue derived from the Hall prior to the establishment of the trams and the revenue derived now, showing the loss sustained? I do not think we can complain of loss, because the Trustees are paid so much per member; the levy is made on all the members.
21. Then the Hall suffers no pecuniary loss? I will not say that it does or that it does not. I do not think we have suffered much pecuniary loss; but the Hall was built for a special purpose, and for that purpose we cannot use it satisfactorily.
22. Mr. Garrard.] Do the Trustees let the Hall for public purposes? For dancing only.
23. The noise makes no difference in that respect? No, it does not interfere with that amusement. No doubt we should let it better if the trams were not there.
24. Has there been any falling off in the number of members? I think our numbers are less than they were before the trams, but I am not quite positive.
25. Mr. Mitchell.] Will it not be possible to get a return showing the revenue derived from the Hall before the trams were running, and the present revenue? I think that could be easily obtained; but you will see that that does not affect the position we take up; it is not a question of revenue; the Hall was built for a special purpose, and for that purpose we cannot use it. My advice has been to sell the whole place.
26. You think the trams have materially deteriorated the value of the place for the purpose for which it was built? Yes; in fact it is utterly ruined for that purpose.

Mr. John Robinson called in and examined:—

- Mr. J. Robinson.
25 Jan., 1884.
27. Chairman.] You belong to the Society of Oddfellows? Yes, to the Loyal United Brothers Lodge.
28. What is your position in the Society now? I am Secretary to the Lodge.
29. Have you found any inconvenience in carrying on the business of the Lodge since the tramways commenced to run in Elizabeth-street? Yes, the noise very frequently interferes with the business; frequently, when the Chair is being addressed, members have to stop for three or four seconds while a tram is passing, particularly in meetings on finance.
30. The trams pass very often? Yes, a great number every night.
31. Have you any connection with the Medical Institute? No.
32. You do not know whether the medical men have any difficulty in examining their patients in consequence of the noise? No; we are entirely separate from the other Lodges with respect to medical attendance; we have doctors of our own.
33. Has there been any special complaint by your members, requesting the Trustees to find more suitable premises for them, on the ground that they cannot conduct their business in the Hall under existing circumstances? There has never been any complaint to that effect from our Lodge; the members have often complained in the evening about the nuisance caused by the trams, but I do not think there has ever been any formal complaint; never through me as Secretary. I know there is a general complaint throughout the Lodges meeting in the Hall about the noise of the trams interfering with business. One of the members told me that they would have finished their last financial meeting half an hour earlier if it had not been for the noise of the trams. We are often obliged to keep the windows closed on a hot night to try and keep the sound out.
34. Mr. Garrard.] How long have you been connected with your Lodge? Nine years.
35. Have you been meeting in the Hall all the time? Yes.
36. You say no official complaint has been made to the Trustees by your Lodge about the nuisance arising from the trams? No.
37. Is your Lodge the strongest Lodge of the Order? Not the strongest Lodge in the Order, but the strongest Lodge holding its meetings at the Oddfellows Hall; there are 507 members on the books.
38. Has the Lodge any beneficial interest in the Oddfellows Hall property? Yes, our Lodge has the largest interest.
39. But no interest in the Medical Institute? Yes; there is some dispute concerning that. We seceded some years ago from the Medical Institute, because we were dissatisfied with the doctors and the treatment the members received from the dispenser. When the Hall was built and the Institute established we had an interest in the Institute to the extent of £100, I think, and there is some difference of opinion between our Lodge and the other Lodges whether we still retain that interest.
40. Any depreciation of the Oddfellows Hall property would also be a depreciation of the assets of your Lodge? Yes.
41. Did the Lodges ever suffer any inconvenience from the vehicle traffic previous to the running of the trams? No. In holding our financial meetings we always sat close to the Elizabeth-street end; now we take the business right to the other end of the room to try and get away from the noise. We used to do it at the eastern end before; now we get as near as we can to the western end.

42. *Mr. Mitchell.*] Have you found, since the trams have been running, any falling off in the number of members;—do you make as many new members now as you did prior to the running of the trams? Yes.
43. Have you found any falling off in the interest taken in the business by the old members owing to the trams? I cannot say what it is through, but there is a decided falling off in the attendance.
44. Since when? The last two years and a half.
45. Owing to the noise made by the trams? I know there is a falling off in the attendance in all the Lodges; whether it is that the members are losing their interest in the Society, or whether it is owing to the trams, I do not know.
46. Is that the case in other Lodges as well as those meeting in the Hall? No. I speak only of those meeting in the Oddfellows Hall. That is the main place of meeting; there are seven lodges there, and there are only a few suburban Lodges besides.
47. Do you find that the noise of the trams interferes with the conduct of the business in the initiation of new members? Yes. it causes frequent interruptions; members addressing the Chair have to stop, and when the Lecture Master is delivering his address he has to stop frequently.
48. Then the Hall is not so useful as it should be for the purpose for which it was built? It is not.
49. *Mr. Garrard.*] You do not know from your own knowledge whether there has been any falling off in the attendance at the suburban Lodges? No, because many of the suburban Lodges are new Lodges, and you could not place them on a par with those that meet at the Hall. I have been at several of the Lodges that meet at the Hall, and I have noticed the dearth of attendance at each one of them; but I do not know whether it is through the trams, or whether it is because the members have ceased to take interest in their meetings.

Mr.
J. Robinson.
25 Jan., 1884.

THURSDAY, 31 JANUARY, 1884.

Present:—

MR. ABIGAIL, | MR. MITCHELL,
MR. TEECE.

JOHN SUTHERLAND, ESQ., IN THE CHAIR.

Dr. George Thomas Hankins called in and examined on oath:—

50. *Chairman*] Are you connected with the Society of Oddfellows professionally? Yes.
51. How long have you been connected with the Society? Two years and three months.
52. Have you found any inconvenience, when treating your patients, from the trams running in Elizabeth-street? When I first became connected with the Society I occupied one of the front rooms, and whilst I was there I found it simply impossible to make an examination of a patient's chest by means of the stethoscope. I requested, as soon as my senior left, that I should be permitted to occupy the back room. Since my senior left I have occupied a back room.
53. You have heard a great many complaints from the patients in regard to the noise from the trams? I cannot say that; the inconvenience has been felt more by myself than by the patients. They would not appreciate the difficulty probably that I have had.
54. You could hold no consultation without interruption from the trams? No, none.
55. *Mr. Mitchell.*] You say you have been professionally connected with the Society of Oddfellows for two years and three months;—were the trams running when you first joined the Society? Yes.
56. You cannot say whether they have interfered with the business of the Society? No, I cannot.
57. In what way does the noise of the trams interfere with the examination of the patients? In the first place, it is very difficult to hear a patient speak. For instance, a weakly woman with a low voice, it would be almost impossible to hear what she says. She cannot make herself heard without great exertion. The principal inconvenience is felt when applying the stethoscope in examining the chest for disease of the heart, or examining patients for admission. We might wait for a minute or two for a tram to pass, but then another comes up almost immediately.
58. Do you find the trams an inconvenience now you are occupying another room? The room which I occupy at present is all that could be desired. But for a long time I experienced considerable inconvenience from them.
59. The room you now occupy was originally built for other purposes, but is now used by you for the purpose of examining patients? Yes.
60. Can you tell, or do you know from your own knowledge, whether the inconvenience and noise caused by the trams have in any way affected the interests of the Society;—has a less number of persons joined the Society owing to the inconvenience and noise of the trams? I have no means of telling. I think the number of patients is constantly increasing; I find I get more work to do every year.
61. *Chairman.*] I think you said that the doctor who was your senior occupied the back part of the building? There were three of us, and the senior of the three has generally chosen to occupy the back room. When my senior left I took it, as I then became senior and had the privilege of choosing which room I should occupy.
62. But the doctor that followed you has to occupy the same room that you had before? Yes.

Dr. G. T.
Hankins.
31 Jan., 1884.

Mr. A. Robins called in and examined on oath:—

63. *Chairman.*] Are you connected with the Society of Oddfellows? I am dispenser for the Society.
64. How long have you held that position? About six and a half years.
65. Then you were connected with it before the trams began to run? Yes.
66. Have you experienced any inconvenience through the running of the trams when attending to the patients? With regard to the patients, the doctors would find more inconvenience than I should. The inconvenience I find is chiefly from the noise and dust.
67. I suppose you very often hear complaints from the patients with regard to the running of the trams? Yes, frequent complaints. Complaints are made both by patients and members.

Mr.
A. Robins.
31 Jan., 1884.

- Mr. A. Robins. 68. Will you state to the Committee any complaint you have heard, or any reasons that have been given to you, as to the difficulty of carrying on the business of the Society through the noise of the trams? I think the principal complaints that are made have reference to the noise interfering with the Lodge business. I do not know that I remember any other complaints they have made. I am not a member of the Society myself, so I only hear the members themselves talking. Of course we complain in the same manner; it is very inconvenient sometimes having the trams passing.
- 31 Jan., 1884. 69. When you are making up prescriptions? Yes, or making inquiries of a patient.
70. You have some knowledge of the working of the Medical Board? Not any further than as it affects myself as dispenser.
71. Not being a member of the Society you cannot give much evidence with regard to that matter? Not with reference to the trams interfering with Lodge business.
72. You have often heard the members complain of the noise and of their inability to transact business whilst the noise was going on? Yes, that is the complaint, as far as I know; I do not know what may pass in the Lodge rooms.
73. Mr. Abigail.] Have the doctors made any complaints as to the difficulty of examining patients? The doctors have been making complaints ever since the trams started; they complain of the noise and vibration.
74. Mr. Mitchell.] You say you have been connected with the Society six and a half years—that is two or three years prior to the trams running;—have you found that the running of the trams has interfered in any way with the business of the Society, in connection with your particular branch of it—have you had a larger or a smaller number of patients' prescriptions to make up since the trams commenced to run than you had before? I scarcely think that question would interfere with the matter. The Society is continually growing.
75. Do you think it is growing in the same proportion that it would do if the trams were not running? I am confident that during the past six years many hundred additional members have joined.
76. Mr. Abigail.] Can you get through your business now with the same facility that you did before the trams were running? We get through the business, but I cannot say that we get through it with the same comfort. We get through the business because the business has to be done.
77. Altogether you consider it a nuisance? It is a slight nuisance to us.

FRIDAY, 9 MAY, 1884.

Present:—

MR. ABIGAIL, | MR. CASS,

JOHN SUTHERLAND, ESQ., IN THE CHAIR.

Mr. John Gelding called in and examined:—

- Mr. J. Gelding. 78. Chairman.] You belong to the Oddfellows Society? Yes.
- 9 May, 1884. 79. What is your position? Provincial Corresponding Secretary, Sydney District.
80. How long have you been connected with the Society? For thirty years.
81. Then you have been connected with the Society since it has been in the new Hall in Elizabeth-street? Yes, I have been Secretary since then.
82. You were an attendant at the Lodge meetings before the tramway was started? Yes, two, three, four, and five times a week.
83. Did you ever find any difficulty in carrying on business before the tramway was started there? No; as to the traffic, it was only like that on any common road.
84. Have you found any difficulty in carrying on the business of the Society in the Hall since the tramway has been at work? Most decidedly. The tramway we look upon as a great nuisance, on account of the noise. In fact, we cannot hold our District Committee meetings there now because of the interruption from the tramway traffic. We have had to take our Committees away from the Oddfellows Hall more for the sake of getting away from the noise as for anything else. When you are in a Lodge room up-stairs you have to stop when making a speech till the tram goes by, which happens every two or three minutes.
85. Have you had any complaints from the members, or have they expressed their determination to move from the Hall altogether on account of the tramway? Yes. It simply amounts to this, that the place is now totally unsuitable for the purposes for which it was erected; and every member that visits the Lodges is dissatisfied with the existing state of things. In fact, we simply cannot carry on Lodge business as it should be. In the large hall up-stairs it is just as bad as in the front rooms, or if anything a little worse. We cannot either hold the Annual Movable Committees or the District Committees there. It is scarcely possible to make a speech, or even read the minutes.
86. Then you believe, from what you personally know and hear, that it will be incumbent upon the Society to move from that Hall in order to carry on the business? There is not the slightest doubt about that. The place is virtually done as a meeting place for friendly societies. In fact, all it is fit for now is for a dancing place, or the Government might take possession of it as a tramway office. The Horticultural Society used to hold its meetings there, but they moved away on account of its being unsuitable.
87. The Horticultural Society moved because they could not carry on their business there, and if the Oddfellows had not an interest in the property they would not be there now? Yes, they have so much money invested in it that they cannot give it up at once. It is not easy for a society consisting mainly of working men to shift away from it. It is not like a rich society; it is working men's money, and they have to put up with the inconvenience for a time because they cannot help it.
88. Mr. Abigail.] Do you find that people have any objection to joining the society because of not being able to proceed with the business? I could not say that.
89. You have not heard that? I have not.
90. Was the road much used for vehicle traffic before the tramway was laid down? Yes, it was pretty well used for general traffic.
91. Was any inconvenience suffered from that cause? No.

92. Some medical men attend there in connection with the Lodges. Has the noise of the trams caused them any inconvenience? I could not say that of my own knowledge, but I should think it would.
93. You spoke of the District Meetings—are these meetings of an important character? Yes; they have to adjudicate on any points of interest that may arise amongst the members—anything for the good of the Institute in general.
94. Then any interruption from noise may seriously interfere with their proceedings? Yes; it simply means that they cannot carry on their business. We have to go to Manly or other outlying places to get away from the noise.
95. The same will apply to the annual meetings? Yes; they have taken the Annual Movable Committee up to Parramatta.
96. You have no doubt the primary cause of that shifting is the nuisance arising from the tramway? Yes, no doubt about it.
97. *Mr. Cass.*] There are several Orders of Oddfellows? Yes, but only one meets there.
98. What is the name of the Order? The Manchester Union.
99. Do you know that the Horticultural Society which held its meetings there had to leave on account of the tramways? Yes, I believe that was one of the causes.
100. The fact of having to hold these meetings away from the Hall has caused extra expense to the Society? Yes.
101. *Mr. Abigail.*] How many Lodges are connected with these meetings at the Oddfellows Hall? Seven Lodges hold their meetings in the Oddfellows Hall; and the District Officers and the Grand Master and Board of Directors have their chambers there.
102. So that nearly every night some meeting is taking place there in connection with the Lodges? Yes; being central it is the place where everybody comes to. We cannot very well shift out till some action is taken to get rid of the building.
103. The building is the property of seven Lodges? Yes; they have money invested in it.
104. *Mr. Cass.*] You are decidedly of opinion that the property is depreciated in value on account of the tramways? No doubt about it. In fact it is totally worthless for the purposes for which it was originally intended.

Mr.
J. Gelding.
9 May, 1884.

Mr. Abraham Western Chapman called in and examined:—

105. *Chairman.*] You belong to the Manchester Unity of Oddfellows? Yes.
106. How long have you been connected with the Order? Thirty-four years.
107. You have been connected with them all the time they have been in the new Hall in Elizabeth-street? Yes.
108. Did you find any difficulty in carrying on the business of the Society before the tramway was put down in Elizabeth-street? Not the slightest.
109. Have you found any difficulty in carrying on the business since? Yes, considerable difficulty.
110. Can you tell the Committee whether that building is now of any use for the purpose it was erected for—whether the Society can possibly carry on its business in it now? They will have to do away with it; they cannot carry on the business as it is at present; in fact they are now urging upon the Trustees to do something in regard to it.
111. Have they been urging the Trustees since very shortly after the tramway started there to remove or get another place? Yes, within the last three years. When the tramway was only running to the Exhibition they did not complain so much, but now that there is so much traffic upon it they do complain.
112. What is your present position in the Society? I am Treasurer of the Order and a Trustee of the Hall.
113. In that capacity you have very often to visit the Lodges which are now meeting in the Hall? Yes, three or four nights a week.
114. From your own personal knowledge, can you say whether they can carry on the business with any satisfaction to the Society? Yes; there have even been instances where resolutions have been entered quite different from what they have been carried.
115. Simply on account of the noise? Yes; you cannot hear a resolution when it is put to the vote; and on one or two occasions this has caused a great deal of trouble to the Society.
116. You are aware that the medical men who attend at the Institution have complained very severely that they cannot examine their patients there? They have repeatedly complained of it.
117. Is it within your knowledge that they have to take their patients to their own houses or somewhere else? Yes, they have requested their patients to go to their own houses in several cases.
118. *Mr. Abigail.*] How long has the Hall been erected? Thirteen years.
119. During the time prior to the trams, did you suffer any inconvenience from the ordinary street traffic? Not the slightest. The ground was originally selected on account of the quietness of the street and the nice view of the park.
120. Do you know that the members are falling off in their attendance through the annoyance of the trams? Yes; where Lodges used to get fifty or sixty members to attend their meetings they will not get perhaps eight or ten now. On several occasions they have had to adjourn to the back rooms and keep the front door closed.
121. Who owns the Hall? It is vested in Trustees.
122. Whose property is it? It is the property of seven Lodges—the Stranger's Refuge, the Fountain of Refuge, the United Brothers, the Victoria, the Wandering Minstrel, the Rose of Australia, and the Albert; and also the Medical Institute, which forms part of the seven Lodges.
123. The Trustees hold it by deed of trust for them? Yes, for these seven Lodges.
124. Personally you are in no way pecuniarily interested? Not in the slightest, except as a member of the Society.
125. You act as Trustee voluntarily? Yes, for the benefit of the Society.
126. *Mr. Cass.*] Does any other Society hold meetings at the Hall now? No, there is no other Society, except it is a little Society for breeding canaries.
127. Has any other Society ever held its meetings there? Yes, the Horticultural Society did for a time.

Mr. A. W.
Chapman.
9 May, 1884.

- Mr. A. W. Chapman.
9 May, 1884.
128. Do you know the reason why they left? I think they left on account of the annoyance of the trams. If I am not mistaken, that was the reason given. We have a portion of the building let at present to W. King, the dancing master, and he complains very bitterly of the noise.
129. Do you think the Hall is less valuable now than it used to be in consequence of the revenue derived from letting it to other Societies falling off? The rent has fallen off because at one time we could let the rooms for private parties, but now they will not take them on account of the horses that bring the carriages to the door being frightened by the trams. The revenue has fallen off on that account during the last three or four years.
130. Do you take an active part in the working of the Lodges? Yes.
131. You attend frequently? Yes, three or four nights a week.
132. You stated just now that the Trustees had been urged to get another place to transact the business of the Order in? Yes; the different Lodges complain very much. In fact the last annual meeting of the Society, which consisted of representatives of the Colony, passed a resolution to go to Parramatta; they will not hold their meetings in the Hall because of the annoyance of the trams. It is cheaper for the Society to hold these annual meetings in Sydney than anywhere, being central.
133. Then it is within your own knowledge that the annoyance of the trams interferes with the use of the Hall for all its various purposes? Yes, undoubtedly.

Mr. William Gelding called in and examined:—

- Mr. W. Gelding.
9 May, 1884.
134. *Chairman.*] Do you belong to the Manchester Unity of Oddfellows? Yes.
135. What is your position in the Society? At present I am a Past Grand Master.
136. From your position in the Society, you have a perfect knowledge of the Lodges that meet at the Hall in Elizabeth-street, and the annoyance they have suffered from the noise of the trams? Yes.
137. Did you find that there was any trouble in carrying on the business of the Society before the tramway was there? No.
138. Have you heard any complaints from the members that it is now almost impossible to carry on the business on account of the noise from the passing trams? Yes.
139. Have any representations been made to the Trustees as to the necessity of moving from the Hall, as they are unable to carry on the business in it? Yes; at the last Annual Committee held in Sydney the members present threatened to remove from the Hall if they could not get better accommodation. When a tram comes by they have to be silent till it passes and then commence again; and the trams run so frequently that it is almost impossible to get a sentence out without one or two stoppages in it.
140. Have you found it to be the general feeling of the members that the Society should move from those premises on account of this annoyance? Yes; I have heard complaints that there should be better accommodation provided somewhere else, either at the back or in some other street.
141. Out of that Hall? Yes.
142. Simply from the noise created by the frequency of the tramways running past? Yes.
143. How many years have you been connected with the Society? Between twenty-seven and twenty-eight years.
144. Then you have been connected with it ever since it occupied that Hall? Yes, long before.
145. Have you heard complaints from the medical officers with reference to the impossibility of examining their patients properly on account of the noise there? No, that is not in our department; I hear they have made complaints, but not through us. The Medical Board is quite a separate department.
146. *Mr. Abigail.*] You occupy the position of Grand Master? Last year I did.
147. Did you find the tram traffic interfere with the particular duties of that office? Frequently.
148. You had meetings there? Yes, we had meetings there, and had visitors from other Colonies and on business.
149. Do the Board of Directors meet more than once a year? Quarterly. But we have meetings there two or three nights a week.
150. And on every meeting night your proceedings have been interrupted by the tramway traffic? Yes.
151. Are you in any way pecuniarily interested in the Hall? No, my Lodge is outside.
152. I mean personally—you have no money of your own invested in the Hall—no direct individual interest in it? No.
153. It is the property of the Lodges? Yes.
154. *Mr. Cass.*] You have taken an active part in the working of the Institution? Yes, I have been attending the Hall, taking an active part, for the last ten years.
155. You have been in the habit of attending frequently? Yes, three or four nights a week.
156. And you have had good opportunities of experiencing the inconvenience and annoyance from the trams? Yes.
157. Has it interfered considerably with the prosperity of the Institution? Yes, it has interfered with the success of the Hall.
158. Do you know of any loss the Trustees have suffered in consequence? No direct loss, except that the Horticultural Society held its meetings there once, and they left it through the noise or something of that sort, I believe; I could not speak positively on that.
159. *Chairman.*] As a disinterested witness, do you think it possible for the Society to carry on their business in the Hall now, without injuring the Society in the loss of members, on account of the annoyance from the noise? No, I should say they cannot.

FRIDAY, 16 MAY, 1884.

Present:—

MR. ABIGAIL,

MR. GARRARD,

MR. TEECE.

JOHN SUTHERLAND, ESQ., IN THE CHAIR.

Alexander Dewar, Esq., M.D., called in, sworn, and examined:—

160. *Chairman.*] What is your position in connection with the Oddfellows Society? I am one of their ordinary medical staff.

A. Dewar,
Esq., M.D.

161. How often do you attend the Hall in Elizabeth-street? Four days weekly, two hours at a time.

162. Have you had any trouble in examining your patients from the noise created by the tramway? Undoubtedly. I do not think anybody could examine patients there properly, especially cases involving disease of the lungs or heart, without having to complain of the nuisance of the trams going by. The nuisance is that the noise interferes with the detection and differentiation of abnormal cardiac and pulmonary sounds, and you have to stop and wait; and as soon as one is gone another one comes.

16 May, 1884.

163. Then it is impossible for you to do justice either to yourself or to your patients through the noise that is going on there? At the particular time the trams are passing you cannot get on; you have to wait until the tram passes.

164. And the trams are going so often that I suppose you have not many minutes between one and the other? No sooner do you think you are safe than another comes in the opposite direction, and you are stopped again.

165. I believe it has been the custom of some of the medical gentlemen belonging to the Society to get the patients taken to their own residences to examine them, on account of this noise? If you wait I do not think that it would be absolutely necessary, though if there was a difficult case perhaps it might be so. If you take an interest in a case you would like to examine it at your own house.

166. Have you had any complaints from the patients of the irritation caused by the noise? No; I have had no complaints direct from the patients.

167. In any other way? The noise is so great that it is difficult to hear people speak in the front room. I, unfortunately, occupy that room every day. Some of the medical gentlemen have the front room one day, and the room at the back the other day; but I am located in the front room four days in the week, and I find it difficult even to catch the patient's name, and you have to ask them to speak more loudly than would be necessary in an ordinary house.

168. Have you made any complaint to the Medical Board about this? I have not.

169. *Mr. Abigail.*] How long have you been connected with the Society? Since the 1st June last.

170. Having to wait for the passing of these trams when you are examining a patient causes you to consume a considerable amount of time? No doubt it does; and if you wish to make a satisfactory diagnosis it entails you being much longer than necessary, and it keeps the other people waiting, and is very unsatisfactory. As a consulting room the front room is very unsatisfactory to a medical man.

171. Do a large number of members attend there for medical attendance? Very large sometimes, especially on Saturdays and Mondays. I do not suppose the health of Sydney is worse on those days than during the rest of the week; but the fact remains that we have a bigger attendance on those days. I think probably the wives have some money to spend and some shopping to do, and they try to kill two birds with one stone, and we are inundated, especially on a Monday. A wet day makes a considerable difference, but still there are six Lodges, and you have two hours fairly hard work.

172. Some of them, I suppose, are serious cases? Undoubtedly. Sometimes there are cases which require you to have quiet to ascertain what is wrong, and I defy any man to give a correct diagnosis unless he waits until the trams pass.

Mr. Edwin Schofield called in, sworn, and examined:—

173. *Chairman.*] You are connected with the Oddfellows Society in Elizabeth-street? Yes.

174. What is your position? Corresponding Secretary to the Order.

Mr.
E. Schofield.

175. How long have you occupied that or any other position in the Society? For the last ten years.

176. How often do you visit the Hall on an average? Three nights every week.

16 May, 1884.

177. You have some considerable knowledge of the nuisance created by the tramway running there constantly? Yes.

178. Will you just state to the Committee what the nuisance or injury to the Society is in not being able to carry on their work the same as they would if the tramway was not running? The Board of Directors should meet there once a quarter. They have to hear and finally decide on all cases of appeal throughout the Colony. It frequently occurs that when I am reading out the evidence taken on the case that I have to leave off in the middle of a sentence; this may cause a different complexion to be put upon the evidence in the minds of the Directors, and injury may be done, and members expelled from the Society, while if the evidence had been heard unbroken the decision might have been the reverse. I have no hesitation in saying that the whole of the building is entirely useless for the purpose for which it was erected. There has been some talk of removing the office and the Board room, the nuisance is so great. I may say that our annual meeting of the whole of the Society is being held at Parramatta this year wholly and solely because you cannot hold it in the Oddfellows Hall. These meetings must be held at the head centre of the district; it must be held there or not at all in Sydney. Therefore it goes to the head centre of Cumberland District, and this is entirely through the inability of conducting business in the Hall. I may mention that the last time we had an annual meeting in the Hall the complaints were very great, particularly from the members from the country, and they decided to hold the following one at Bathurst, and when it was proposed to hold the next at Sydney objection was made on account of the trams.

179. Do you at any time attend at the Lodge meetings? Frequently, and the same objection is experienced there; when the business is proceeding they have to break off twenty or thirty times in the course of a matter that would only take two or three minutes if uninterrupted.

180.

- Mr. E. Schofield.
16 May, 1884.
180. This has a very injurious effect upon the Order altogether? There is no doubt about that; we have to leave off until the trams pass; it frequently happens three or four times in as many minutes.
181. It is impossible for the Board to understand the evidence that is read. There are many cases on which a different decision might be arrived at but for the broken evidence? Yes.
182. And that must irritate the members affected by it, and injure the Society? Yes; the verbal and documentary evidence I have to read is broken in this way.
183. *Mr. Abigail.*] Have you had any experience in the working of the Medical Institute? No; I frequently go there, but I have no experience in its working and internal government.
184. Have you heard any complaints of the difficulty of patients getting examined? That is a matter of frequent conversation.
185. Do you know if the attendance at the Lodge meetings is as numerous as it was before you got the trams there? I do not think it is nearly as numerous.
186. Whose property is the Hall? It is vested in the names of Trustees. It belongs to seven Lodges that hold their meetings in Sydney.
187. Have you any direct personal interest in it? None whatever, neither through my Lodge nor in any other way. My Lodge is the Balmain Lodge.
188. Were you in the habit of frequenting the Hall as regular before the trams? Yes, for some time previous.
189. Did you experience any inconvenience then from the ordinary traffic? Not in the slightest; everything went on nicely.
190. Your meetings are held in the front? Yes, on the main floor, adjoining the Synagogue.
191. And you say the noise interferes with your meetings? Very much indeed.
192. *Mr. Garrard.*] Do you know that Lodges that used to meet in the front part of the building now have to go to the extreme end of the room? I know they frequently meet in a very small back room.
193. Has there been any prejudicial effect upon the numbers joining the Lodges since the trams ran there? I cannot say that.
194. Can you tell us the number that joined last year? Not from memory. I could submit it to you in writing. There are the worst attendances at Lodges held there than any other Lodges I know, either here or in Victoria.
195. And you think this is caused chiefly by the noise of the trams? Yes.
196. Has any Lodge shifted its place of meeting on account of this nuisance? Not that I am aware of.
197. Have you heard any remarks that they intend to do so? Yes; and I have no doubt they would have done so long ago if they were not interested in the Hall.
198. You have had no applications from other Lodges to meet there? No; and it is well known that meetings of a public character were held there previous to the trams. None are held there now.
199. There has been a marked falling off in the demand for the use of the Hall? Yes; it is only used for dancing now.
200. These matters come under your notice or general observation? Yes.

Mr. John Edgley called in, sworn, and examined:—

- Mr. J. Edgley.
16 May, 1884.
201. *Chairman.*] You are connected with the Oddfellows Society, Manchester Unity, in Elizabeth-street? Yes.
202. What is your position there? I am a Trustee. I have passed through the whole of the grades, and am now Trustee, and have been since the Hall was built.
203. You have a perfect knowledge of the working of the Lodges, and of the other branches of the Institution there? A very perfect knowledge.
204. As Trustee of the Hall, and very often Managing Trustee, what is your opinion with reference to its suitability now for the purposes for which it was built? At first it was deemed a very nice building, and when the tramway was first put down there was not a large number running, and there was a longer time between them, so that members could hear speeches, and letters read; but latterly the noise has become so great that it is almost impossible for the officer to read a letter so as to be understood; and if you make a reply you cannot be heard. The nuisance has been so great lately, and the complaints to the Trustees so many, that question has arisen how to get rid of it.
205. I suppose it has come to your knowledge as Trustee that Lodges would have been away out of that building but for the personal interest they had in the property? They being the shareholders are subject to put up with the nuisance, because their money is invested in it, and they cannot help themselves out of it. Otherwise the Lodges have told me they would leave whatever the consequences might be. But their vested interest is there, but as shareholders they have to keep to the building, and there is no way out of it. The nuisance is so great they can hardly do anything at all with it.
206. You have frequented the Lodge rooms in Lodge hours? Hundreds of times. Sometimes twice or three times a week.
207. And it is within your knowledge and practical experience that it is almost impossible for them to carry on? I can only ask you to imagine fifteen, or sixteen, or seventeen trams passing there in ten minutes; and between 7 o'clock and half-past 10 the number is sometimes even larger.
208. I suppose you have frequently had a great deal of annoyance from the whistling as well as from the noise of the trams running? They generally blow the whistle close to the Hall and then pull up at the corner of Park-street.
209. Have you had any complaints from the doctors in reference to any annoyance experienced by them in examining their patients? Not from the doctors, but from the Medical Board. We have made one or two alterations, but they complain we cannot give them the accommodation of quiet that they want. The complaints from the Medical Board have been numerous.
210. The Trustees are in no way in a position to comply with the many requests made to them by the Lodges to remove to another place? The Lodges themselves have already invested their money in these buildings and land, and unless they can sell them they cannot get away. The premises were considered most eligible and central, and well suited to meet the requirements of the Order. It was thought to be just the place, and it suited them at first, until the noise of the trams came.
211. Is it within your knowledge that the place was selected for its quietude and its healthy position: because the street was not much frequented, and because it was the quietest place in Sydney? Undoubtedly

ON THE ODDFELLOWS HALL, ELIZABETH-STREET.

Undoubtedly it is within my knowledge that these were the main attributes why the site was selected, for it was a very quiet street at that time, and it was considered to be suitable in every way for our requirements; and it was so until the tramway came there. After that came it got worse and worse, until it is now almost unendurable.

Mr.
J. Edgley.
16 May, 1884.

212. In fact you know that it is almost impossible to carry on the business of the Order there now? It is impossible to carry it on with any kind of reasonable facility to get through the business.
213. *Mr. Abigail.*] How many Trustees are there? Seven.
214. One for each Lodge? Yes.
215. Are the examination rooms for the doctors in the front? One in the front and one in the back.
216. And the inconvenience arises in both cases? In both cases. We did endeavour to convert one of the back rooms into a consulting room, thinking it would be a convenience to the doctors. It is a slight advantage over the front room, but it is not very great.
217. Are the principal Lodge rooms in the front? Yes.
218. How often do the Lodges meet? Three or four times a week.
219. Did I understand that you have been Managing Trustee? Yes, for a very long time.
220. Do you know whether the engaging of the Hall for general purposes has fallen off? I believe the big hall has fallen off. Before the trams it used to be let for public meetings and private parties, but the carriages could not come, principally on account of the trams, and the consequence is that that has all fallen off.
221. Did the Horticultural Society use to meet there? It used.
222. Do you know why they suspended their meetings there? I do not.
223. Was it on account of the trams? I rather think it was before.
224. Have you any direct pecuniary interest in the Hall? No more than any other member connected with the Society. My interest is the same as that of the other members.
225. You have no doubt that the property has depreciated in consequence of the tramway. I have no doubt of it.
226. And you used to attend before the trams were there? I did.
227. Did the general traffic interfere with your business? Never.
228. *Mr. Teece.*] Is the falling off in the revenue due to the trams? I think it is due to the trams.
229. Does the increase of members bear the same proportion that it did before? I cannot say.
230. You think the property has depreciated in value? The property may not have depreciated in value. It is not the value of the property I am speaking about, it is the annoyance we are suffering from.

James Roberts, Esq., called in, sworn, and examined:—

231. *Chairman.*] You are the Superintendent of Tramways? Yes.
232. You have been summoned here to give us officially the number of trams passing along Elizabeth-street, opposite the Oddfellows Hall, both ways? From 942 to 950 daily.
233. During what hours? From about half-past 6 in the morning until 12 at night.
234. Is there any time in the day or in the evening when they run more frequently than at other times? They run more frequently in the afternoon, from about half-past 4 until half-past 6; and in the morning from about half-past 8 to half-past 9.
235. Have you any knowledge of what the number was twelve months ago; has there been an increase proportionate to the increase in the population of Sydney? There are about twenty-five or thirty trams a day more than there were twelve months ago.
236. It will be no trouble to you to give us the exact number? No. You can have the exact number if you wish it.*
237. *Mr. Abigail.*] How often do the trams run between 10 and 12 in the morning? A tram passes there every couple of minutes. The only slack time is church time on Sunday mornings.
238. At night, between half-past 7 and 10 o'clock? The same thing.

J. Roberts,
Esq.
16 May, 1884.

Mr. John Godfrey called in, sworn, and examined:—

239. *Chairman.*] What position do you occupy in the Oddfellows Hall in Elizabeth-street? I have been caretaker for the last eleven years.
240. What you call house-steward? Yes.
241. What is your duty as house-steward or caretaker? I have to see to the lighting of the Hall for balls and parties, public meetings, and committee meetings.
242. You have then an opportunity of knowing if the meetings in the Hall have been interfered with since the tramway has been running there? We have had no public meetings since the tramway started; only our own meetings that are obliged to be held there.
243. And I suppose you have been in the Lodge when they have been holding their meetings? Yes, when the Sick and Distress is open. The Chairman is often kept waiting to put a resolution, or make a statement about a sick brother, sometimes a quarter of an hour, through the noise of the trams.
244. They are running so often that it is impossible for him to get on without waiting for a long time? Yes, the trams run so frequently, you can average them one every minute.
245. And they make a great noise? Yes, and just as they pass our door they generally let out a great whistle, for the crossing at Park-street to be quite clear.
246. And you believe that from the noise it is impossible to transact business with anything like satisfaction to the individuals concerned? Yes.
247. Have you heard any complaints from the members that they will leave the Hall? I know the Lodge I belong to would go out but for the interest we have in the building; I believe many of the Lodges would not stop there twenty-four hours but for that. It is not only the noise, but it makes the building tremble again. I have had the crockery in the kitchen shaking on the dresser, and it even interferes with the dancing that we let it now for.
248. Then you are likely to lose that source of revenue as well? We have lost a great source of revenue with letting the Hall for balls. We have had some very grand balls there. 249.

Mr.
J. Godfrey
16 May, 1884.

*ADDED (on revision):—Increase in number of trams passing Oddfellows Hall, Elizabeth-street, 1884 over 1883, in month of May each year:—Monday to Friday, increase 103 per diem = 515; Saturdays, 117; Sundays, 27; 659 per week of 7 days.

- Mr. J. Godfrey.
16 May, 1884.
249. And you cannot get those private parties and dinners and balls there now? No, people do not come to us now.
250. *Mr. Abigail*] Have you heard complaints from the members or their wives about the difficulty of getting properly examined by the doctors? No, I have not.
251. The Horticultural Association used to meet there? Yes, for years.
252. Do you know why they left? No; I think they broke up altogether.
253. You were there long before the trams were laid down? Yes.
254. Was there the same inconvenience by the general traffic? No.
255. Do you know if the members in the Lodge meetings experience any difficulty? They do a great deal. At one time it used to be a pleasure to go to the Lodges, but now you will not find more than half a dozen members there.
256. Do you attribute the falling off to the noise caused by the trams, and the difficulty of getting a speech heard? Yes; it is no pleasure to sit there now.
257. If the Lodges were not interested in the building they would go elsewhere? I believe that is so.
258. *Chairman*.] Have you found that the slush, and dirt, and black oil from the trams destroy the floors? Yes, by people coming in—even by ladies going into the ball-room; and in dry weather it is almost as bad with dust.
259. And that, with other things, injures the letting of the Hall? Yes, it does.

Mr. David Hunter called in, sworn, and examined:—

- Mr. D. Hunter
16 May, 1884.
260. *Chairman*.] You are connected with the Manchester Unity of Oddfellows in Elizabeth-street? I am.
261. How long have you been connected with them? About fourteen years.
262. In what capacity are you now? I am Chairman of the United Brothers Lodge.
263. You are frequently in the Hall in Elizabeth-street? I am.
264. Were you so before the tram was laid down? I was.
265. Have you noticed any inconvenience since the tram has been running there? Yes; for instance, when a document is being read we have to wait until the tram has passed before we can thoroughly understand the meaning of that document, and when any brother is addressing the chair he has to stop in the same way. We cannot properly transact our business in that Hall. The Lodge of which I am a member, with over 500 members, complains bitterly of the noise and the nuisance caused by the trams.
266. Then I suppose the Lodge would have nothing to do with the Hall if they could get back the money they have put into it? I do not think they would.
267. You think they are kept there simply by the interest they have in the building? Yes, from the interest they have in the building.
268. Have you heard any complaint from members attending the Institute? Yes, we have had great complaints in reference to the great noise caused by the trams, with regard to the medical gentlemen meeting there.
269. I think they represented to the Trustees that it was impossible for them to carry on their business unless the Trustees found them another place? They did. There is no doubt the building is completely ruined by the trams.
270. Ruined for the purpose for which it was erected? Yes.
271. *Mr. Abigail*.] What is the interest of your Lodge in the Hall? We have £500 in the land and £250 in the building.
272. What is the attendance of the members now, contrasted with what it used to be before the trams came there? It is not so large.
273. Have you added to your members? We have.
274. And still the attendance is not so large? It is good. We have a Secretary down-stairs to take contributions as well. That may affect the attendance a little, but not much.
275. Are you connected with the Medical Institute? We have our own medical gentlemen.
276. Then you experience no inconvenience with regard to medical attendance? No.
277. Have you heard any complaints from others? I have. I was there on one occasion about 11 o'clock, and I saw the great inconvenience that was caused to the medical gentlemen.
278. Through having to stop until trams had passed? Yes.
279. Can you tell me whether any of the members of the Order are interested directly in the Hall? Not that I know of. The property belongs to the Lodges of the district.
280. And you think they only continue to carry on their business there because of their interest in it? That is the reason.
281. Do you think the general prosperity of the Order has been injured by it? So far as the Order is concerned, I do not think so.

Mr. John Swadling called in, sworn, and examined:—

- Mr. J. Swadling.
16 May, 1884.
282. *Chairman*.] You are connected with the Oddfellows, Manchester Unity, meeting in the Hall in Elizabeth-street? I am.
283. How long have you been connected with them? Sixteen or seventeen years.
284. What is your position? President of the Medical Board.
285. I suppose you often attend the Lodge meetings in the Hall? Yes, about four nights in the week, in the capacity of President of the Medical Board or visitor; and I frequently attend meetings when presentations are made to members.
286. And you can tell us what inconvenience, if any, the Lodges are put to on account of the running of the trams? On several occasions when presentations have been made the Chairman has not been able to be heard. We have often to leave off when the trams are passing. The Hall is not now fit for the purpose it was built for.
287. Did you ever visit the Lodges before the tramway was there? Yes, frequently.
288. Did you then have the inconvenience of not being able to hear the communications read to those meetings? No, there was nothing then to stop you. The ordinary vehicular traffic did not affect the sound in the Hall. As for the tram nuisance, it is gradually getting worse.
289. You were connected with the body when that Hall was built? Yes.

Mr. J.
Swadling.
16 May, 1884.

290. And I suppose you know that the position was selected on account of it being a quiet place and centrally situated? That, I understood, was why that site was selected. Before the trams came there was no interference with the business from the ordinary traffic, but for the last two years it has been almost impossible to carry on, and it has cost the Society a tremendous lot of money. We have had to go into a back room, and even there you could not hear.
291. *Mr. Abigail.*] Does your position as President bring you into close communication with the members? Yes.
292. And the doctors? Yes.
293. Have you had any complaint from either one or the other? The doctors say they cannot examine the patients as well as they would like to do, because the noise of the trams interferes with the examination of the patient.
294. The dispensaries are also in your charge; have you had any complaint from them? Yes.
295. Have you noticed that the attendance at the Lodges is the same as it used to be? It is not. It is no use now asking for harmony in the Lodge.
296. Were you regular in your attendance before the trams? I have been in office over fifteen years, and I do not think I have ever missed being there three times a week.
297. Did you not experience difficulties, only in a lesser degree, before the trams came? The traffic never interfered with the business, but you cannot hear what is said now. We are driven to sit in a back room.
298. And the principal Lodge rooms are in the front of the building? Yes. At one time we could let our Hall for meetings, but we cannot now, and I believe it is nothing else but through the tramways.
299. *Chairman.*] Is it not within your knowledge that the gentlemen who engaged the room for dancing complained very bitterly that they had had a reduction in their attendance through the dancers being unable to hear the music? I have heard them say that the attendance has fallen off since the trams have run, and that people go to other places. The room used to be let four or five nights in the week; it is now only let for three. It has seriously affected the financial position of the Oddfellows Hall. The Medical Board were thinking of shifting their place of business, and taking a private house, and also for the sake of the doctors. Some four or five months ago we were very near shifting out of it altogether.
300. Are you aware that some of them are simply waiting to see if the Trustees can find another place to carry on the business of the Society? I am satisfied that the Lodges will seriously take it into their consideration if there is not something done to remove the inconvenience which they labour under now. You cannot hear, and I am sure it is seriously affecting the Oddfellows there.

TUESDAY, 26 AUGUST, 1884.

Present:—

MR. ABIGAIL,
MR. GARRARD,

MR. TEECE.

MR. MELVILLE,
MR. MITCHELL,

JOHN SUTHERLAND, ESQ., IN THE CHAIR.

Mr. John Edgley called in and further examined:—

301. *Chairman.*] You are one of the Trustees of the Oddfellows Hall? Yes.
302. You are a builder by trade? Yes.
303. Have you made a valuation of the probable cost of building the accommodation required to carry on the Society in other premises than those now in use? Yes. The probable cost of building premises such as the Society have already would be at the present time from five to six thousand pounds. The present building did not cost as much as that, but it would do so at the present time, because of the increase in the price of materials and labour above what it was when it was built.
304. How long has it been built? About fourteen years. It has been open thirteen years now. Bricks were then £2 5s. per thousand, now you could not get them for £3 5s.; and labour was then from 8s. to 10s. a day, now it is 10s. to 12s.
305. *Mr. Abigail.*] You are an employer of labour, are you not? Yes, for the last thirty years in this country. I superintended the erection of the present building, and gave a rough sketch of the plans.
306. *Mr. Mitchell.*] Do you know the actual cost of the building when it was erected? The actual cost of the shell, for which the architect got commission, was £2,600; then there were the fittings and other matters, which were done under my supervision; with these the cost of the building, ready for occupation, came to very nearly £4,000.
307. You think it would now cost from £5,000 to £6,000? Yes, because, under the Building Act, we should have to build it so much stronger than we did then—so much thicker walls, and other matters.
308. *Mr. Melville.*] You attribute some portion of the extra cost to the increased price of material and labour? Yes.
309. What is the difference in wages now? I suppose 1s. 6d. a day. You cannot get bricklayers under 11s. or 12s. a day; then you could get as many as you liked at 10s.
310. Of your own knowledge, do you not know that there is a surplus of labour in the market now? No, there is not. If you want bricklayers now you must pay 11s. or 12s. a day; at that time 10s. was the regular price. Now they work eight hours a day, then they worked nine hours.
311. *Mr. Mitchell.*] In that case labour is really 25 per cent. dearer than it was, including increased wages and shorter hours? Yes; and for every shilling a day you raise wages you get 2s. a day less work.*
312. Has the rapid passing of the trams in any way affected the actual stability of the building? No, I do not think so, except that we feel greater vibration now when the tram passes.
313. What part of the building do you feel the vibration in? All over it.
314. Would you have any difficulty in procuring a site for a new building at the present time? That question has never occurred to me; but I should think there would be great difficulty in procuring a site anything like as eligible.

Mr.
J. Edgley.
26 Aug., 1884.

* NOTE (on revision):—For every shilling you pay extra per day you get 1s. less work.—J.E.

Mr.
J. Edgley.
26 Aug., 1884.

315. And that would add to the cost? No doubt; I really do not know where we could procure a site that would be suitable.
316. What was the original cost to the Society of the ground on which the building now stands? I think it was a little over £3,000.
317. What frontage is there to Elizabeth-street? 63 feet, I think, to Elizabeth-street, and 43 feet to Castlereagh-street.
318. Would it be possible to make approaches from Castlereagh-street, and to use the building as heretofore? The continuous noise of the trams passing will prevent the building being of any service to the Order under any circumstances.
319. What is the value of the land in Elizabeth-street now? I suppose from £100 to £150 a foot.
320. And what is it worth in Castlereagh-street? There is 18 feet 6 inches frontage adjoining our land, and the party that owns it has been asking us £120 a foot for it; that was his first offer; and then he came down to £96 a foot. It is only 60 feet deep. Taking into account the double frontage, our land is worth all £200 a foot.
321. Have the trams in any way increased the value of the land in Elizabeth-street? I think the trams have depreciated property in Elizabeth-street 50 per cent.
322. *Chairman.*] When your evidence is sent to you for revision, will you make an addendum to it, after making inquiries, as to whether you can procure a suitable site for your purpose, and at what cost? Yes.*
323. Was not the price of the land in Castlereagh-street that was offered to you reduced because of some defect in the title? Yes.
324. So that the actual value of the ground with a saleable title was what was asked for it, £120 a foot? Yes.

Mr. John Joseph Davey called in and examined:—

Mr.
J. J. Davey.
26 Aug., 1884.

325. *Chairman.*] What is your profession? I am an architect.
326. Were you architect for the building of the present Oddfellows Hall in Elizabeth-street? Yes.
327. Can you give the probable cost of building on any other site in the city, at the present time, premises having the same accommodation? I think a building of that description would cost £4,000 at the very least, and probably more at the present time.
328. Not including land? No, the cost of the building without the land, and without including fittings and other matters necessary to its occupation—simply the shell of the building.
329. It would depend greatly upon the site whether that would cover the cost or not? Yes.
330. According to the depth of the foundations that might be found to be necessary? Yes. The site of the present building is a very inexpensive one from the nature of the ground.
331. *Mr. Mitchell.*] It is level? Yes, very level; and there are no large buildings near, rendering it necessary to go down deep.
332. *Chairman.*] The same class of building would be much more costly now than it was then, on account of the strictness of the Building Act? Yes; that would increase the cost, and so would the increase in the price of materials and labour generally.
333. Have you any knowledge of a site suitable for such a building, in a quiet part of the city, and the probable cost of such a site? I cannot say I have at the present time.
334. *Mr. Mitchell.*] Have you any idea of the value of the present building now, as it stands, not for the purpose for which it is used, but for general purposes? I think the building alone would be fully worth £4,000.
335. That was the actual cost about the time it was built? Not so much, as far as my connection with it was concerned; I did not superintend the putting up of some of the additions and other matters. I simply built the building itself at a time when prices were very reasonable; the persons who worked upon it were, I think, chiefly members of the Order; and the prices were the bare cost of the work. I do not think any other similar building could have been built for the same money even at that time.
336. Do you believe the property is depreciated in value now for its special purpose? I think it is quite probable, because from the nature of the Lodge meetings a certain amount of quiet is required. At the time the place was built Elizabeth-street was looked upon as a place out of the way of traffic, and not suitable for business purposes.
337. *Mr. Melville.*] What amount of compensation do you think would be fair and equitable for the building? That is a question I could not answer off-hand, because to decide that a person would have to be in full possession of the income that has been derived from it, and the falling off that has taken place, and many other facts. The question of compensation is not a mere matter of opinion, but a thing to be decided on a knowledge of certain facts.
338. Do you consider that the Society are entitled to compensation in consequence of the trams running past the door? That is a question more for the equity of law than for professional opinion. If they find they have to leave, then morally they may be entitled to compensation.
339. If it has been given in evidence that in consequence of the passing of the trams the building is useless for the purpose for which it was built, what amount do you think would be fair compensation? I should say that question could only be governed, first, by what it would cost them to reinstate themselves in a similar position, and then how far would the Society be recouped by any increase in the value of the property for any other purpose.
340. *Mr. Abigail.*] While superintending the erection of that building, did you at any time learn that they had selected that position for their purpose because of its quietness? Yes; that was matter of remark and congratulation at the time.

ADDENDUM.

I was asked if I would append to my evidence (when placed before me for perusal and any necessary correction) a statement of any site suitable for the purposes of a building similar to that in Elizabeth-street then referred to, and estimate of the probable cost.

I beg to submit that the only suitable site I have any knowledge of is a piece of ground about the same frontage as that of Oddfellows Hall, situate in Castlereagh-street, adjoining the buildings of A. Order of Foresters. It does not extend from street to street, but is a suitable depth. It could, I believe, be obtained

* NOTE (on revision):—I have not yet been able to find a site that would suit the requirements of the society.—J.E.

obtained for £130 per foot. A careful estimate of a similar building, with thickness of walls required by the City Improvement Act, including architect's commission, brings the amount of necessary outlay to four thousand five hundred and fifty pounds sterling (£4,550), not including any additions made to the present Oddfellows Hall since I built the main structure. That is to say, it would now cost £4,550 to build upon any similar site a building similar to that I built in 1870 in Elizabeth-street for the Oddfellows Order for the sum of £2,465 sterling.

Mr.
J. J. Davey.
26 Aug., 1884.

JOHN JOSEPH DAVEY,
Architect, Surveyor, and C.E.,
177, Pitt-street, Sydney.

2nd September, 1884.

Mr. Davey regrets his inability to forward the revised evidence and appendix earlier, the communication having been received late on Friday last.—J.J.D.

Mr. Edward Schofield called in and further examined:—

341. *Chairman.*] What is your position in the Society? Corresponding Secretary for the whole of the Societies throughout the Colony. Mr.
E. Schofield.
26 Aug., 1884.
342. Can you give us a statistical account of the income and expenditure of the Society, and for how many years? I compile the returns every year, and I have them here. Had I known the particular object for which I was to be examined to-day, I would have worked it out in detail; but if the Committee will accept it, I can give them a copy of my statistical returns for last year. (*Copies handed in.*)
343. The Committee wants a condensed account of the income and expenditure for the greatest number of years you can give it? I can give a condensed account for eleven years, from 1873 to 1883, both years inclusive. I could go further back, but previous to that the Queensland people were connected with us, and it would be rather a difficult matter to separate the two interests.
344. Will you prepare and attach to your evidence a tabular statement of the annual income and expenditure of the Society for the time you name? Yes. (*See Appendix B.*)

APPENDIX.

[*Handed in by Chairman, 26th August, 1884.*]

A.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c.
To the Commissioner for Railways, of Sydney.

WE command you that within eight days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in our Supreme Court at Sydney, in an action at the suit of John Sutherland, Michael Chapman, John Edgly, Abraham W. Chapman, Bernard Butterfield, John Murphy, and James Brown: And take notice that in default of your so doing the said John Sutherland, Michael Chapman, John Edgly, Abraham W. Chapman, Bernard Butterfield, James Murphy, and John Brown may proceed therein to judgment and execution.

Witness—The Honorable Sir James Martin, Knight, Chief Justice of our said Court, at Sydney, this twenty-fifth day of May, in the forty-sixth year of our Reign, and A.D. 1883.

For the Prothonotary,
T. E. MURPHY,
4th Clerk of the said Supreme Court.

N.B.—This writ is to be served within three calendar months from the date thereof, or if renewed, from the date of such renewal, including the day of such date and not afterwards.

This writ was issued by Arthur Mansfield Allen, of No. 122, Elizabeth-street, in the city of Sydney, attorney for the said plaintiffs.

The plaintiffs claim £5,000 for debt, and £4 4s. for costs, and if those sums (together with mileage) be paid to the plaintiffs or to their attorney within the time limited for your appearance further proceeding will be stayed.

[*To the Evidence of Mr. Edward Schofield, 26th August, 1884.*]

B.

Appendix to my evidence is herewith enclosed; the matter is relating to the total income and expenditure of the Manchester Unity in New South Wales, for the years ending 1873 to 1883, both years inclusive.

EDWIN SCHOFIELD,
Corresponding Secretary.

Income.			Expenditure.		
	£	s. d.		£	s. d.
For the year ending December 31st, 1873	45,563	12 7½	For the year ending December 31st, 1873	19,783	4 0½
" " 1874	44,611	6 0½	" " 1874	16,477	3 4½
" " 1875	20,787	10 9	" " 1875	18,093	19 1½
" " 1876	24,257	7 10½	" " 1876	20,325	17 2½
" " 1877	24,598	14 10½	" " 1877	20,783	5 9½
" " 1878	26,662	16 11	" " 1878	22,259	12 1½
" " 1879	29,963	18 8½	" " 1879	24,898	14 8
" " 1880	39,207	16 3	" " 1880	27,736	14 8
" " 1881	33,351	5 8	" " 1881	27,901	10 2½
" " 1882	37,284	8 8	" " 1882	30,756	13 5
" " 1883	38,852	2 5½	" " 1883	31,617	7 5
	£365,041	0 10½		£260,639	2 0

[*Handed in by the Chairman, 8th October, 1884.*]

C.

Number of Prescriptions Dispensed at the Oddfellows' Institute for the twelve months ending 31st August, 1884 :—

Quarter ending December, 1883.....	6,981
„ March, 1884	7,774
„ June, 1884	7,437
„ September, 1884	7,531
	29,723

Number of Visits by Medical Officers connected with the Institute, at patients' residences :—

Quarter ending December, 1883.....	2,176
„ March, 1884	2,477
„ June, 1884	2,880
„ September, 1884	2,832
	10,365

I. MUTTON,
Secretary

D.

Amount received for Medical Benefits at the Oddfellows' Medical Institute from 1873 to 1883, both years inclusive :—

Years.	£	s.	d.
1873	1,638	7	0
1874	1,717	2	0
1875	2,111	8	4
1876	2,080	4	9
1877	2,000	5	3
1878	2,042	19	0
1879	2,056	8	3
1880	2,012	16	0
1881	2,063	0	0
1882	1,543	0	0
1883	1,942	7	6

Total levies for Medical Institute by members of
six Lodges, Sydney District..... £21,212 18 1

I. MUTTON,
Secretary.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GOVERNMENT PRINTING OFFICE.

(COST AND DESCRIPTION OF WORK DONE FROM 1 JANUARY TO 31 DECEMBER, 1883.)

Ordered by the Legislative Assembly to be printed, 15 October, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 6th May, 1884, That there be laid upon the Table of this House annually, a Return showing,—

“ (1.) The total cost, wages and material, of the printing, bookbinding, photography, and lithography done for each Department of the Public Service, at the Government Printing Office, during each year ending 31st December.

“ (2.) A statement, in tabular form, showing the title of each book, pamphlet, and collection of photographs or lithographs published at the Government Printing Office during each year ending 31st December; such statement to show the number of copies of each produced, and the total cost of each set.”

“ (3.) * * * * *

(*Mr. Hutchinson.*)

[790 copies—Approximate Cost of Printing (labour and material), £15 11s. 8d.]

GOVERNMENT PRINTING OFFICE.

(I.)

RETURN of the Total Estimated Cost, Wages and Material, of the Printing, Bookbinding, Photography, and Lithography done for each Department of the Public Service, at the Government Printing Office, during the year ended 31st December, 1883.

Department for which the work was performed.	Estimated Value of Letter-press & Lithographic Printing.	Estimated Value of Bookbinding, &c.	Photo-lithography, Photography, &c.	Total Value of Work performed	Cost of Paper and Parchment	Total Value.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
PARLIAMENTARY PRINTING.						
LEGISLATIVE COUNCIL:—						
Under statutory obligation, &c.	1,902 11 7	327 14 10	79 6 9	2,309 13 2	335 13 8	2,645 6 10
Upon motion of Members of Parliament.....	143 5 5	21 17 0	.....	165 2 5	11 17 9	177 0 2
Total.....	2,045 17 0	349 11 10	79 6 9	2,474 15 7	347 11 5	2,822 7 0
LEGISLATIVE ASSEMBLY:—						
Under statutory obligation, &c.	3,728 6 6	685 18 11	164 10 11	4,579 5 4	855 8 1	5,434 13 5
Upon motion of Members of Parliament.....	1,380 14 11	342 19 6	579 12 0	2,303 6 5	312 6 8	2,615 13 1
Total.....	5,109 1 5	1,028 18 5	744 11 11	6,882 11 9	1,167 14 9	8,050 6 6
Total, Parliamentary Printing.....	7,154 18 5	1,378 10 3	823 18 8	9,357 7 4	1,515 6 2	10,872 13 6
Parliamentary Debates.....	2,313 1 11	391 15 0	.....	2,704 16 11	351 9 4	3,056 6 3
Government Gazette.....	8,399 0 9	235 0 0	.....	8,634 0 9	3,095 8 11	11,729 9 8
JOB PRINTING.						
No. II.—EXECUTIVE AND LEGISLATIVE:—						
2a Government House.....	12 0 6	9 16 0	10 6 6	32 3 0	6 16 11	38 19 11
2b Executive Council.....	1 18 0	25 14 6	.....	27 12 6	2 6 6	29 19 0
2c Legislative Council.....	19 0 5	1 14 0	.....	20 14 5	4 15 6	25 9 11
2d Legislative Assembly.....	44 19 4	2 6 9	1 15 0	49 1 1	21 0 10	70 1 11
2e Legislative Council and Assembly.....	16 7 0	.....	.....	16 7 0	4 18 7	21 5 7
2f Parliamentary Library.....	167 13 5	.....	.....	167 13 5	1 9 0	169 2 5
Total.....	261 18 8	39 11 3	12 1 6	313 11 5	41 7 4	354 18 9
No. III.—COLONIAL SECRETARY:—						
3a Colonial Secretary.....	135 6 9	69 10 5	12 11 0	217 8 2	26 7 6	243 15 8
3a* Protectorate of Aborigines.....	5 0 10	4 2 0	.....	9 2 10	2 12 11	11 15 9
3b Parliamentary Reporting Staff.....	5 17 4	0 7 6	.....	6 4 10	0 16 10	7 1 8
3c Military Forces.....	150 17 9	47 6 2	.....	198 3 11	48 10 4	246 14 3
3d Naval Brigade.....	2 3 6	0 16 0	.....	2 19 6	0 14 8	3 14 2
3d* Training Ship "Wolvereno".....	15 8 4	12 0 6	.....	27 8 10	3 6 0	30 14 10
3e Police { Police Department.....	88 12 1	132 17 5	.....	221 9 6	90 9 10	311 19 4
{ Police Gazette.....	595 19 0	.....	.....	595 19 0	40 13 0	636 12 0
3g Lunacy.....	28 14 11	95 14 11	.....	124 9 10	29 14 1	154 3 11
3h Master in Lunacy.....	4 12 3	3 2 4	.....	7 14 7	2 5 8	10 0 3
3i Medical Board.....	2 12 0	13 7 6	.....	15 19 6	0 6 1	16 5 7
3k Medical Adviser, Vaccination, Medical Officers, &c.....	0 13 3	.....	.....	0 13 3	0 1 11	0 15 2
3l Department of Audit.....	94 7 10	96 6 2	.....	190 14 0	46 6 10	237 0 10
3m Registrar-General.....	121 5 11	62 15 3	.....	184 1 2	320 6 0	504 7 2
3n Do. Land Titles Branch.....	64 7 10	54 9 11	.....	118 17 9	409 6 0	528 3 9
3o Immigration Agent.....	37 4 0	10 2 7	.....	47 6 7	15 9 10	62 16 5
3g Inspector of Public Charities.....	9 11 4	.....	.....	9 11 4	0 19 6	10 10 10
3r State Children's Relief Department.....	17 7 5	8 1 6	.....	25 8 11	5 12 9	31 1 8
3s Asylums for Infirm and Destitute.....	9 13 4	12 0 6	.....	21 13 10	10 18 1	32 11 11
3t Fisheries Commission.....	24 1 10	8 10 6	.....	32 12 4	3 6 3	35 17 8
3u Botanical Gardens.....	24 17 0	7 12 6	.....	32 9 6	3 8 6	35 18 0
3w Returning Officers.....	6 0 3	.....	.....	6 0 3	0 6 2	6 6 5
3x Rifle Association.....	46 1 6	36 1 0	.....	82 2 6	5 6 9	87 9 3
4i Electoral Lists.....	3,692 19 10	45 0 0	.....	3,737 19 10	53 4 11	3,791 4 9
4k Electoral Rolls.....	1,829 19 6	8 18 4	.....	1,838 17 10	44 13 0	1,883 10 10
Total.....	7,013 15 7	729 3 0	12 11 0	7,755 9 7	1,165 3 5	8,920 13 0
No. IV.—TREASURER AND SECRETARY FOR FINANCE AND TRADE:—						
4a The Treasury.....	1,379 12 11	472 6 7	15 6 0	1,867 5 6	287 3 2	2,154 8 8
4b Stamp Duties.....	113 5 6	101 11 0	.....	214 16 6	81 10 7	296 7 1
4c Customs.....	210 9 4	249 10 7	.....	459 19 11	155 10 11	615 10 10
4d Commissioners of Customs.....	0 5 6	1 7 0	.....	1 12 6	0 7 3	1 19 9
4e Colonial Distilleries and Refineries.....	18 1 10	16 10 9	.....	29 12 7	5 12 11	35 5 6
4f Government Printer's Department.....	197 0 6	419 16 5	16 16 0	633 12 11	223 15 9	857 8 8
4g Pamphlets and Forms for Stock.....	1,207 4 3	1,432 8 4	.....	2,639 12 7	1,227 7 10	3,867 0 5
4l Stores and Stationery.....	22 8 7	87 9 10	.....	109 18 5	138 17 6	248 15 11
4m Ordnance and Barrack Department.....	19 12 9	19 3 4	.....	38 16 1	10 7 4	49 3 5
4n Board of Health.....	1 16 0	.....	.....	1 16 0	.....	1 16 0
4o Health and Emigration Officers.....	2 10 0	0 9 0	.....	2 19 0	2 17 6	5 16 6
4q Board of Pharmacy.....	2 1 0	2 13 0	.....	4 14 0	0 14 2	5 8 2
4r Shipping Masters.....	48 3 10	65 18 1	.....	114 1 11	85 2 3	199 4 2
4s Glebe Island Abattoir.....	3 6 9	4 4 6	.....	7 11 3	1 15 10	9 7 1
4t Marine Board.....	73 4 0	10 11 5	.....	83 15 5	57 4 10	141 0 3
4u Branch Royal Mint.....	19 5 2	14 7 5	.....	33 12 7	9 3 8	42 16 3
4w Quays and Wharves.....	10 12 3	5 1 6	.....	15 13 9	5 2 9	20 16 6
Total.....	3,324 0 2	2,903 8 9	32 2 0	6,259 10 11	2,292 14 3	8,552 5 2

RETURN of Value of Work performed for each Department of the Public Service, &c.—*continued.*

Department for which the work was performed.	Estimated Value of Letter-press & Lithographic Printing.	Estimated Value of Bookbinding, &c.	Photo-lithography, Photography, &c.	Total Value of Work performed.	Cost of Paper and Parchment.	Total Value.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
No. V.—MINISTER OF PUBLIC INSTRUCTION:—						
5a Public Instruction	686 16 8	227 1 0	28 7 0	942 4 8	388 12 4	1,330 17 0
5b Industrial Schools	5 15 2	1 8 0	.....	7 3 2	0 13 8	7 16 10
5c Orphan Schools	2 19 0	0 5 4	.....	3 4 4	0 7 6	3 11 10
5d Observatory	66 17 11	15 11 9	0 12 0	83 1 8	18 4 8	101 6 4
5e Museum	70 2 3	2 7 0	.....	72 9 3	3 1 7	75 10 10
5e* Australian Technological Museum	12 18 8	1 2 6	7 10 0	21 11 2	2 12 9	24 3 11
5f Free Public Library	347 14 11	209 7 9	.....	557 2 8	133 17 11	691 0 7
5g Church and School Lands	7 11 4	9 0 0	.....	16 11 4	5 8 3	21 19 7
5h Royal Society	195 7 2	7 7 0	130 17 6	333 11 8	51 9 2	384 14 10
5i Technical Education	35 6 4	0 2 0	.....	35 8 4	6 12 4	42 0 8
Total	1,431 9 5	473 12 4	167 6 6	2,072 8 3	610 14 2	2,683 2 5
No. VI.—MINISTER OF JUSTICE:—						
6a Department of Justice	63 15 5	45 14 9	.....	109 10 2	10 7 7	119 17 9
6b Master in Equity's Department	9 15 3	15 0 0	.....	24 15 3	6 10 0	31 5 3
6c Prothonotary	59 15 3	75 7 9	.....	135 3 0	33 14 2	168 17 2
6d Sheriff	34 7 4	52 15 6	.....	87 2 10	25 16 7	112 19 5
6e Insolvency Court	22 3 4	7 4 7	.....	29 7 11	8 2 5	37 10 4
6f District Courts	19 6 7	8 12 6	.....	27 19 1	11 8 8	39 7 9
6g Coroners' Inquests	7 7 8	3 7 0	.....	10 14 8	0 15 3	11 9 11
6h Petty Sessions	5 0 8	29 9 5	.....	34 10 1	2 5 3	36 15 4
6i Central Police Office	20 0 6	24 8 7	.....	44 9 1	7 8 0	51 17 1
6k Water Police Office	22 7 11	24 5 6	.....	46 13 5	18 12 6	65 5 11
6l Prisons	20 16 8	12 11 2	.....	33 7 10	8 13 4	42 1 2
6m Darlinghurst Gaol	22 17 8	28 6 4	.....	51 4 0	31 8 0	82 12 0
6n Reformatory for Girls	0 8 0	0 12 0	.....	1 0 0	0 2 1	1 2 1
6o Registrar of Copyright	1 7 9	0 8 10	.....	1 16 7	1 9 10	3 6 5
Total	309 10 0	328 3 11	.....	637 13 11	166 13 8	804 7 7
No. VII.—THE ATTORNEY-GENERAL:—						
7a The Attorney-General	17 15 0	33 6 10	.....	51 1 10	1 5 3	52 7 1
7b Parliamentary Draftsman	1 3 8	3 5 0	.....	4 8 8	0 16 11	5 5 7
7c Crown Solicitor	45 16 9	5 17 3	.....	51 14 0	19 5 9	70 19 9
7d Clerk of the Peace	13 14 0	21 7 2	.....	35 1 2	4 17 0	39 18 2
7e Registrar of Friendly Societies	5 8 6	.....	.....	5 8 6	1 7 11	6 16 5
Total	83 17 11	63 16 3	.....	147 14 2	27 12 10	175 7 0
No. VIII.—SECRETARY FOR LANDS:—						
8a Department of Lands	214 6 9	160 2 11	.....	374 9 8	190 18 8	574 8 4
8b Conditional Land Sales Branch	53 16 3	77 4 6	.....	131 0 9	98 2 1	229 2 10
8c Survey of Lands	318 6 3	400 1 6	2,227 5 0	3,005 12 8	253 11 2	3,250 3 11
8d Court of Claims	0 1 0	.....	.....	0 1 0	0 0 2	0 1 2
Total	586 10 3	637 8 11	2,227 5 0	3,511 4 2	651 12 1	4,062 16 3
No. IX.—SECRETARY FOR PUBLIC WORKS:—						
9a Department of Public Works	29 13 10	29 0 4	17 5 0	75 19 2	5 17 8	81 16 10
9b Railways	3,797 11 6	2,868 17 7	13 4 6	6,679 13 7	3,663 12 9	10,343 6 4
9b* Tramways	494 9 6	117 10 3	.....	611 19 9	628 9 8	1,240 9 5
9c Harbours and Rivers Navigation	220 19 7	178 6 4	6 18 0	406 3 11	76 13 6	482 17 5
9d Colonial Architect's Department	40 16 10	8 9 0	1 16 0	51 1 10	6 17 7	57 19 5
9e Roads and Bridges	286 11 4	54 2 6	.....	340 13 10	82 3 5	422 17 3
Total	4,870 2 7	3,256 6 0	39 3 6	8,165 12 1	4,463 14 7	12,629 6 8
No. X.—THE POSTMASTER-GENERAL:—						
10a The General Post Office	4,340 10 7	651 18 2	15 17 3	5,008 6 0	1,821 12 10	6,829 18 10
10b Money Order and Government Savings Bank Department	466 14 0	503 11 6	.....	970 5 6	600 8 2	1,570 13 8
10c Electric Telegraphs	617 10 10	584 19 5	.....	1,202 10 3	2,164 0 9	3,366 11 0
Total	5,424 16 5	1,740 9 1	15 17 3	7,181 1 9	4,586 1 9	11,767 3 6
No. XI.—SECRETARY FOR MINES:—						
11a Department of Mines	144 13 1	93 2 4	1 2 6	238 17 11	60 1 8	298 19 7
11b Occupation of Lands	36 8 3	47 12 8	.....	84 0 11	12 11 8	96 12 7
11b* Forest Conservancy	62 1 8	14 9 11	.....	76 11 7	17 17 1	94 8 8
11c Stock Branch	1,149 16 8	78 6 7	.....	1,228 3 3	88 0 11	1,316 4 2
Total	1,392 19 8	233 11 6	1 2 6	1,627 13 8	178 11 4	1,806 5 0

RETURN of Value of Work performed for each Department of the Public Service, &c.—continued.

Department for which the work was performed.	Estimated Value of Letter-press & Lithographic Printing.	Estimated Value of Bookbinding, &c.	Photo-lithography, Photography, &c.	Total Value of Work performed.	Cost of Paper and Parchment.	Total Value.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
No. XII.—MISCELLANEOUS:—						
12a Miscellaneous	538 6 9	416 3 2	611 19 0	1,566 8 11	128 3 2	1,694 12 1
12b Amsterdam International Exhibition	131 15 7	51 6 0	.....	183 1 7	124 3 2	307 4 9
12c Postal Conference	24 9 6	0 7 0	.....	24 16 6	0 2 11	24 19 5
12d Calcutta Exhibition	211 14 0	55 5 9	.....	266 19 9	179 3 1	446 2 10
12e Intercolonial Convention, 1883	4 13 0	.....	.....	4 13 0	0 6 11	4 19 11
— Linnæan Society .....	.....	.....	139 4 0	139 4 0	7 3 0	146 7 0
Total Miscellaneous	910 18 10	523 1 11	751 3 0	2,185 3 9	439 2 3	2,624 6 0
Paper used by Binder and for Proofs .....	.....	.....	.....	.....	340 2 5	340 2 5
Gazette Slips	604 19 0	.....	.....	604 19 0	.....	604 19 0
Total Job Printing	26,214 17 6	10,988 12 11	3,258 12 3	40,462 2 8	14,863 10 1	55,325 12 9

SUMMARY.

Parliamentary Printing (Legislative Council	2,045 17 0	319 11 10	79 6 9	2,474 15 7	347 11 5	2,822 7 0
Parliamentary Printing (Legislative Assembly	5,109 1 5	1,023 18 5	744 11 11	5,882 11 9	1,167 14 9	8,050 6 6
Parliamentary Debates	2,313 1 11	391 15 0	.....	2,704 16 11	351 9 4	3,056 6 3
Government Gazette	8,399 0 9	235 0 0	.....	8,634 0 9	3,095 8 11	11,729 9 8
Job Printing for the Public Departments	26,214 17 6	10,988 12 11	3,258 12 3	40,462 2 8	14,863 10 1	55,325 12 9
Work of the Mechanical Branch, Type Founding, &c.	6,250 16 6	.....	.....	6,250 16 6	.....	6,250 16 6
Totals, 1883	50,332 15 1	12,993 18 2	4,082 10 11	67,409 4 2	19,825 14 6	87,234 18 8

*The cost of paper for Gazette slips is placed against each Department for which the work was done.

(II.)

STATEMENT showing the Title, Number of Copies, and total Cost of each Book and Pamphlet published at the Government Printing Office during the year ended 31st December, 1883.

Title.	Books: Number of Copies.	Pamphlets: Number of Copies.	Total Number of Copies.	Total Cost.
				£ s. d.
Time-tables and Fares, Great Southern, Western, Richmond, and Northern Lines, from 1st Feb., 1883	5,000	5,000	61 5 6
Do. do. do. 1st Feb., 1883	750	750	4 18 9
Do. do. do. 1st May,	4,000	4,000	54 5 9
Do. do. do. 14th June,	5,000	5,000	60 9 0
Do. do. do. 19th Aug.,	1,600	1,600	10 16 0
Do. do. do. 19th Aug.,	4,300	4,300	59 15 6
Do. do. do. 19th Aug.,	750	750	4 10 6
Do. do. do. 12th Nov., 1882	750	750	5 18 9
Great Northern, North-western, and Morpeth Lines. Working Time-tables, from 4th Dec., 1881	750	750	2 5 0
Do. do. do. Working Time-tables, from 4th Dec., 1883	250	250	1 7 0
Do. do. do. 4th December, 1883. Working Time-tables, &c.	750	750	23 11 6
Merchandise Rates for Great Southern, Western, Richmond, and Northern Lines, 25th June, 1883	1,000	1,000	7 10 6
Do. do. do. from 25th June, 1883	500	500	3 17 0
Do. do. do. do.	750	750	45 19 9
Do. do. do. 19th Aug., 1883	600	600	36 2 6
Do. do. do. 1st January, 1884	1,000	1,000	47 9 0
Private. For use of Railway Employés only. Working Time-table, Great Northern, North-western, and Morpeth Lines	1,000	1,000	23 1 6
Do. do. do. do. do.	500	500	2 13 3
Do. do. do. do. do.	1,000	1,000	23 12 9
Regulations for the Sale of Liquor at Refreshment Rooms at Stations on Government Lines of Railway	50	50	1 3 5
Do. do. do. do. do. (Reprint)	100	100	0 4 11
The Union of the Railway Systems of New South Wales and Victoria. Celebration at Albury, 14th June, 1883. (Binding incomplete)	997	1,003	2,000	56 9 3
Great Northern Railway. General Instructions in connection with the Working of Interlocking Signals and Points	500	500	1 16 6
New Signal Boxes, Redfern Station. Instructions to Engine-drivers and others for Working of Signals (with Diagram)	400	400	7 12 9
Rules and Regulations for Guidance of Officers and Servants and the conduct of Traffic on the Tramways of New South Wales	500	500	11 2 3
Rules and Regulations, &c., Government Tramways of New South Wales	1,000	.....	1,000	14 0 6
Statistical Return, showing Relative Positions and Aggregate Importance of the Australasian Colonies at the close of the year 1881; and also information of a like nature with respect to the Colony of New South Wales for the year 1882	2,500	2,500	13 7 0
New South Wales; its Progress and Resources. Published by the authority of the Commissioners for the Amsterdam International Exhibition	273	9,819	10,092	94 16 6
Official Catalogue of the Exhibits from New South Wales forwarded to the International, Colonial, and Export Trade Exhibition of 1883, at Amsterdam	10,026	10,026	122 16 6

STATEMENT showing the Title, Number of Copies, and total Cost of each Book and Pamphlet, &c.—*continued.*

Title	Books: Number of Copies.	Pamphlets: Number of Copies.	Total Number of Copies.	Total Cost.
				£ s. d.
New South Wales; its Progress and Resources. Published by authority of the Commissioners for Calcutta International Exhibition (With Map).....		10,000	10,000	120 11 6
New South Wales Official Catalogue of Exhibits from the Colony forwarded to the International Exhibition of 1883-4 at Calcutta. (With Map)	9	7,491	7,500	261 18 7
New South Wales Commission for Calcutta International Exhibition. Mr. Roe's Sketches of Colonial Scenes in the Olden Times.....		500	500	4 8 6
New Sud-Wales in Jahre 1881. German translation		500	500	47 2 0
The Crown Lands Acts, namely:—The Alienation and Occupation Acts of 1881; the Amendment Act of 1875; and the Further Amendment Act of 1880, with Regulations thereunder, and an Index; also the Declaratory Acts, 42 Vic. No. 26 and 43 Vic. No. 3; and the Ringbarking Act, 45 Vic. No. 8.		1,000	1,000	55 18 0
Acts Shortening Act		200	200	1 3 5
Aliens Act		200	200	1 6 10
Animals (Cruelty to) Act		200	200	2 5 11
Apprentices Act		200	200	2 14 6
Barristers Act		200	200	1 0 10
Cattle-driving Act		200	200	0 14 3
Creditors' Remedies Act		200	200	1 6 10
Deserted Wives and Children Act		200	200	2 8 6
Contractors' Debts Act		200	200	1 9 10
Cattle-slaughtering Act		200	200	5 9 6
Impounding Act, 29 Vic. No. 2, &c.		1,000	1,000	8 3 8
Registration (Letters of) Act		300	300	1 1 11
Companies Act		500	500	29 6 6
Public Instruction Act		2,000	2,000	4 16 3
The Stamp Duties Act (44 Vic. No. 3) and Regulations		500	500	15 0 0
Absent Defendants Act		200	200	3 10 4
The Rabbit Nuisance Act of 1883, 46 Vic. No. 14; with Regulations, Appointments, and Circular to Owners		1,000	1,000	13 9 0
Rabbit Nuisance Act of 1883—Draft of Information for Guidance of Inspectors.....		300	300	4 10 0
Criminal Law Amendment Act (46 Vic. No. 17)		1,000	1,000	39 13 9
New South Wales Merchant Shipping Acts, 1854 to 1880 (Despatches respecting)		25	25	0 4 11
Brands Registration Act		500	500	4 8 6
The State Children's Relief Act of 1881, with Regulations made by the Governor and Executive Council		2,500	2,500	19 1 9
Police Act		300	300	35 1 7
Improvement (City of Sydney) Act		500	500	15 18 0
Matrimonial Causes Act (Rules and Regulations)		300	300	6 4 3
Municipalities; 31 Vic. No. 12, 32 Vic. No. 8, 36 Vic. No. 26, 37 Vic. No. 15		500	500	23 11 9
Distillation Act		100	100	15 0 2
Insolvency Act		100	100	17 0 2
Bills of Sale Act		300	300	1 3 5
Regulations for Leases, &c.		250	250	0 15 1
Australian Museum, Sydney. Catalogue of a Collection of Fossils in the Australian Museum, with Introductory Notes. (Printed by order of the Trustees.) E. P. Ramsay, F.L.S., Curator.....	6	494	500	156 3 3
Catalogue of the Library of the Australian Museum. (Printed by order of the Trustees)	250	.....	250	56 9 0
Results of Rain and River Observations made in New South Wales during 1882. H. C. Russell, B.A., F.R.A.S., Government Astronomer of New South Wales. (Printed by authority of Her Majesty's Government in New South Wales.) With Map and Diagrams		1,200	1,200	31 7 3
Science Demonstration in Elementary Schools. By Wm. Lant Carpenter, B.A., B.Sc., F.C.S. Read before the Physical Society of London, 14 April, 1883. Reprinted by Board of Technical Education of New South Wales		1,000	1,000	5 15 9
Fish and Fisheries of New South Wales. By the Rev. J. E. Tenison-Woods, F.L.S., F.G.S., &c., &c., Vice-President of the Linnean Society, New South Wales; Author of "A History of the Discovery and Exploration of Australia," "Geological Observations in South Australia," "North Australia," "Natural History of New South Wales," &c., &c. (Illustrated)	400	.....	400	435 3 6
Catalogue of the Botanical Museum, Sydney Botanic Gardens		500	500	14 5 6
Do. do. do. do.		500	500	14 5 0
Catalogue of the Lending Branch of the Free Public Library, Sydney, for 1883	3,000	.....	3,000	316 11 2
Supplementary Catalogue of the Lending Branch, Free Public Library—June, 1883		3,000	3,000	16 7 9
Index to Supplementary Catalogue of the Lending Branch, Free Public Library—June, 1883		3,000	3,000	19 10 6
Journal and Proceedings of the Royal Society of New South Wales, 1882. Incorporated 1881. Vol. XVI. Edited by A. Liversidge, F.R.S., Professor of Chemistry and Mineralogy in the University of Sydney. (With Plates and Maps.)		1,400	1,400	304 16 2
Rules and List of Members of the Royal Society of New South Wales, 1882-3		150	150	15 9 6
On the Ashes of some Epiphytic Orchids. By W. A. Dixon, F.I.C., F.C.S., Lecturer on Chemistry, Technical College, School of Arts, Sydney		100	100	0 19 3
Notes on the Progress of New South Wales during the ten years 1872-1881. By Christopher Rolleston, C.M.G., Auditor-General, President		100	100	2 18 0
Do do do do		100	100	2 17 9
Notes on the Aborigines of New Holland. By James Manning. (With illustration). ...		100	100	8 10 6
On the Influence of Australian Climates and Pastures upon the Growth of Wool. By Andrew Ross, M.D., M.L.A., Molong		100	100	5 6 6
The Aborigines of New South Wales. By John Fraser, B.A., Sauchie House, West Maitland		200	200	9 14 6
A Fossil Plant Formation in Central Queensland. By the Rev. J. E. Tenison-Woods, F.G.S., F.L.S., Vice-Pres. Linn. Soc. N.S.W., Hon. Mem. Roy. Soc. N.S.W., &c. (With Plates.)		150	150	7 10 1
On the Influence of Australian Climate and Pastures on the growth of Wool (in abstract). By Andrew Ross, Esq., M.D., M.L.A., Molong.		100	100	2 0 9
On the Wianamatta Shales. By the Rev. J. E. Tenison-Woods, F.G.S., F.L.S., V.-Pres. Linn. Soc. N.S.W., Hon. Mem. Roy. Soc. N.S.W., Tasmania, S. Australia, &c., &c....		20	20	2 13 9

STATEMENT showing the Title, Number of Copies, and total Cost of each Book and Pamphlet, &c.—*continued.*

Title.	Books: Number of Copies.	Pamphlets: Number of Copies.	Total Number of Copies.	Total Cost.
Tropical Rains. By H. C. Russell, B.A., F.R.A.S., Government Astronomer. (With maps)	550		550	£ s. d. 15 5 0
Anniversary Address. By H. C. Russell, B.A., F.R.A.S., &c., President. (Reprint)	200		200	1 1 9
Rocks from New Britain and New Ireland. By A. Liversidge, F.R.S., Professor of Chemistry and Mineralogy in the University of Sydney. (Preliminary Notice)		200	200	1 12 6
Anniversary Address. By H. C. Russell, B.A., F.R.A.S., &c., President	525		525	8 8 0
Do By Christopher Rolleston, C.M.G., President	100		100	4 0 0
Federal Quarantine. By Dr. Charles K. Mackellar, Health Officer and Medical Adviser to the Government of New South Wales		100	100	3 13 3
Do. do. do.		150	150	3 17 0
On the Bingera Meteorite, N.S.W. By A. Liversidge, F.R.S., Professor of Chemistry and Mineralogy in the University of Sydney. (Preliminary Notice). (With Plate)		150	150	3 4 7
The Denilquin or Barratta Meteorite. By A. Liversidge, F.R.S., Professor of Chemistry and Mineralogy, University of Sydney. (Second Notice). (With Plates)		200	200	7 9 3
Notes on the Genus <i>Macrozamia</i> . By Chas. Moore, F.L.S., V.P., Director of the Botanic Gardens, Sydney		100	100	2 12 0
On the Wianamatta Shales. By Rev. J. E. Tenison-Woods, F.G.S., F.L.S., V. Pres. Linn. Soc. N.S.W., Hon. Mem. Roy. Soc. N.S.W., Tasmania, S. Australia, &c., &c.		150	150	2 13 9
Medical Certificates of Insanity. By Frederic Norton Manning, M.D., Inspector-General of the Insane, New South Wales		150	150	3 4 6
Some Facts bearing upon Irrigation. By H. C. Russell, B.A., F.R.A.S., Government Astronomer		150	150	1 1 4
On the Discoloration of White Bricks made from certain Clays in the neighbourhood of Sydney. By Edward H. Rennie, M.A., D.Sc.		100	100	0 14 10
Additions to the Census of the Genera of Plants, hitherto known as indigenous to Australia. By Baron Ferd. von Mueller, K.C.M.G., M.D., Ph.D., F.R.S.		150	150	1 2 10
Irrigation in Upper India. By H. G. McKinney, M.E., Assoc. M. Inst. C.E., District Engineer, Harbours and Rivers Dept., and late of the Irrigation Dept., India		100	100	2 11 3
The Railway Guide of New South Wales (for the use of Tourists, Excursionists and others). A convenient Volume of Reference to Railway Routes, Stations, and places of interest on the Lines of Railway; containing a Map of the Blue Mountains and numerous Illustrations. Second edition	1,000		1,000	276 1 3
On some Mesozoic Fossils from the Palmer River, Queensland. By the Rev. J. E. Tenison-Woods, F.G.S., F.L.S., Vice-Pres. Linn. Soc. N.S.W., Hon. Mem. Roy. Soc. N.S.W., &c. (With Plates)		150	150	6 1 10
On the Chemical Composition of certain Rocks, New South Wales, &c. By A. Liversidge, F.R.S., Professor of Chemistry and Mineralogy in the University of Sydney. (Preliminary Notice). (With Plates)		200	200	6 15 6
On some Carboniferous Marine Fossils. By the Rev. J. E. Tenison-Woods, F.G.S., F.L.S., Vice-Pres. Linn. Soc. N.S.W., Hon. Mem. Roy. Soc. N.S.W., &c. (With Plates)		150	150	0 17 10
Sydney Technical College. Committee No. 5		50	50	1 16 2
An Epitome of the Official History of N. S. Wales from the Foundation of the Colony in 1788 to the close of the First Session of the Eleventh Parliament under responsible Government in 1883; compiled chiefly from the Official and Parliamentary Records of the Colony, under the direction of Thomas Richards, Government Printer and Registrar of Copyright. (With Map of New South Wales.)	662		662	619 19 9
Ways and Means. The Financial Statement of the Honorable George R. Dibbs, Colonial Treasurer of New South Wales, made 7th February, 1883	25	1,475	1,500	34 6 6
Do. do. do. do. do. do.		500	500	22 9 3
Letters embodying suggestions for a Volunteer Force in New South Wales. By Sir E. Strickland, K.C.B., Commissary-General, British Army		500	500	6 2 0
Speeches in Parliament on the Inscribed Stock Bill, together with an Appendix containing Editorial Comments of the <i>Sydney Morning Herald</i> and the Inscribed Stock Act of 1883		100	100	99 2 6
Customs Statistics for the year 1882, with Comparative Tables of Revenue and Consumption, Imports and Exports, Border and Out-port Trade, also Decennial and other Tables, showing the progress of trade in New South Wales. Compiled by direction of the Colonial Treasurer		1,000	1,000	63 10 3
Criminal Law Manual, comprising the Criminal Law Amendment Act of 1883, with an Introduction, Commentary, and Index. By Sir Alfred Stephen, late Chief Justice, and Alex. Oliver, Parliamentary Draftsman	1,000		1,000	274 11 9
A Manual of the Licensing Law, comprising the Licensing Acts (43 Vic. No. 14 and 46 Vic. No. 24). Arranged so as to show the amendments effected by the Amending Act of 1883, inserted in or after the amending sections of the Principal Act; with Notes of Cases, English and Colonial; a short Commentary, a Summary of the Law as it affects retail licensees, a <i>précis</i> of the Duties of Publicans, Tables of Procedure and Offences, an Appendix of enactments referred to in the Licensing Acts, and a General Index. By Alexander Oliver, M.A., Barrister-at-Law, Parliamentary Draftsman	2,000		2,000	140 1 6
The Supreme Court of New South Wales in Equity. Consolidated Standing Rules of 29th June, 1883	500		500	47 6 6
1882.—Report of the Minister of Public Instruction upon the Condition of Public Schools established and maintained under the Public Instruction Act of 1880. (With diagrams)	1,175		1,175	262 5 0
The Horse and Cattle Brands Directory of New South Wales for 1882	667		667	1,141 14 7
The Matrimonial Causes Act, 1873, with Rules and Regulations, &c.; edited by Frederick Wm. Gibson, Barrister-at-Law	500		500	36 8 0
Reserves from Sale and Lease, Pastoral District of Wellington, from 23rd December, 1861, to 31st October, 1882, inclusive; compiled at the Reserves Branch, Surveyor-General's Office, Sydney, 1st October, 1882	6	1,544	1,550	222 9 0
Reserves from Sale and Lease, Pastoral District of Monaro, from 23rd December, 1861, to 31st December, 1882, inclusive; compiled at the Reserves Branch, Surveyor-General's Office, Sydney, 31st December, 1882	6	944	950	112 7 0
The Aborigines of Australia. By Richard Sadler, R.N., J.P. (Illustrated.)	500		500	148 18 11
Postal Guide. No. 164. January, 1883		2,200	2,200	140 15 6
Do. No. 165. April, 1883		2,212	2,212	143 2 8

STATEMENT showing the Title, Number of Copies, and total Cost of each Book and Pamphlet, &c.—*continued.*

Title.	Books. Number of Copies.	Pamphlets. Number of Copies.	Total Number of Copies.	Total Cost.
Postal Guide. No. 166. July, 1183		2,212	2,212	£ s. d. 143 19 3
Do. No. 167. October, 1883		2,200	2,200	196 7 0
Time-tables (English Mails) <i>via</i> San Francisco and Suez		12	12	1 6 9
Time-tables (English Mails) <i>via</i> Suez, Colombo, San Francisco, Marseilles, and Torres Straits		3,000	3,000	4 7 3
Time-table showing Interchange of Mails, one Post Office with another		1,200	1,200	24 17 0
Postal and Government Savings Bank By-laws, and Postal, Money Order, and Government Savings Bank Regulations.		100	100	24 19 9
Do. do. do. do. (Reprint)		100	100	2 15 7
Roads of Access for a few persons		50	50	0 17 6
Correspondence. <i>Re</i> Government Debiture Printing		50	50	3 8 4
Borough of Victoria.—By-laws under the Nuisances Prevention Act, 1875		500	500	1 3 4
Marine Board of New South Wales—Regulations relating to the Examinations of Masters and Mates in the Mercantile Marine. (With Appendices.)		325	325	10 4 6
Alphabetical Lists of Names and Addresses of Members of Legislative Council and Assembly		24	24	2 13 7
Do. do. do. do. do. do.		12	12	2 10 3
Do. do. do. do. do. do.		12	12	0 4 2
Supplementary List of Books added to the Parliamentary Library		300	300	9 16 0
Index to Printed Series of Brigade Orders for 1882		300	300	1 11 11
Brigade Orders. 1st January, 1883		300	300	1 4 11
Do. 1st April, 1883		300	300	1 4 11
Brigade Order, No. 42. Programme of Parades. June Quarter, 1883		1,900	1,900	4 8 7
Do. No. 104. do. do. September Quarter, 1883		1,900	1,900	5 3 6
Do. No. 162. do. do. December Quarter, 1883		2,000	2,000	5 19 0
Do. No. 216. do. do. March Quarter, 1884		2,300	2,300	10 15 0
General Catalogue of the Military Library, Sydney, New South Wales, 1883	30		30	22 16 6
Regulations of 25 August, 1883, under the Volunteer Force Regulation Act of 1867		4,000	4,000	25 12 8
Licenses issued under the Fisheries Act, 1883		500	500	3 18 0
Do. do. do. (Second List, 31st May, 1883)		500	500	3 3 6
Do. do. do. (Third List, 31st May to 30th September)		100	100	2 13 1
New South Wales Rifle Association. 22nd Annual Report		120	120	1 8 0
Report of the New South Wales Rifle Association for the year 1882		320	320	27 10 9
Do. do. do. do.		25	25	0 17 4
Rules of the New South Wales Rifle Association		100	100	0 12 6
New South Wales Rifle Association—Programme and Time-tables of the Matches for 1883		330	330	19 11 7
List of Runs, showing the Rents for the year 1884, payable on or before 31st December, 1883		650	650	37 16 1
Contract Prices for 1884		850	850	21 15 8
Spirits—Calculation of Proof Quantities		500	500	1 4 2
Catalogue of Overtime Goods, Seizures, &c., to be sold at Overtime Sale		120	120	4 1 0
Do. do. do. do. 15 November, 1883		200	200	1 19 7
Catalogue of Cordage, Sails, Tanks, and Sundries, to be sold at Naval Depot by Mills & Pile		100	100	1 7 1
Catalogue of Cordage, Sails, and Sundries, to be sold at Naval Depot, Sydney		100	100	1 12 3
Inventory of Stores on board H.M.S. "Beagle." To be sold with the vessel on 10th May, 1883		50	50	0 11 2
Do. do. "Renard." do. do.		50	50	0 11 2
Do. do. "Sandfly." do. do.		50	50	0 11 2
Catalogue of Photographic Negatives in the Government Printing Office, Sydney		50	50	8 13 6
Department of Public Instruction. Instructions to Teachers		2,500	2,500	3 14 10
Do. do. do.		500	500	2 4 6
Do. School of Cookery		150	150	4 0 6
Do. Standards of Proficiency		3,500	3,500	9 11 6
Instructions to Inspectors in conducting the Examination of Teachers		200	200	0 12 4
Instructions to District Inspectors and Inspectors		200	200	3 9 10
Boundaries of the Land Districts of New South Wales		400	400	27 18 3
New South Wales Law Almanac, 1884 (book form)	100	500	600	19 2 3
Memoranda for Guidance of Deputy Clerks of the Peace		600	600	5 9 10
Do. do. do. do.		100	100	0 7 9
Catalogue of Maps and Plans (map and cover supplied by Survey Department)		500	500	15 13 9
Tables of Gradients		50	50	14 13 6
Speeches delivered at a Dinner given by the Hon. Edmund Barton, Speaker, in the Parliamentary Refreshment Room, Sydney, on the 10th December, 1883	15	235	250	12 9 0
Table of Allowances to Crown Witnesses, and to Witnesses for the Defence who have been bound by Recognizance to give Evidence, attending Criminal Trials at the Supreme Court, Circuit Courts, and Courts of Quarter Sessions in New South Wales; and to Jurors attending Civil or Criminals Trials (under any Jury Precept) at such Courts, and also to Jurors attending District Courts. Prepared by A. C. Fraser, Clerk of the Peace, 1 January, 1879		350	350	7 15 0
Memoranda for the Guidance of Deputy Clerks of the Peace		600	600	4 8 6

STATEMENT showing the Title or Description of each collection of Photographs or Lithographs published at the Government Printing Office during the year ended 31st December, 1883, with the number of Copies and Total Cost of each set.

Title or Description.	Whether Photographs, Phototypes, Photo-lithographs, or Lithographs.	For what Department done	No. of Plates.	No. of Copies of each Plate.	Total No. of Copies.	Total Cost.	Remarks.
<i>Photo-lithographic Branch.</i>							
Parish Maps	Photo-lithographs...	Surveyor-General .....	...	...	646	£ 1,614 0 0	
Do	Photographs.....	do .....	...	...	452	169 10 0	
Sale Plans	Photo-lithographs ..	do .....	...	...	355	443 15 0	
Miscellaneous Work	Photographs.....	Colonial Secretary.....	...	...	164	12 11 0	
Do	do	Railway .....	...	...	116	13 4 6	
Do	do	Public Works.....	...	...	80	17 5 0	
Do	do	Colonial Architect .....	...	...	20	1 16 0	
Do	do	Harbours and Rivers.....	...	...	92	6 18 0	
Do	do	Astronomer.....	...	...	12	0 12 0	
Do	do	Treasury .....	...	...	148	15 6 0	
Do	do	Government House .....	...	...	133	10 6 6	
Do	do	Technological Museum .....	...	...	60	7 10 0	
Do	do	Miscellaneous.....	...	...	3,603	287 19 9	
<i>Photo-mechanical Branch.</i>							
Line-drawing of skeleton	Phototype	Government Printer	2	6	12	1 12 6	
"Sydney in 1803"	"	"	1	100	100	5 5 0	
"Death of Captain Cook"	"	"	1	75	75	4 0 0	
Skeleton	"	Public Instruction.....	1	2,012	2,012	29 18 0	
Fossils, shells, &c.	"	Linnean Society.....	4	570	2,280	34 17 6	
"	"	"	10	710	7,100	103 12 0	
Cast of animal's brains	"	"	1	570	570	7 17 6	
Sydney School of Arts	"	Miscellaneous.....	1	800	800	8 0 0	Worked at Jubilee meeting.
American engine and cars	"	"	1	800	800	6 15 0	
Adelaide Gardens	"	"	7	820	5,740	77 0 0	} For Government Printer, Adelaide (paid for).
Specimen printing plate .....	" .....	" .....	...	...	...	1 0 0	
Card photo	"	Miscellaneous.....	1	60	60	1 0 6	
Botanic Gardens, Sydney	"	"	4	9 proofs	36	5 9 6	
"Pheasant's Nest." Enlarged negative	Silver printing, &c.	Government Printer	1	...	...	1 0 0	
"Pheasant's Nest"	"	"	6	...	...	2 5 0	
Fish River Caves	"	"	24	...	...	3 0 0	
Miscellaneous	"	"	33	...	...	11 16 6	
Temora Gold-fields	"	Mining Department..	10	...	...	1 17 6	

Government Printing Office,
Sydney, 27 September, 1884.

THOS. RICHARDS,
Government Printer.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PROTECTION OF THE ABORIGINES.
(REPORT OF THE BOARD.)

Ordered by the Legislative Assembly to be printed, 26 March, 1884.

The Honorable the Colonial Secretary,—

Sir,

Office of the Aborigines Protection Board, Sydney, 10 March, 1884.

We, the Board for the protection of the Aborigines in New South Wales, appointed by notification in the Government Gazette, dated the 5th June, 1883, have the honor to make the following report, and in doing so beg to state that we were not fully prepared, nor was it our intention, to lay before the Government an account of our labours until we had performed the duties entrusted to us for at least a year; but there are some matters which appear to us to call so urgently for action beyond the scope of our powers, that we deem it advisable to bring the same under your notice without delay.

Upon our appointment, we lost no time in arranging the order of business, and fixed every Monday at 4 o'clock p.m. as the time for our regular meetings, it being understood that any business requiring immediate attention should be submitted by the Secretary at any time to such members of the Board as could be readily consulted, in order that necessary action might not be delayed. Mr. Thornton was elected to the Chairmanship, but we regret to say he resigned his connection with the Board after the fourth meeting.

Having before us the returns prepared by the police throughout the country of the number and condition of the aborigines, already published as an appendix to Mr. Thornton's report, dated the 22nd January, 1883, the statements were carefully revised by the police, at our request, in the month of September last, with the following result:—

	Aborigines—full blood.					Half-caste.					General Total.
	Adults.			Children.	Total.	Adults.			Children.	Total.	
	Males.	Females.	Total.			Males.	Females.	Total.			
By returns, August, 1882...	4,994	1,546	6,540	...	...	1,108	1,271	2,379	8,919
Births ascertained	72	72	...	...	.....	40	40	112
	4,994	1,618	6,612	...	...	1,108	1,311	2,419	9,031
Deaths ascertained.....	130	8	138	...	...	4	4	8	146
Decrease, as per note*	317	31	348	...	...	2	64	66	414
Total decrease	447	39	486	..	..	6	68	74	560
By returns, September, 1883	2,622	1,925	4,547	1,579	6,126	621	481	1,102	1,243	2,345	8,47

* This decrease has probably been caused by the difficulty of making a correct census, owing to the wandering habits of the blacks in the remote districts, and by the border tribes crossing into other Colonies.

According to the above return, the decrease which can be accounted for is not very much in excess of the known births, whilst the decrease from all causes is in excess of the increase by 448.

The increase from births is only 0·02 per cent. on the adult population during the twelve months.

The number of children receiving instruction in the Public or other schools is 146.

* Appendix A.

At our request, a circular letter* was issued by the Inspector-General of Police to the Superintendents and to the members of the Police Force generally, laying down rules by which the Board intended to be guided in its operations, and inviting the aid of the police in carrying the same into effect.

Numerous applications for Government aid have been received from or on behalf of the aborigines scattered throughout the Colony, and we append hereto a statement of the supplies and other assistance afforded in response thereto.†

† Appendix B.

At the outset of our work we laid down as a general rule that assistance in the shape of food or clothing should be authorized only to such aborigines as from age, sickness, or other infirmity, were unable to support themselves, or to children attending school, whose parents were unable to provide them with food and suitable clothing.

No inflexible rules however could be laid down, as the habits and circumstances of the aborigines vary greatly in different districts. In some they are industrious and independent, working at farming pursuits, employing themselves as fishermen or as hired labourers, and in many cases not requiring any aid whatever for their maintenance. In other localities they are degraded by habits of idleness and intemperance, to misery, disease, and want. It is needless to expatiate upon the baneful influences to which the aborigines are subjected by their intercourse with our race.

The Board have experienced in numerous instances their inability to deal satisfactorily with cases which have come under their notice, and earnestly hope that their hands may be strengthened by legislative action such as is hereinafter alluded to.

The difficulties which the Board encounter, in their endeavours to befriend the aborigines, arise chiefly from the inability of such inexperienced people to protect themselves. Brought, as they occasionally are, under the most pernicious influences, it is scarcely wonderful that crime and immorality of the most flagrant kind should often be the result; the wonder is, rather, that so much good and so much capacity for good still remain. They are, owing to their natural simplicity, subject to imposition, and from their low moral standard are constantly liable to become the victims of debauchery and immorality.

From these evils nothing can protect them but some controlling power which can, not only offer them what is for their good, but constrain them to the acceptance of it, which can, not only warn them of dangers, but restrain them from falling into them, and which can effectively espouse their cause and call in the aid of the law to punish those who injure them. Such a position the Board does not and cannot occupy without legislative enactment.

Should the Board by legislative authority be placed, as we advise, *in loco parentis*, and be armed with suitable powers, we believe that much which is now most distressing to contemplate, and a great deal which will not admit of public mention in detail, may be prevented in the future, and some of the chief obstacles to the improvement of this unfortunate race removed. Legislation in a similar direction has been found necessary and effective in the neighbouring Colony of Victoria, where an Aboriginal Protectorate has been for many years carried on, it is believed, with favourable results. We should recommend the introduction of a Bill,—

- 1st. Vesting in a Minister, or a Board, the custody and control of aborigines of all ages and sexes (with certain exceptions hereafter referred to) in like manner as a parent has the right to the control and custody of his children of tender years.
- 2nd. Vesting in such Minister or Board all property provided for the aborigines, although in their actual possession.
- 3rd. Empowering the Minister or the Board to supervise, confirm, or annul all agreements between aborigines and any other persons, or to grant aborigines certificates enabling them to enter into such agreements on their own behalf, and to suspend or revoke such certificates.
- 4th. Imposing penalties on persons harbouring any aborigine without the consent of the Board.
- 5th. Authorizing the Minister or the Board to grant to aborigines certificates of exemption from the provisions of the Bill.

By the instrumentality of the Magistracy and the Police (chiefly the latter) the Board has been enabled to inform themselves of the individual requirements of many families, and thereby apportion the means at their disposal in such a manner as to be most beneficial to the recipients. In

In former years the Government aid, though trifling in extent, did not reach those who were most in want, except as regards the annual issue of blankets given to all alike. Many of these unfortunate people would probably have perished but for private benevolence.

Many of the coast aborigines have been provided with boats and gear, and thereby can and do earn a sufficient livelihood; and there are also instances inland in which they have used their advantages to such an extent as to become independent of Government aid.

Instances also have been adduced in which some have successfully cultivated land reserved for them by the Government, or lent for the purpose by private individuals; and their efforts have been encouraged by us as far as practicable, by the supply of implements, and other assistance, until the crops are ready to be harvested.

Except for the necessity of their children receiving some education and discipline, the aborigines are, as a rule, in a far better condition when living in small communities, comparatively isolated, and removed from intimate contact with Europeans, than when congregated in large camps (such as those now unfortunately existing at Brewarrina), near townships and public-houses, where they are led into depraved habits, and where crime, even murder, is of common occurrence.

Although the Aboriginal Mission Stations at Warangesda and Maloga have not been in any way placed under the control of the Board, yet our report would be incomplete without some reference to these establishments, which, though maintained chiefly under the auspices of the Society for the Protection of the Aborigines, have been largely aided from the public funds.

We view with considerable interest the benevolent efforts made at these Stations, and suggest, for the sake of uniformity in the action of the State towards the aboriginal race, that it will be necessary, as early as may be found convenient, for the Government to decide what relation these Missions are to bear towards our Board, especially if it is intended that we are to dispense any aid from the Government to them in future.*

Large areas of land have now been reserved for the use of these people at both Stations. Schools have been established, under the control of the Department of Public Instruction. Pecuniary assistance for immediate wants has been liberally given by the Government, and applications are now being made for fencing, implements, boats, &c., &c., which if allowed, it seems to us, will place the establishments on such a footing as will require some oversight on behalf of the Government.

We understand that the annual reports of the Mission Stations are about to be published; copies thereof, if available in time to accompany this report, will be furnished, and it may be found convenient to consider them in connection with our remarks on the subject.

Upon some approved basis, regulations, and control, some permanent resorts for the aborigines will be necessary in different parts of the country, to be mainly supported by the Government. We fear private benevolence cannot altogether be relied upon for providing the requisite funds, though it is extremely desirable that all efforts in this direction should be warmly encouraged.

Whilst the State is liberally providing material assistance to the aborigines, a most important duty still devolves upon it, which, without further direction and monetary support, the Board scarcely feel themselves able to undertake.

The duty alluded to is the education and discipline of the young of school age, consisting now of large numbers of half-caste children. The Board see no other way to meet the difficulties attendant on this duty than by establishing homes, where those parents who may be willing to take up a quiet and comfortable abode may live with their children in close proximity to suitable schools, and where the means of employing themselves in industrial occupations may be found. To superintend these homes and schools the Board would propose to find proper persons of good character, with sufficient adaptability for the peculiar nature of their charge. As a rule, such homes and schools would most advantageously be placed in the vicinity of the coast or on the banks of the main rivers, where in either case boating and fishing might relieve the monotony of the aboriginal life, as well as furnish opportunities of adding to the stock of food.

The Board are of opinion that, where the aboriginal children are decently clad and sufficiently fed, no serious objection need be raised to their admission to the Public Schools, but a variety of circumstances might make this undesirable, when their admission should not be enforced contrary to the reasonable objections of the parties chiefly interested.

The Board believe that it will be necessary to treat the subject as occasion may arise, and to deal with it in a practical way the most suitable to each variety of case, establishing homes and schools where a number can be collected together, or providing schooling for them in any other way.

The

* Since this paragraph was written the Colonial Secretary's Minute dealing with this question, dated 25th February, has been received.

The question might arise that such schooling should be under the direction of the Department of Public Instruction, but the Board are of opinion that as the homes would necessarily be under their direction in common with the supplies of food and clothing, so the school should also form part of their charge.

The Board approach the subject of boarding-out aboriginal or half-caste children with more hope than confidence, but they think the means of making the experiment should be provided.

We observe with satisfaction the liberal provision which has been made upon the Estimates for the current year for aid to the aborigines, but we shall think it our duty not to hesitate to represent any further requirements which may appear to us to be reasonable in the interests of the race.

By the courtesy of the Lands Department, we have been furnished with plans and particulars of twenty-five reserves in different parts of the Colony, including a total area of 3,500 acres, which have been set apart for the use of the aborigines.

Upon investigation it is found that eight of these reserves are not occupied for the purpose for which they were intended; the rest generally have been turned to good account.

Instructions have been given to the police, who are also Crown Land Bailiffs, to ensure the aborigines unmolested occupancy of the land provided for them.

We have made several applications to the Minister for Lands for additional reserves, and hope that they will be granted and ultimately turned to good account.

The non-official members of the Board and the Inspector of Public Charities desire to record their thankfulness to the police officers and their subordinates for the assistance they have rendered to, and the sympathy they have evinced for, the aborigines in every case in which the help of the Department has been sought through the intervention of the Inspector-General. Without his aid it would have been almost impossible for the Board to have carried out the degree of usefulness which it is believed has been recently afforded to the blacks and their half-caste descendants.

RICHARD HILL, M.L.C.

PHILIP GIDLEY KING, M.L.C.

ALEXR. GORDON, M.L.C.

W. J. FOSTER,

Barrister-at-law.

EDMUND FOSBERY,

Inspector-General of Police.

HUGH ROBISON,

Inspector of Public Charities.

APPENDIX A.

[Circular *re* Aborigines. No. 693.]

Sir,

Police Department, Inspector-General's Office, Sydney, 3 July, 1883.

In drawing your attention to a notification in the Government Gazette, dated the 5th instant, of the appointment of a Board for the protection of the aborigines of New South Wales, I have the honor, at the instance of the Board, to invite your co-operation and assistance.

The Board desire me to acknowledge the valuable aid already afforded by the Police Department, especially in the preparation of the census of the aboriginals resident in the Colony, which will be of great service for reference, and it is desired that any supplementary information obtained by the police at any time should be communicated to the Board.

The object in view is, as a matter of course, the amelioration of the condition of the aborigines, and the distribution of the Government bounty in such a manner as will prove most beneficial to them.

In future the distribution of blankets will be under the control of the Board, and any recommendations or suggestions in relation thereto will receive careful consideration.

As regards further assistance, food and clothing for the aged and sick, or helpless women and children, full information will be required in order that the limited funds at the disposal of the Board may be expended with fairness and discrimination.

Contracts for rations will in future be made upon the enclosed form.

The able-bodied should be encouraged to work, being given to understand that they will not be maintained in idleness.

The police should exercise supervision also over any boats, nets, or other implements or supplies provided for the aboriginals, to see they are not injured, neglected, or improperly used by private individuals.

In the event of supplies of rations being authorized, it is hoped that the police will take an interest in seeing that the articles are of the stipulated quality, and not misappropriated in any way.

If medical attendance be necessary at any time on emergency, it will of course be obtained in accordance with the practice of the Service in that respect, but any general medical attendance deemed necessary should be the subject of special report and authority.

The attention of the police should be at all times directed to the necessity for enforcing the law as regards the supply of spirituous liquors to the aboriginals, or against persons improperly lodging or wandering with them.

Generally, the Board rely with confidence upon your co-operation and that of the police generally in the task they have undertaken, which is to provide for the reasonable wants of the aborigines, and to protect the remnant of the race as far as possible from the injurious effects of contamination by vicious or thoughtless members of the community.

The Superintendent of Police,—

I have, &c.,

EDMUND FOSBERY.

APPENDIX B.

Barrington.—Supplied with rations, and land ploughed for aborigines engaged in farming.

Bega.—Supplied with rations and clothing.

Boat Harbour.—Rations supplied to old and infirm aborigines.

Bombala.—Rations supplied.

Botany.—Supplied with rations, clothes, huts, and medical attendance, &c.

Braidwood.—Rations supplied to five very old and infirm aborigines.

Camden.—Rations and medical attendance supplied.

Collarenebri.—Rations supplied to old and infirm aborigines.

Coonabarabran.—Rations supplied to three old and infirm aborigines and two children.

Coonamble.—Rations supplied.

Cootamundra.—Medical attendance supplied to aboriginal women.

Copeland.—Rations and medical attendance supplied; had their land ploughed for them.

Coraki.—Rations supplied.

Cox's River.—Rations supplied to four old and infirm aborigines and seven children.

Dubbo.—Rations supplied.

Dungog.—Medical attendance supplied.

Eden.—Medical attendance supplied.

Eugowra.—Rations supplied.

Forster.—Rations supplied to six old and infirm aborigines.

Gloucester.—Rations supplied.

Grafton.—Clothing supplied.

Gresford.—Clothing and rations supplied to old and infirm aborigines.

Hawkesbury.—Rations supplied to four infirm aboriginal women.

Illawarra.—Had their boat repaired.

Inverell.—Rations supplied.

Jervis

- Jervis Bay.—Clothing, sail, oars, rope, paint, fishing-lines and hooks; also rations supplied to aborigines.
- Kangaroo Valley.—Rations supplied to two old and infirm aborigines.
- Kempsey.—Farming implements, clothes, medical attendance, &c., supplied.
- Kiama.—Rations supplied to three old and infirm aborigines and six children.
- Kogarah.—Rations supplied.
- Macleay.—Clothes and rations supplied to old and infirm aborigines.
- Moruya.—Oars, sail, oil, and paint supplied; also clothes and rations for seven old and infirm aborigines.
- Mungindi.—Clothes and rations supplied to two old and infirm aborigines.
- Nambucca.—Rations supplied to old and infirm aborigines.
- Narrabri.—Rations supplied.
- Narrandera.—Rations supplied to five old and infirm aborigines.
- Nelson's Bay.—Farming implements supplied; also rations for old and infirm aborigines and children.
- Nowra.—Oars, rope, fishing-lines, hooks, paint, clothes, and rations supplied.
- Palmer's Island.—Rations supplied to two old and infirm aborigines.
- Penrith.—Rations supplied.
- Pictou.—Rations supplied.
- Port Macquarie.—Rations supplied to old and infirm aborigines and children.
- Pudman's Creek.—Rations supplied to a destitute half-caste woman and her five children.
- Raymond Terrace.—Rations supplied to old and infirm aborigines.
- Rolland's Plains.—Rations and clothing supplied to two old and infirm aborigines.
- Sackville Reach.—Farming implements and rations supplied.
- Seaham.—Rations supplied.
- Shellharbour.—Rations supplied.
- Shoalhaven.—Boat repaired.
- Singleton.—Rations, clothing, and farming implements supplied.
- Taree.—Rations supplied.
- Terrara.—Oars, sail, rope, and paint supplied for boat.
- Tilba Tilba.—Rations supplied to five old and infirm aborigines.
- Tingha.—Rations supplied to three old and infirm aborigines.
- Tomakin.—Rations and clothing supplied.
- Tomboy.—Rations supplied.
- Turlinjah.—Rations supplied to old and infirm aborigines.
- Ulladulla.—Rations supplied.
- Wagga Wagga.—Tent supplied.
- Warialda.—Rations supplied to four old and infirm aborigines.
- Wellington.—Rations supplied to seven old and infirm aborigines and four children.
- Willisboro.—Clothing, rations, and farming implements supplied.
- Wingham.—Rations supplied.
- Wollombi.—Rations supplied to six old and infirm aborigines.
- Yarrawa.—Clothing and rations supplied to old and infirm aborigines.
- Yass.—Clothing, rations, medical attendance, and school requisites supplied.

1883,
(THIRD SESSION.)

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BOARD OF HEALTH.

(ATTENDANCE OF MEMBERS OF, AND SUBJECTS CONSIDERED THEREAT.)

Ordered by the Legislative Assembly to be printed, 9 October, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 1st May, 1883, That there be laid upon the Table of this House, a Return showing,—

“ The attendance of the individual members of the Board of Health,
“ together with the subjects considered by the Board and recorded in the
“ Minute Book, such Return to refer to the year 1882 and up to the date
“ of this Order.”

(*Mr. Poole.*)

RETURN showing the attendance of the individual Members of the Board of Health, together with the subjects considered by the Board and recorded in the Minute-book, for the year 1882, and up to 1st May, 1883.

Meeting held on	Present:—									Subjects considered by the Board and recorded in the Minute-book.
	Mayor of Sydney.	U. S., Finance & Trade.	Inspector-Gen. of Police.	Health Officer.	Dr. Fortescue.	Dr. Mackellar.	Dr. MacLaurin.	Dr. West.	Mr. A. Roberts.	
1882.										
6 Jan. ...	...	1	1	...	1	1	1	1	1	First meeting of Board, appointed under 45° Victoria No. 25, to arrange the conduct of the business.
9 „ ...	1	1	1	1	1	1	1	1	1	Receive report of the medical members of the Board, who visited the Quarantine Station on 9/1/83, as to the accommodation which could be afforded at the station for the detention of the passengers ex s.s. "Garonne."
11 „ ...	...	1	1	1	1	1	1	1	1	Special meeting to consider the question of the accommodation at the North Head Quarantine Station for the various classes of passengers arriving by the s.s. "Garonne." Meeting adjourned, the Board not being in possession of the necessary data to enable it to arrive at a conclusion.
12 „ ...	...	1	1	...	1	1	1	1	...	Case of small-pox, Bega. Propriety of allowing two men (employés of the Government Printing Office) to resume work, they living near a quarantined house.
13 „ ...	...	1	1	...	1	1	1	1	1	Proposed establishment of a vaccine-calf farm.
18 „ ...	...	1	1	1	1	1	1	1	1	Supposed case of small-pox at Lismore. Discharge of cargo from the quarantined ship "Garonne."
20 „ ...	...	1	1	1	1	1	1	1	1	Inspection of railway passengers at Albury.
23 „ ...	...	1	...	1	...	1	1	...	1	Discharge of cargo from the quarantined ship "Garonne." Detention in quarantine of the s.s. "Zealandia," passengers, and crew.
27 „ ...	...	1	1	1	1	1	1	1	...	Proposed establishment of a vaccine-calf farm. Release from quarantine of schooner "Escort."
30 „ ...	...	1	1	1	...	1	1	1	1	Release of steamers "Garonne" and "Zealandia" from quarantine.
3 Feb. ...	1	1	...	1	1	1	1	1	1	Restrictions as to visiting the public institutions in Sydney.
6 „ ...	1	1	1	1	1	1	1	1	1	Release of quarantined premises at Lismore. Term of quarantine in cases of small-pox arriving by sea.
10 „ ...	1	1	1	1	1	1	1	1	1	Restrictions as to passenger traffic between Sydney and New Zealand. Outbreak of small-pox on sea-going steamers.
14 „ ...	1	...	...	1	1	1	...	1	1	Disposal of services of the Ambulance Corps, &c. Non-quarantining of s.s. "Mirzapore." Suggestions for the use of masters of steamers at sea in the event of an outbreak of small-pox. Release of those at present at the Sanatorium.
17 „ ...	1	1	1	1	1	1	...	1	1	Twenty-one days as the minimum of quarantine. Re-opening of charitable institutions to visitors.
20 „ ...	1	1	1	1	1	1	...	1	1	Case of small-pox at Lismore.
24 „ ...	1	1	1	1	1	1	1	1	...	Suggestions for the use of sea-going vessels in the event of an outbreak of small-pox. Clean bills of health for sea-going vessels. Case of small-pox at Lismore. Passengers of the steamship "Mirzapore." Disinterment of bodies at Quarantine.
27 „ ...	1	...	1	1	1	1	...	1	1	Case of small-pox at Lismore—release. Books kept at Coast Hospital inspected.
6 Mar. ...	...	1	1	1	1	1	1	1	1	Pamphlet re animal vaccination. Vaccine farm. Quarantine of vessels from China and other Eastern ports. Case of small-pox at Bega—release. Re-opening to the public of the "Vernon," Biloela, Orphan Schools, and Hyde Park Asylum. Certificates of health for Chinese before entering gaol. Hydrophobia and the importation of dogs.
13 „ ...	1	1	1	1	1	1	1	1	1	Importation of dogs and hydrophobia. Vaccine farm. Treatment of infectious disease at Albury. Alteration of quarantine regulations re ships from Chinese and Eastern ports. Measles on board s.s. "Australia."
20 „ ...	...	1	1	1	1	1	1	1	1	Vaccine farm. Continued supply of vaccine lymph from London. Quarantine of ship "St. Lawrence," from London.
3 April ...	...	1	1	1	1	1	1	1	1	Prohibition of the importation of dogs, or their quarantine. Reduction of staff at Coast Hospital, Little Bay. Sanitary condition of s.s. "Indus."
18 „ ...	...	1	...	1	1	1	1	1	1	Small-pox at Melbourne.
2 May ...	1	...	1	1	1	1	1	...	...	Sanitary condition of s.s. "Carthage." Small-pox in Melbourne.
5 „ ...	...	...	...	1	1	1	...	...	1	Sanitary condition of the s.s. "Orient." New site of Quarantine Station at Newcastle. Hydrophobia through importation of dogs.
14 July ...	...	1	1	1	1	...	1	...	1	Special meeting to consider the propriety of rescinding the Proclamation of 17th June, 1881, declaring the Empire of China and certain Eastern ports infected places.
28 „ ...	...	1	1	1	1	...	1	...	...	Small-pox at Waterloo. Disinfection of mails from the Cape of Good Hope and other infected places.
26 Aug. ...	...	1	1	1	1	...	1	...	1	Small-pox at Cape Colony. Quarantine of s.s. "Gunga."
28 „ ...	...	1	1	1	1	...	1	...	1	Cholera at the Philippine Islands. Quarantine of s.s. "Gunga."
6 Sept. ...	...	1	1	1	1	...	1	...	1	Dr. McGregor's request to examine "Sanoi" at Coast Hospital. Sir A. Gordon's request that himself and fellow-passengers be released at the expiry of twelve days.
13 „ ...	...	1	1	1	1	...	1	...	1	Release from quarantine of passengers and crew ex s.s. "Gunga."
14 „ ...	...	1	1	1	1	...	1	...	1	Letter from Mrs. Phillips re rubbish contained in flock bed. Granting bills of health whilst vessels are in quarantine.
20 Feb. ...	...	...	1	1	1	...	1	1	1	Quarantine s.s. "Menmuir."
22 „ ...	...	...	...	1	1	...	...	...	...	No quorum.
23 „ ...	...	...	...	1	1	1	1	1	1	Quarantine of supposed case of small-pox, Rushcutters Bay. Further outbreak of small-pox amongst passengers ex s.s. "Menmuir." Removal of patients to Little Bay.
27 „ ...	...	...	...	1	...	...	1	1	1	Report of the Board of the late epidemic small-pox, 1881-1882.
8 Mar. ...	...	...	...	1	1	...	1	1	1	
13 „ ...	1	...	1	1	1	...	1	1	1	Final adoption of report of the Board. Release of the "Menmuir's" passengers and crew from quarantine.
19 April ...	...	...	1	1	1	...	1	1	1	Typhoid fever in Sydney.
39	12	28	31	36*	35	25*	30	28	33	Total.

* Dr. Mackellar succeeded Dr. Alleyne as Health Officer on 18th July, 1882, from which date he sat on the Board in his official position; as Dr. Mackellar he attended on twenty-five meetings previous to his appointment as Health Officer and as Health Officer fourteen; he therefore attended the whole of the meetings.

EDMUND SAGER, Secretary.

1883-4.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SCHOOL OF ANATOMY.

(REPORTS, MINUTES, &c.)

Ordered by the Legislative Assembly to be printed, 18 June, 1884.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 20th May, 1884, That there be laid upon the Table of this House,—

“Copies of all Special and General Reports made by the Inspector of Anatomy to the Minister for Public Instruction, and copies of all letters relating to the function of the Anatomy Office, and provision for the Study of Anatomy, received by the Minister from the Authorities of the University, and from the Professor of Anatomy; together with copies of all minutes and replies sent by the Minister or other high officer of the Department.”

(Mr. Poole.)

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[965 copies—Approximate Cost of Printing (labour and material), £15 16s. 6d.]

SCHOOL OF ANATOMY.

No. 1.

Dr. Belgrave to The Colonial Secretary.

Sir,

135, Elizabeth-street, Hyde Park North, Sydney, 12 February, 1883.

Noticing that the "Anatomy Act of 1881" is likely to be carried into operation next month, in consequence of the opening of the University Classes in Anatomy and Physiology, I beg to offer my services as Inspector, which office is created by that Act.

I may remark that the Bill was not only introduced by Dr. Renwick at my suggestion, but that finding that gentleman unwilling or unable to shape it in harmony with experience in the United Kingdom, I addressed myself to the Hon. F. M. Darley, who had charge of it in the Legislative Council, and that gentleman amended it in the sense I indicated—at least in its most important points.

I may remark that I am practically acquainted with the subject, having been appointed twenty-four years ago by a Society of Delegates of the London Schools of Anatomy its Chairman, in which capacity I had to visit all the workhouses and many of the prisons in the metropolitan area, for the purpose of ascertaining the extent of our legitimate sources of supply and the secret of the crimes committed in spite of the law.

The result of my labours, backed by the students of every school in London, the head of the police, and the heads of the profession, was, that the Anatomy Office was remodelled, the then Inspector dismissed, or rather pensioned off, and the present occupant (Dr. Charles Hawkins) of the office appointed.

The late Sir G. Cornwall Lewis was the Home Secretary at the time; and both he and the Government (that of the late Palmerston) embraced our view with much vigour; and while declining to amend the Act, admitted the necessity for amendment, and regretted their inability to accede to our wishes in that one particular; engaging, however, to make such use of secret service money placed at their disposition by Parliament as to reduce the evils complained of to a minimum.

The carrying out of the Act in New South Wales is not unlikely to give rise to troubles similar to those which have taken place in connection with the subject in England, unless its provisions be carried out by an experienced hand.

- (13) Without the facilities for the study of anatomy provided by the law, the most dreadful crimes are liable to be committed on children and helpless invalids and strangers.

Dr. Charles Hawkins (of St. George's Hospital), the Inspector in England, could confirm all I have said, as I saw him shortly before my departure for this Colony, when we recalled recollections.

- (14) I may mention that not only are capital crimes likely to be committed, if the legal supply of "anatomical subjects" be insufficient, but that if the provisions of the law are not carried out with delicacy, firmness, and some knowledge of possibilities, riots and bloodshed are almost certain to ensue.

If selected by the Government to fulfil the duties of the office, I should endeavour to acquit myself to its satisfaction.

I have, &c.,

T. B. BELGRAVE, M.D. (Edin.), &c., &c.

P.S.—I possess testimonials and certificates tending to show that I have led a blameless and honorable professional career from youth upwards.

The Medical Adviser to the Government.—A.S., 17/2/83. B.C., 19 Feb., 1883.—J.B. for U.S.

Transmitted to the Medical Adviser of the Government, in compliance with request.

THE INSPECTOR OF ANATOMY.

Principles involved in the Office.

- (15) To prevent the necessity for the purchase of bodies by the attendants or caretakers of dissecting-rooms, from private persons; there being in connection with this occasionally unavoidable practice danger of crime being promoted for the sake of gain, this sometimes being direct murder, at other times partaking of the character of manslaughter, particularly in the cases of destitute persons taken ill in low lodging-houses, where they may be killed by neglect or by giving proscribed medicines too frequently in too large a dose, or not at all, or in too small a dose; truths unhappily notorious in Europe and the United States.

- (16) The private disposal of bodies by persons having legal custody of them, and entitled by law to send them to the Schools of Anatomy, may be used to defeat the officers of justice in cases of murder or manslaughter, the Medical Schools being supposed by the criminal classes to afford *convenient* means for getting rid of bodies without exciting suspicion, and, in cases of poisoning, of destroying all traces calculated to lead to the discovery of the perpetrators of the crime.

To endeavour by unobjectionable means, and in accordance with the Anatomy Act, to promote an adequate supply of subjects to the dissecting-rooms from public Institutions.

- (17) To act that this supply of subjects may be decently accomplished, without wounding the feelings of the poor—whether these be of fear or of honor, and without exciting the slightest suspicion of unfair play, or giving rise to ill-will among the public, usually very susceptible in English communities on this particular matter.

To see that every provision is made by Professors of Anatomy, their assistants and pupils, to enable students to pursue the study of practical anatomy in an unobjectionable manner, and unassociated with any practices calculated to give rise to public scandal.

- (18) To see that the rights of christian sepulture and the feelings of the poor in this particular receive honorable attention on the part of all concerned.

Routine.

Routine.

To promote the practice or custom of delivering up the unclaimed bodies of persons dying in public hospitals and asylums to such Anatomical Schools as may require them, with the least delay compatible with the requirements of clause 10 of the Anatomy Act.

To arrange that notice be sent by the quickest means to the Inspector of Anatomy's office of the death of a person whose remains are unclaimed, in order that they may be sent to the particular dissecting-room where they may be required, and only when they are required, and otherwise in accordance with clauses 10 and 12 of the Anatomy Act.

With a view to prevent murder and manslaughter, accident, and the possible defeat of the officers of justice, to establish rules to be observed by the responsible attendants or caretakers of dissecting-rooms, touching the receipt of bodies from every source, but particularly from private houses or persons. (19)

To exact consent to *fixed* fees being paid to persons delivering up bodies for dissection, and to prohibit any larger payment. (20)

To establish rules with a view to effectually prevent the anatomical use of the remains of persons who have died from certain infectious diseases, such as scarlet fever, small-pox, &c.

To devise regulations for segregating individual remains in dissecting-rooms, in order that the feelings of the poor may not be outraged, nor the interests of justice (in cases of suspected poisoning) be compromised by the mixing together of dissected fragments in the same coffin. (21)

To make regulations for the removal of bodies intended for dissection. (22)

To exact and sanction regulations for the orderly and becoming conduct of students of anatomy, and the honorable, orderly, and hygienic management of dissecting-rooms. (23)

To make reports in reference to the situation, conveniences, and fittings of new dissecting-rooms, when His Excellency the Governor is applied to for a license to practise anatomy, in accordance with the provisions of the Anatomy Act.

To make rules for the transmission of certificates as to cause of death of persons whose remains are destined for the use of the Anatomical Schools; of reception of such remains by the caretaker of dissecting-rooms and Professor of Anatomy responsible for conduct of such rooms; and of statutory christian burial of such remains after dissection.

To furnish returns and original certificates to Registrar-General, in compliance with the terms of the Anatomy Act.

To inspect Schools of Anatomy (dissecting-rooms) not less than twice a year; enter report in book to be kept in Anatomy Office, and send copy of same to Professor of Anatomy of school to which it may refer.

To send original report to Colonial Secretary.

To see that *no* bodies are sent from *prisons* to dissecting-rooms, except for purposes of medico-legal inquiry or investigation.

Requirements.

An office, one room, or allowance for same.

Expenses connected with the printing of certificates, letter-heads, &c., correspondence.

Also books for records, copies of correspondence, &c.

To Dr. Mackellar,

Medical Adviser to the Government.

T. B. BELGRAVE, M.D.

The appointment of an Inspector under the Anatomy Act is necessary. The work to be performed by him will of course for a considerable time be very light, and the payment should be in proportion. Dr. T. B. Belgrave is well qualified for the appointment.—C.K.M., B.C., 4/4/83. The Principal Under Secretary.

What salary does the Medical Adviser suggest for the office?—C.W., B.C., 11/4/83. A fee of £100 per annum might be allowed for this position. This should include all expenses, except for stationery and printing.—C.K.M., B.C., 23/5/83. The Principal Under Secretary. I would like to confer with Professor Anderson Stuart on this matter.—A.S., 1/6/83.

Dear Sir,

4 June, 1883.

I shall have very great pleasure in conferring with Mr. Stuart, at his office, on Wednesday, at 11 forenoon.

Yours, &c.,

Critchett Walker, Esq.,

T. P. ANDERSON STUART.

Colonial Secretary's Office.

The Minister for Education.—A.S., 11/6/83. The Under Secretary of Public Instruction.—C.W., B.C., 11/6/83. Submitted with appended papers.—G.M., 19/6/83. Prepare Executive Minute appointing Dr. Belgrave, at allowance of £100 a year, subject to the amount being voted by Parliament.—G.H.R., 21/6/83.

No. 2.

Minute Paper for the Executive Council.

Department of Public Instruction, Sydney, 26 June, 1883.

Sydney University School of Anatomy—Appointment of Inspector of.

In accordance with the 5th section of the "Anatomy Act of 1881," I recommend the appointment of Thomas B. Belgrave, Esq., M.D., as an Inspector in connection with the School of Anatomy at the Sydney University, with an allowance at the rate of £100 per annum, to take effect from the date of his entry on duty, and to be subject to the amount being voted by Parliament.

G. H. REID.

The Executive Council approve of the appointment herein recommended.

ALEX. C. BUDGE,

Clerk of the Council.

Approved.—A.L., 3/7/83.

Min. 83-26, 3/7/83.—Confirmed, 10/7/83.

No. 3.

No. 3.

The Acting Under Secretary to Dr. Belgrave.

Sir, Department of Public Instruction, Sydney, 18 July, 1883.

I am directed by the Minister of Public Instruction to acquaint you that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint you to be Inspector of the School of Anatomy in connection with the University of Sydney, with an allowance at the rate of £100 per annum, to take effect from the date of your entry on duty, and to be subject to the amount being voted by Parliament.

I have, &c.,
G. MILLER,
Acting Under Secretary.

No. 4.

Dr. Belgrave to The Minister of Public Instruction.

Sir, 135, Elizabeth-street, Hyde Park North, Sydney, 21 July, 1883.

I have the honor to acknowledge the receipt of your letter conveying the intimation of my appointment as Inspector of Anatomy, and to express my thanks for the distinction.

In accordance with a suggestion you made to me a few days ago, I have already placed myself in communication with the necessary departmental and other officers, and hope to have the work of my office in regular operation in the course of a fortnight.

I am, &c.,
THOS. B. BELGRAVE, M.D.

No. 5.

The Secretary to the Attorney-General to The Under Secretary for Public Instruction.

Sir, Attorney-General's Department, Sydney, 16 October, 1883.

I am directed by the Attorney-General to inform you that his attention has been officially directed to a correspondence which has taken place between the Professor of Anatomy, in the University of Sydney, and Dr. Belgrave, Inspector of Anatomy under the provisions of 44 Vic. No. 25, in which correspondence the latter intimates his intention of holding an inquiry as to certain circumstances alleged to have taken place in the anatomy rooms of the University.

This inquiry it is said will take place at the office of the Inspector, at 8 o'clock in the evening, and it is further announced that an officer from the Department of Justice will be present. The Attorney-General desires me to inform you that he fails to perceive, in the "Anatomy Act of 1881," any authority given to the Inspector to summon a University Professor to any such inquiry, and that, in the Attorney-General's opinion, it will be highly undesirable to sanction, by the presence of an officer of the Department of Justice, a proceeding which seems to be without authority in law.

I have, &c.,
W. W. STEPHEN,
Secretary.

This communication is probably intended for the Department of Public Instruction.—W.E.P., 17/10/83. As this Department is not officially aware of the facts stated, this letter should be sent to the Minister for Public Instruction.—H.E.C., 16/10/83. The Under Secretary for Public Instruction, B.C., 17 Oct., 1883.—W.E.P. Submitted. See also memo. in connection with paper 83/28664 submitted separately.—G.M., 19/10/83. Seen.—G.H.R., 19/10/83.

No. 6.

Dr. Belgrave to The Under Secretary for Public Instruction.

Dear Sir, The Anatomy Office, 120, Market-street, Sydney, 17 October, 1883.

I beg to acknowledge the receipt of the envelopes and letter-paper; the register books have, however, not yet arrived. I shall be very glad to receive them, and also some official postage stamps, and a minute book about the size of one of the registers. I require the latter with a view to keep the Honorable the Minister for Public Instruction informed in regard to the routine of the Anatomy Office, when he should so desire, and particularly to have a reliable record to refer to, when required to render an account of proceedings taken, or neglected, in connection with irregularities at the Anatomical Schools, or grosser violations of the law.

(11)

(12)

I regret to say I have already seen occasion to undertake an investigation, and have arranged to do so in a few days. The circumstances are not serious in themselves, but, if unchecked, would lead to great public commotion, and compromise for some time the good name of the University Medical School. They were reported to me and, to some extent, have been admitted by letter.

I have, &c.,
THOS. B. BELGRAVE.

Submitted with memo.—G.M., 19/10/83. Is this Department to supply Dr. Belgrave with stamps and other requisites?

No. 7.

Memo of Acting Under Secretary for Public Instruction.

School of Anatomy, Sydney University. Dr. Belgrave's letter of 17 October, 1883.

In this letter Dr. Belgrave speaks of undertaking an investigation into a matter which threatens to compromise the good name of the University Medical School. He does not, however, say what the circumstances rendering such an inquiry necessary are, nor does it appear that he is working in concert with the University authorities.

I do not yet know what his functions really are, and I have not seen the regulations attached to the School of Anatomy, of which he has been appointed Inspector; but it is time that his position was defined, so as to prevent misunderstanding. Is it right that he should communicate direct with this Department, or through the Senate of the University? It appears to me that the latter is the proper course. His recommendations or suggestions would then reach the Minister through the governing body of the University, of which the School of Anatomy is a branch.

From the letter of the Secretary to the Attorney-General of the 16th instant, submitted separately, it would seem that Dr. Belgrave has already been acting irregularly in summoning the Professor of Anatomy at the University to the investigation which he proposes to hold, the date of which, however, is not stated. The correspondence alluded to in Mr. Stephen's letter has not been forwarded with it.—G.M., 19/10/83.

The Inspector's request for postage stamps and minute-book approved.

With reference to the other part of Dr. Belgrave's letter, inform him that, when matters arise which seem to call for inquiry, it will be better that he should at once report them to the Minister for his information and directions, and ask him to do so in the case under notice.—G.H.R., 19/10/83.

No. 8.

The Acting Under Secretary to Dr. Belgrave.

Sir,

Department of Public Instruction, Sydney, 19 October, 1883.

I am directed to acquaint you that the Minister of Public Instruction has had under notice your letter, dated 17th instant, in which you request to be supplied with official postage stamps, and a minute-book for use in connection with your duties as Inspector of the School of Anatomy.

2. In reply, I am to state that the Minister has approved of your being supplied with these requisites.

3. In your communication you say that you have already had occasion to undertake an investigation into irregularities at the School of Anatomy in connection with the University. The Minister is of opinion that, when matters arise which seem to call for inquiry, it would be better for you to at once report them to him for his information and directions, and he therefore desires that you will have the goodness to adopt this course in the case now alluded to by you.

I have, &c.,

G. MILLER,

Acting Under Secretary.

No. 9.

Dr. Belgrave to The Minister of Public Instruction.

The Anatomy Office, 120, Market-street, Sydney, 20 October, 1883.

REPORT to the Honorable the Minister of Public Instruction on irregularities in the Anatomical School of Sydney University.

ON the 8th instant a carpenter named Brown, residing at 12, Hugo-street, Eveleigh Estate, called on me, believing I was the right person to convey such information to, and complained that he and other workmen, while employed in the Anatomical Rooms and their vicinity of the University, had been very much shocked at some "boiling-down operations of human remains," and at seeing a dog habitually on the premises eating up pieces which happened to be on the floor; also that a considerable "piece of flesh of a half-caste" had been placed on some bricks surrounding a fire and burnt. The circumstance was communicated to the licensed teacher of the Anatomical School, and elicited the following reply:—

"Dear Sir,

Union Club, Sydney, 9 October.

"I was very much surprised on reading yours of this morning, and have to explain the matter very simply by telling you—

"1. That for making preparations we have been boiling the heart of the sheep and ox.

"2. That only one dog ever was to our knowledge on the premises, taken there by me and confined to one room—not the dissecting-room—until taken to his home by the laboratory assistant.

"3. That pieces of the boiled ox and sheep's hearts were thrown to the dog by my assistant.

"4. That some of the tallow and fat from the offal brought from the slaughter-house was used to make a fire burn in the yard.

"I may add that workmen are continually, I am sorry to say, about the place, and ignorant as they mostly are of such things, and superstitious to boot, it is not to be wondered at that such false reports have gone forth.

"I will be glad if you will investigate the matter, bring him if you can persuade him—this credible witness—into light, for I want to confront him, and surely he will have the courage of his opinions. I certainly am ready to face him, and I shall be delighted to know of your visiting the rooms at any time, whether I am there or not.

"The names of my two assistants are hereto appended, to signify that I have read this over to them, and that they are ready to testify to the truth of the statements contained herein.

"I am, &c.,

"T. P. ANDERSON STUART,

"Licensed Teacher of Anatomy.

"P.S.—On reading to my assistants what is on the other face of the paper, I find that the fat was not used to kindle the fire, but simply to get rid of it without mingling it with human remains in the coffins.

"T. P. ANDERSON STUART.

"ALEX. M'CORMICK.

"JOHN SHEWAN."

In reply to the above, the Inspector of Anatomy wrote to Dr. Stuart inviting him to meet the person who had made the complaint, and expressing his willingness to hold the inquiry at the Anatomy Office, and mentioning that an officer belonging to the Department of Justice of the Colony would be present at the investigation. (3)

A few days later the following communication was received by the Inspector of Anatomy from Dr. Stuart :—

"Sir,

University of Sydney, 16 October, 1883.

"As you mentioned in your letter of this date that in the inquiry which you propose to hold at your office, and to which you have invited me, that an officer from the Department of Justice will be present, I deemed it my duty to cause inquiry to be made at the Crown Law Office as to what course I should pursue.

"I am advised that, in the opinion of the Attorney-General, your right to hold the inquiry is at least doubtful, and that no officer of the Department of Justice could with propriety attend such inquiry.

"Under these circumstances, I shall respectfully decline to avail myself of your invitation. I repeat my request that you will, at any time, whether in my presence or absence, visit the anatomy rooms.

"I am, &c.,

T. P. ANDERSON STUART.

"To Dr. Belgrave, Inspector of Anatomy.

"P.S.—The "investigation" which I desired to be made by you was such as you might make in your capacity as Inspector.—T.P.A.S."

On receiving the latter communication, the Inspector called at Mr. Plunkett's (Under Secretary for Justice) office, with a view to read Dr. Anderson Stuart's letters to that gentleman, in order that he might communicate to the Honorable the Attorney-General that, as the Inspector, in inviting Dr. Stuart to an inquiry, was simply complying with that gentleman's own request, the idea of a liberty having been taken was out of the question.

The Inspector subsequently wrote to Dr. T. P. A. Stuart, expressing an opinion that that gentleman had misinterpreted the course taken by Dr. Belgrave. To this an answer came to the effect that, after consultation with "his adviser," he had nothing to add to his previous letter.

With reference to the matter, so far as present developments admit, the Inspector submits that it should be further quietly inquired into, to ascertain—

- (4) 1. Whether the dog was taken to the rooms for the purposes of study, and is necessary?
 (5) 2. Whether the complainant's (Brown's) statements were true, wholly or in part, and if so, in what parts?

- (6) 3. Whether the students carefully segregate dissected remains for the purpose of burial?

- (7) Though doubtful whether the function legally devolves upon him of taking cognizance of the use of animals for purposes of vivisection, the Inspector feels under some moral obligation with regard to this subject, and unless requested to abstain from such references, would certainly take note in his minute-book of anything in this particular he might learn in the course of his inspections that would be calculated to keep the Honorable the Minister of Public Instruction informed in relation to it, inasmuch as, though vivisections are allowable to professors of physiology in the pursuit of original research, they are so put to an extremely limited extent, when used for purposes of instruction, and are strictly regulated by Imperial Act, recently passed after great commotion of the public mind.

- (8) The presence of a dog in an Anatomical School is contrary to the etiquette and custom of the dissecting-room, and requires to be explained fully.

- (9) Knowing from experience the real sources of the crimes that have been committed in the United Kingdom, in connection with the study of anatomy, and being aware of the extreme sensitiveness of the public mind in relation to management of dissecting-rooms, and the probability that, if the complainant Brown's statements were not inquired into, he and his fellow-workmen would spread reports that could not fail to act injuriously in the cause of medical education, the Inspector begs respectfully to suggest that the investigation as originally demanded by Dr. Stuart should be complied with, though he, the Inspector, does not think it material to the issue that such inquiry should take place in the office in Market-street, though he believes now, as he did when writing to Dr. Stuart, that all purposes would be better subserved if it did not take place in the University; possibly the presence of the Coroner in the first stages of any such inquiry, wherever taking place, might impart too serious an importance to the matter, though doubtless circumstances might occasionally be disclosed which would lead to that officer officially desiring further information from the Inspector, if knowledge of any case were to come to him from any outside source.

THOMAS B. BELGRAVE, M.D.,

Inspector of Anatomy.

Oct. 20th, /83.

Forward these papers to Professor Anderson Stuart, with a request that he will favour me with a report upon these important matters at his earliest convenience.—G.H.R., 26/10/83.

No. 10.

The Acting Under Secretary to Professor Stuart.

Sir,

Department of Public Instruction, Sydney, 31 October, 1883.

In transmitting herewith, for your perusal, the accompanying correspondence between this Department and the Inspector of the School of Anatomy at the University of Sydney, I am directed to state that the Minister of Public Instruction will be glad if you will be so good as to favour him with a report upon the important matters to which the correspondence relates.

I have, &c.,

G. MILLER,

Acting Under-Secretary.

No. 11.

Professor Stuart to The Minister of Public Instruction.

Sir,

University of Sydney, 20 December, 1883.

In compliance with your request of October 31st, I have the honor to submit the report herewith sent. I have endeavoured to be as brief as is consistent with lucidity, and should you require a fuller report on anything or everything in the matter I shall be most happy to furnish it. In

In his report, a part of my letters to Dr. Belgrave is not copied at all, and a part is inaccurately copied. I have therefore enclosed an exact copy of all my letters addressed to him, together with an exact copy of his letters received by me.

In addition, I enclose for the Minister's information copies—

1. Of the regulations for the orderly behaviour of students which have been in force since the School of Anatomy began.
2. Of a statement by the Charles Brown referred to by Dr. Belgrave as "the complainant."
3. Of a statement by George Brown, a fellow-workman of Charles Brown.
4. Of a statement by police constable Wm. Martin.
5. Of a letter from James Gilchrist.
6. Of a letter from Grant and Moncrieff.

The Minister's attention is particularly directed in the first place to the general harmony of the statements of Charles Brown, George Brown, Wm. Martin, James Gilchrist, Grant, and Moncrieff, and of my own letters, and in the second place, to their unanimously adverse criticism of Dr. Belgrave's statements and actions.

From the report and the contents of the accompanying documents, the Minister will easily satisfy himself that—

1. The Inspector has wholly failed to appreciate the nature of his duties, for he has acted as if these were judicial instead of inspectorial.
2. Dr. Belgrave would appear to be fairly chargeable with more than mere credulity and officiousness.
3. Dr. Belgrave has almost entirely failed to perform the most essential duties of his office, to the great inconvenience, vexation, and loss of those concerned.

In conclusion, I would venture to suggest that the Minister should advise His Excellency the Governor, in accordance with clause 5 of the Anatomy Act, to direct the Inspector to make complaint as to any alleged or suspected irregularity at the Medical School, to the Vice-Chancellor in the first instance, so that the circumstances of the case may be at once inquired into, and thus the irregularity, if such there be—the more speedily made right.

The numbers in the following pages refer to corresponding numbers on the documents. The latter are marked on adhesive paper, so that the documents may not be indelibly marked.

The assertion of Dr. Belgrave is flatly contradicted by Charles Brown in his statement, *q.v.* (1) Brown and Dr. Belgrave cannot both be right, and the Minister's attention is particularly directed to the two statements summarized and compared. They are as follows:—

Dr. Belgrave (see report dated October 20th, 1883)—"Called on me (believing I was the right person to convey such information to.)"

Dr. Belgrave (see letter to Prof. Stuart, dated October 9th, 1883)—"It has been communicated to me that there exist rumours in town."

Dr. Belgrave (see report dated 20th October, 1883)—"Complained that he and other workmen, while employed in the anatomical rooms and their vicinity, had been very much shocked."

Dr. Belgrave (see report dated October 20th, 1883)—"Boiling-down operations of human remains."

Charles Brown.—"Went to consult my Lodge doctor—Dr. Belgrave."

Charles Brown.—"Not knowing in the very least that he had anything to do with the Anatomical Department of the University."

"With no intention of informing him of anything particular which I, while working at the Medical School, had there seen or noticed."

"On the following day Dr. Belgrave called at my house. I was not at home. He left word for me to come and see him at his consulting rooms in Market-street, as he wanted to see me on some very important business."

"I was cross-examined."

"I perceived that I was being pumped."

Charles Brown.—"I was complaining of diarrhœa."*

"I have been employed in the three new rooms in course of erection."

"I am annoyed that Dr. Belgrave is making a fuss about the matter, to which I did not attach any importance whatever."

"That anything was wrong did not suggest itself to me before my interview with Dr. Belgrave."

George Brown.—"working with said Charles Brown at a bench in the yard."

"They felt a smell which called forth the remark on the part of one of them that there must be some human remains being burned; with this remark all present agreed, but no one left the place at the time to ascertain what was the cause of the smell."

"The suggestion, and the agreement with it on the part of the others, was considered in the light of a 'joke.'"

"The whole circumstance from beginning to end was only a lot of working-men's nonsense."

"Neither Charles Brown, before he saw Dr. Belgrave, nor any other workman about the place, attached the slightest importance to anything connected with the smell or the burning; they tacitly assumed that such things were quite to be expected."

Charles Brown.—"I did not see what was being boiled."

"I cannot distinguish human bones from other bones, for I have no knowledge of such things."

Dr.

* Note by Dr. Anderson Stuart:—A perusal of the statements of Charles and of George Brown plainly shows that there is no ground for ascribing the diarrhœa, from which only one of the workmen suffered, to any other cause than the exposure to wet and cold to which that man alone subjected himself.

Dr. Belgrave (see report dated 20th October, 1883)—“Seeing a dog habitually on the premises.”

Dr. Belgrave (see report dated October 20th, 1883)—“eating up pieces.”

Dr. Belgrave (see report dated October 20th, 1883)—“which happened to be on the floor.”

Dr. Belgrave (see report dated October 20th, 1883)—“piece of flesh of a half-caste.”

Charles Brown—“I never saw but one dog in or about the place. “In the grounds—never in the school itself.”

Wm. Martin—“I have never seen any dog in or about the Medical School, nor have I heard of such a thing.”

“I have been within the Medical School many a time, and besides that I have frequently looked in through the window.”

Charles Brown—“chewing a bone.” “I cannot say what kind of a bone it was.”

Wm. Martin—“I never saw animal remains lying on the floor or exposed.”

George Brown—“No one left (the bench) the place at the time to ascertain the cause of the smell.”

- (2) There is no underlining in *my* letter; undue emphasis is thus given to certain expressions.
- (3) I did not like the tone of his letter, and the ambiguously high-sounding expression “officer from the Department of Justice” made me cautious; and I may add that I cannot understand why *Dr. Belgrave* should in two different communications speak to me of “an officer from the Department of Justice,” and yet tell entire outsiders—not men in the profession, and conversant with such things—that it was the Coroner he referred to. I have private letters to prove this. I had asked him to “investigate” the matter, but by no means to hold an “inquiry.” I wanted to confront the witness, but not before *Dr. Belgrave* as “Judge.” “Only one dog” is strictly true—why he has taken the liberty of underlining that I cannot imagine.
- (4) The dog was not taken there for the purpose of study, but for safe keeping; it was not necessary.
- (5) This question is very fully answered by No. 1, page 3, and by my letter dated 16th October, *q.v.*, and which letter was already four days in *Dr. Belgrave*’s hands when he suggested this query. I have to add, however, that it seems that a piece of human bone was outside the hut for certainly not longer than one night; my second assistant is prepared to swear that he deposited it within the hut, where the coffins are kept, and from this place it must have been removed by some workmen who were working in and about the hut. That this is the real explanation, see letter from *James Gilchrist*.
- I may here point out to the Minister that, in my opinion, it was not by any means a proper discharge of his duties by the *Inspector* to suggest any such questions—it was clearly his duty to go to the Medical School and inspect or see for himself what was being done there. This he has not done.
- This is the only circumstance of the sort that has ever come to my knowledge, and it did so long after I wrote my letter to *Dr. Belgrave*, and only after inquiry amongst the workmen.
- It seems to me, sir, that things have gone on remarkably smoothly on the part of myself, my assistants, my pupils, and the school, when we remember the unavoidable defects hitherto existing in the *locale* of the Medical School, and thus that
1. I have had workmen working about the place ever since I came.
 2. I have lectured, demonstrated, and dissected while they worked all around me in the same room, and
 3. The school was long unprotected by a fence—which is still without gates—out in a paddock, which is outside the ken of the University officials, and which is notorious as a rendezvous of the worst characters.
- (6) They do indeed! to aid them—
- a. Each table is numbered, and the subject on it takes that number.
 - b. Each table is provided with four pannikins, with the number on each corresponding to that of the subject, and into these the parts are put for conveyance to the coffin.
 - c. Each coffin is numbered by a ticket placed on it, with the number of the subject which came in it.
- Thus, all of any body and none of any other body is placed in a coffin. This plan is one which has been devised and carried out solely by myself from the beginning. I may state, for the Minister’s information, that I do not know any other dissecting-room where so much care is taken to segregate the parts of different bodies—so far as I know, the case of the Sydney School is unique.
- (7) Matters connected with the practice of vivisection lie entirely outside the duties of the *Inspector of Anatomy*, and I shall not waste valuable time in discussing *Dr. Belgrave*’s feelings of moral obligation. I may add, however, for the Minister’s information, that no vivisection was ever done in or in connection with the Medical School of Sydney.
- (8) *Dr. Belgrave* evidently confounds the terms “Anatomical School” and “dissecting-room.” I am not aware that there is any such etiquette or custom.
- The last phrase is the most serious, for it appears to me an unpleasant insinuation of wrong-doing; and is the more objectionable that *Dr. Belgrave* was in possession of my letter of the 16th October, offering at least a feasible explanation, which yet awaits refutation.
- (9) A reference to the statements of *Charles Brown* and of *George Brown* show that this fear is entirely groundless.
- (10) It is immaterial to me *where* an *inquiry* is held. Since, however, my attendance would be voluntary, I would respectfully decline to attend any inquiry which is not conducted by a duly constituted and legally competent authority.
- With regard to the part of *Dr. Belgrave*’s report which follows, I deem it unnecessary to make any comments.
- (11) From this and from other parts of *Dr. Belgrave*’s communications, it seems to me plain that *Dr. Belgrave* has started with the *assumption* that irregularities and “grosser violations of the law,” must as a matter of course accompany the study of anatomy. I totally and emphatically deny that anything of the sort must take place, and I solemnly affirm that never since I first began to study anatomy have I seen or heard of any “violation of the law.”

Of the value of the statements in this paragraph the Minister will readily satisfy himself by reference to the accompanying documents. (12)

I cannot understand why any such reference as this is made, because since the "facilities for the study of anatomy" are provided, such liability to crime is quite out of the question. (13)

If these likelihoods are real, then Dr. Belgrave either must be possessed of information which, so far as I know, has not been brought to light, or he is ignorant of the history of anatomy in the United Kingdom during the past fifty-five years. (14)

The provisions explicitly stated in the "Anatomy Act of 1881," have already rendered the legal supply of subjects sufficient. I am not aware that the purchase of bodies from private persons by caretakers and attendants at dissecting-rooms is a practice "occasionally unavoidable." (15)

This assertion is, so far as I know, now without foundation. Dr. Belgrave's mind is evidently still haunted by the dismal stories of happily by-gone days. (16)

So far as I know, these laudable functions have a yet remained unfulfilled by the Inspector; certainly, I myself have been obliged spontaneously to perform some of them. (17), (18), (19), (20), & (22)

Dr. Belgrave never offered to do so to me, but I had done so before he was appointed. (21)

These are my duties. I devised and made public such regulations at the very beginning of the school. The Minister's attention is called to a copy of them. Dr. Belgrave never had made any suggestion to me in the matter. (23)

T. P. ANDERSON STUART.

[Enclosures.]

Dr. Belgrave to Dr. Stuart.

Dear Dr. Stuart,

122, Market-street, corner of Castlereagh-street, Sydney, 9 October, 1883.

It has been communicated to me that there exists rumours in town to the effect that in the Anatomy Rooms of the University human remains are "boiled down"; that pieces of bodies are permitted to lie about the premises; and that dogs can and do enter the dissecting-rooms and devour the exposed portions.

I need scarcely, I am sure, do more than call your attention to these grave rumours, which, I am further informed, can be substantiated by a credible witness on oath.

As soon as I receive the register books, I shall write official instructions to each person interested officially, and shall make a careful visit of inspection to the dissecting-rooms.

I am, &c.,

T. B. BELGRAVE.

Dr. Stuart to Dr. Belgrave.

Dear Sir,

Union Club, Sydney 7 October, 1883.

I was very much surprised on reading yours of this morning, and have to explain the matter very simply by telling you—

- (1.) That for making preparations we have been boiling the hearts of the sheep and ox.
- (2.) That only one dog ever was, to our knowledge, on the premises, taken there by me and confined to one room (not the dissecting-room), until taken to his home by the laboratory assistant.
- (3.) That pieces of the boiled hearts were thrown to the dog by my assistant.
- (4.) That some of the tallow and fat from the offal brought from the slaughter-house was used to make a fire burn in the yard.

I may add that workmen are continually, I am sorry to say, about the place, and ignorant, as they mostly are of such things, and superstitious to boot, it is not to be wondered at that such false reports have gone forth.

I will be glad if you will investigate the matter, bring him, if you can persuade him, this credible witness, into light, for I want to confront him, and surely he will have the courage of his opinions. I certainly am ready to face him, and I shall be delighted to know of your visiting the rooms at any time, whether I am there or not.

The names of my two assistants are hereto appended, to signify that I have read this over to them, and that they are ready to testify to the truth of the statements contained therein.

I am, &c.,

T. P. ANDERSON STUART,
Licensed Teacher of Anatomy.

On reading to my two assistants what is on the other face of the paper, I find that the fat was not used to kindle the fire, but simply to get rid of it without mingling it with the human remains in the coffins.

T. P. ANDERSON STUART.
ALEX. McCORMICK.
JOHN SHEWAN.

Dr. Belgrave to Dr. Stuart.

Dear Dr. Stuart,

122, Market-street (corner of Castlereagh-street), Sydney, 16 October, 1883.

I deem the matter of so much consequence to yourself and the Medical School that I feel it my duty to hold the inquiry you desire.

Be good enough, therefore, to name some evening when it will be convenient for you to attend at my office. The hour must be 8.

An officer from the Department of Justice will be present.

I am, &c.,

THOS. B. BELGRAVE,
Inspector of Anatomy.

Dr. Stuart to Dr. Belgrave.

Sir,

Sydney, 16 October, 1883.

As you mentioned in your letter of this date that, in the inquiry which you propose to hold at your office, and to which you have invited me, that an officer from the Department of Justice will be present, I deemed it my duty to cause inquiry to be made at the Crown Law Office as to what course I should pursue.

I am advised that, in the opinion of the Attorney-General, your right to hold the inquiry is at the least doubtful, and that no officer of the Department of Justice could with propriety attend such inquiry. Under these circumstances, I shall respectfully decline to avail myself of your invitation.

I repeat my request that you will at any time, whether in my presence or absence, visit the dissecting-rooms.

I am, &c.,

T. P. ANDERSON STUART.

P.S.—The investigation which I desired to be made by you was such as you might make in your capacity as Inspector.—T.P.A.S.

Dr.

Dr. Belgrave to Dr. Stuart.

Dear Sir,

The Anatomy Office, 120, Market-street, Sydney, 18 October, 1883.

I fear you have misinterpreted my feeling in inviting you to the opportunity you asked for at my office.

That an inquiry quietly conducted here, in preference to one at the University Anatomical School, would be less likely to be attended by undesirable consequences to the cause of medical education in this Colony, it occurred to me, would be obvious.

The "Department of Justice" is not limited to the Crown Law Offices, but the term I employed in its common acceptation. I shall always have the advantage of the co-operation, or rather presence of the functionary alluded to in my letter and your reply.

I am, &c.,

T. B. BELGRAVE,

Inspector of Anatomy.

Dr. Stuart to Dr. Belgrave.

Dear Sir,

University of Sydney, 18 October, 1883.

I have to acknowledge yours of this date, and have to state in reply that, after further consultation with my advisers in the matter, I have not anything to add to what I stated in my letter of the 16th.

I am, &c.,

T. P. ANDERSON STUART.

Regulations to be observed by Students of Anatomy.

1. No student shall ever convey out of the Medical School any portion of a dead human body, on any pretence whatsoever.
2. Dissections may be made and preparations may be studied in the school only during the regular hours of study, except by permission of the Professors.
3. The Professor (or his Assistant when the Professor is not present) has absolute authority touching the manner and order of dissection, and regarding the maintenance of discipline.
4. Smoking tobacco in any form is not permitted in any part of the School.
5. In the dissecting-room, general conversation is not permitted, and all conversation in a loud tone of voice is forbidden when there is any person present who is not interested in the subject of conversation.
6. All abnormalities are the property of the School.

T. P. ANDERSON STUART, M.D., C.M.,

Professor of Anatomy and Physiology.

The statement of Charles Brown.

Charles Brown, carpenter, residing at 12, Hugo-street, was interviewed by Professor Anderson Stuart, M.D., in presence of Dr. Alexander M'Cormick, and made the following statement:—

I was complaining of diarrhœa, and went to consult my Lodge doctor—Dr. Belgrave—not knowing in the very least that he had anything to do with the anatomical department of the University, and with no intention of informing him of anything particular which I, while working at the Medical School, had there seen or noticed. In the course of the inquiry into my case I happened to mention that I had been employed at the Medical School. I have been employed in the three new rooms now in course of erection. I said that I had felt a bad smell and had seen something. Dr. Belgrave then attributed my disorder to that circumstance.

He asked me what it was that I had seen. I replied, "something like a piece of the side of a chest" lying between the hut and the paling. On the following day Dr. Belgrave called at my house, but I was not at home. He left word for me to come and see him at his consulting rooms in Market-street, as he wanted to see me on some very important business.

I called at his rooms at the appointed time, and was cross-examined by Dr. Belgrave as to the information which I had given him. I perceived that I was being "pumped," and became cautious as to what I said. I told him that I had seen a dog about chewing a bone; this was in the grounds—never in the School itself. I cannot say what kind of bone it was; I never saw but one dog in or about the place. There was a pot of about 4 gallons contents over a brisk fire in the yard, and in which something was being boiled; I did not see what was being boiled; Dr. Belgrave questioned me further about the colour of the piece of bone which I had seen outside the hut; I cannot say whether it was human or not; I cannot distinguish human bones from other bones, for I have no knowledge of such things. During the examination he seemed anxious to bring out as many unpleasant facts about the matter as he could, and he suggested many of them himself. He asked me if I would swear to the truth of what I had said, and I replied yes.

I am annoyed that Dr. Belgrave is making a fuss about the matter, to which I did not attach any importance whatever, for that anything was wrong did not suggest itself to me before my interview with Dr. Belgrave.

I am prepared to appear and to give sworn testimony in support of the statements contained in this and in the other sheet to which my initials are attached, and in token of the same I here subscribe my name in presence of witnesses.

Witnesses—

T. P. ANDERSON STUART.

ALEX. M'CORMICK.

C. BROWN.

Statement made by George Brown, a fellow-workman of Charles Brown.

George Brown deposed, before Dr. Alexander M'Cormick and Mr. John Shewan, that Charles Brown, on a certain Friday, was working with the said George Brown and other workmen at a bench in the yard, and while they were there employed they felt a smell, which called forth the remark on the part of one of them that there must be some human remains being burned; with this remark all present agreed, but no one left the place at the time in order to ascertain what was the cause of the smell.

George Brown states that the suggestion, and the agreement with it on the part of the others, was considered in the light of a "joke," and the whole circumstances from beginning to end "was only a lot of working-men's nonsense."

The following day was very wet at times, and Charles Brown was working on the roof of the temporary shed which the men had put up to cover the bench in the yard. While so engaged the said Charles Brown had no other garment on the upper part of his body than a woollen undershirt with a cotton overshirt probably—certainly he had no waistcoat on—and the witness, George Brown, thinks he must have been soaked to the skin, and when he came down from the roof all the men told him that he had been very foolish in so exposing himself.

On the Monday he came to his work but was very unwell, so that he lay down from time to time on the shavings outside, and on that day he left work at half-time, about 12.45. He did not reappear until the Wednesday at the usual time, i.e., 7.45, looking better, and said that he had gone to Dr. Belgrave, his Lodge doctor, who, according to Charles Brown's statement, could not understand what was the matter with him. In the course of the interview Charles Brown referred to his being employed at the University and to his having felt a smell while so engaged there, and Dr. Belgrave immediately ascribed his illness to that smell. Dr. Belgrave "seemed to make a great fuss about it," and asked many questions.

George Brown states that neither Charles Brown, before he saw Dr. Belgrave, nor any other workman about the place attached the slightest importance to anything connected with the smell or the burning; they tacitly assumed that such things were quite to be expected.

George Brown is willing to appear and to swear to the statements contained in this and in the other sheets, and signs this to signify the same to all whom it may concern.

GEORGE BROWN,

48, Abercrombie-street, Redfern.

In the presence of these three witnesses—

A. M'CORMICK.

JOHN SHEWAN.

T. P. ANDERSON STUART.

Statement

Statement of Constable William Martin, of the Glebe Station.

From shortly after Christmas of 1882, until about October, 1883, I was constantly about the University, for I had only it to look after. Since that time my beat has been extended, so that I now call at the Medical School twice in the day-time, on which occasions I stay about for a short time.

In the night-time either I or another constable call from about every hour to every hour and a half. The other constable's name is Cox.

I have never seen any dog in or about the Medical School, nor have I heard of such a thing. I have been within the Medical School many a time, and besides that I have frequently looked in through the windows. I never saw any animal remains lying on the floor or exposed. I never suffered from any disorder in consequence of what I saw there. I never smelled any very disagreeable smell—the smell I usually felt seemed to me that of chemicals, which I suppose were used to preserve the bodies.

Witnesses—

JOHN SHEWAN.

T. P. ANDERSON STUART.

WILLIAM MARTIN,
Constable.

Mr. Gilchrist to Professor Stuart.

Dear Sir,

In reply to yours of yesterday to furnish you with particulars about what I saw or did when working at the Medical School,—I was there on the 1st of October, with two assistants, in an out-building, doing some work. There was a smell, and thinking it came from something that looked like a piece of gristle, a thin substance about the size of half a sheet of note-paper turned up at the edges, this was placed outside the building, and was forgot to be returned before leaving. There were no other workmen there that day, it being the eight hours anniversary.

Any other time I have been there I have neither seen or smelt anything offensive.

Yours truly,
JAMES GILCHRIST.

Messrs. Grant & Moncrieff to Professor Stuart.

Dear Sir,

We find that Charles Brown, one of our workmen, has made certain charges against the Medical School, Sydney University. We have examined the said C. B., and his statements are as follows:—

1. That he was laid up with diarrhoea.
2. That the cause of it, as he thought, was from smells, &c.
3. That he sent for a doctor, and told him what he saw at the Medical School.
4. That the doctor he sent for was doctor for his Lodge, and also Inspector for Medical School.
5. Had said more than he had intended to say, as he did not know that the said doctor was connected with Medical School.

We are, yours, &c.,
GRANT & MONCRIEFF,
Contractors, Medical School.

No. 12.

The Acting Under Secretary to Dr. Belgrave.

Sir,

Department of Public Instruction, Sydney, 4 January, 1884.

I am directed by the Minister of Public Instruction to transmit herewith, for such observations as you may desire to make, Professor Anderson Stuart's reply to your report dated 20th October last, respecting alleged irregularities in the Anatomical School connected with the University of Sydney. To be returned. 2

I have, &c.,
G. MILLER,
Acting Under Secretary.

No. 13.

Dr. Belgrave to The Under Secretary for Public Instruction.

Sir,

The Anatomy Office, 120, Market-st., Sydney, 19 January, 1884.

I have the honor to transmit the accompanying observations on Professor Anderson Stuart's reply to the report on certain reputed irregularities in the Anatomical School, which report, at the request of the Minister, I submitted in October last.

In the course of a few days I propose sending in my ordinary Annual Report, which will contain some information and recommendations the Minister will doubtless like to be made acquainted with before he finally deals with the incident—the subject of the accompanying document.

In the meantime, allow me to renew my application for a closed office table with pigeon-holes, the want of which is a source of much inconvenience to me.

I am, &c.,
THOS. B. BELGRAVE, M.D.,
Inspector of Anatomy.

26 January, 1883.

OBSERVATIONS on Professor Anderson Stuart's reply to the report of the Inspector of Anatomy, concerning certain alleged irregularities at the Sydney University Anatomical School.

THAT a dog had—on one occasion at least—been permitted to be on the premises, appears not to be disputed; and, as Dr. Stuart states the animal was taken there by himself, though it was removed by the laboratory assistant, it may be fairly assumed that the Professor saw no impropriety in the circumstance, and, so far as any remark he has had an opportunity of making in his reply to the Inspector's report may influence one's judgment, it does not appear that he entertains any other opinion now. The presence of strangers, and the unfinished state of the buildings at the time, rendered it more than usually desirable that dogs should have been excluded from the premises.

The balance of evidence, even as presented by Professor Stuart himself, favours the supposition of the dog having been where stray pieces of human flesh may have been.

The tone of Professor Stuart's allusions to this detail would seem to imply that that gentleman has some idea that his particular dog was a discriminating animal.

When C. Brown mentioned the matter to Dr. Belgrave, he expressed himself in terms and with gestures and expressions that testified undoubtedly that neither he nor the fellow-workmen whom he referred to as corroborative witnesses thought any single feature in the matter partook of the character of a "joke."

Whatever

Whatever C. Brown may have stated at Dr. Stuart's inquiry, he certainly *spontaneously* affirmed with much insistence and indignation to the Inspector, without necessity even for "pumping," that the dog had picked up pieces of "human flesh," but he made no remark about "chewing a bone."

The Inspector does not infer favourably as regards the purpose for which the dog was on the premises, from the fact of Dr. Stuart having taken the animal to one room, and the laboratory assistant having removed it or taken the animal "to its home."

Had the dog been an ordinary companion dog of Professor Stuart, the latter gentleman would doubtless have taken it home when he retired himself for the day. For what purpose was the animal there? If the dog were a companion dog accompanying his master, its admission into the premises would have been an inadvertence; and it does not appear that the dog was so strictly confined as Dr. Stuart asserts, even if it had been taken there for perfectly legitimate purposes.

Professor Stuart's remark that the Inspector has failed to rightly appreciate his duties, and has assumed to act rather in a judicial than in an inspectorial capacity is not a novel charge with teachers of anatomy under similar circumstances.

The inquiry Dr. Belgrave proposed, and which has probably elicited this remark, would be more correctly described as being of an official character, similar to investigations undertaken by police authorities, and was intended for the information of the Minister, if of sufficient importance to have been communicated.

Though perfectly willing, indeed anxious, to act on superior instructions in relation to his duties, the Inspector desires to avail himself of the present opportunity to intimate that, in his judgment, clause 5 of the Anatomy Act is susceptible of a construction that would enable the Minister to authorize him to institute such an inquiry as that the Inspector contemplated in the present instance, and that there are some serious possibilities in connection with such a power not being exercised by the Inspector.

Dr. Belgrave submits that Professor Stuart's examination of C. Brown does not *materially* conflict with the statements this witness previously made to him as Inspector, or the "proper person" to receive such information.

Professor Stuart's remark, that Dr. Belgrave would appear to be fairly chargeable with credulity and officiousness, the Inspector thinks would not have been made by that gentleman if he correctly appreciated the true character of the Inspector's office.

As C. Brown's character was well known to Dr. Belgrave, and as it was desirable to check injurious reports early, Dr. Belgrave fails to see that he did more than was incumbent on him in taking such notice of the matter as he did, the intention being, as previously remarked, to be prepared with information for submission to the Minister, in the event of its importance justifying this course.

Professor Stuart is not singular in his views of the function of an Inspector of Anatomy.

The teachers of Anatomy in London, before the re-organization of the Anatomy Office in that city (which took place greatly at the instance of Mr. Belgrave, the Chairman of the Committee of Student delegates appointed to inquire into the matter of the supply of subjects to the Metropolitan Schools), endeavoured to degrade the office into a mere agency for supplying them with bodies for dissection; and these gentlemen received a rebuke from the late Sir G. Cornewall Lewis, the then Home Minister, in connection with their efforts to give effect to this view.

The Inspector of Anatomy thinks Dr. Stuart's remark on this head extremely unbecoming and impertinent.

Professor Stuart's statement, that the Inspector has failed to perform the "most essential" duties of his office, is not correct; the Inspector of Anatomy has even felt ashamed at his impertunity in endeavouring to start the different agencies concerned in the supply of subjects to the Anatomical School.

The inconveniences experienced were for the most part antecedent to his appointment.

The recommendation Professor Stuart takes the liberty of making, that the Inspector should practically be made a subordinate of the Vice-Chancellor of the University, that is to say, virtually, of the Professor of Anatomy for the time being himself, though in keeping with the spirit which may have induced Dr. Stuart to himself hold the inquiry Dr. Belgrave proposed, would not, the Inspector submits, be in harmony with the intention of the Act and the necessities of the case, however completely it might shield wrong-doing, whether wilful or thoughtless.

C. Brown's visit to Dr. Belgrave was spontaneous. Dr. Belgrave had no knowledge of where he was employed, and did not endeavour to elicit any information on the subject until Brown started the subject. The man was loud, indignant, and involved others in his statements by saying that they were spreading similar reports. Dr. Belgrave affirms that the statement C. Brown made to him included the words, "I thought you were the right person to come to, or apply to." This was in answer to a question of Dr. Belgrave's, as to whether Brown knew that it was specially Dr. Belgrave's duty to take notice of such a matter.

Dr. Belgrave has no recollection of having suggested to Brown that what the latter had seen was wrong; but he distinctly remembers Brown to have *vehemently* repeated his assertion in regard to "boiling down" operations, when Dr. Belgrave suggested he must have been mistaken; and Brown was surprisingly positive in regard to the piece of flesh of a "half-caste," though Dr. Belgrave remarked that he believed no "half-caste's" remains had been taken to the Anatomical School. The man made no mention of a dog "chewing a bone."

The Inspector thought that the tales partook of the character of "nonsense," but that it was none the less his duty to investigate them, for the information of the Minister and the protection of the reputation of the Sydney School of Anatomy, if he should ultimately have found them of sufficient importance. Whether true or false, the spreading of such tales would have been very compromising to all concerned, and it was of great importance to check them at the outset. Had similar tales in London been equally promptly dealt with, the study of anatomy there would have left little to be desired, whereas, in consequence of the periodical disturbance in the mind of the lower strata of society in that city, in reference to the subject—always painfully susceptible in reference to it,—and London students have in thousands resorted elsewhere for opportunities for dissection; and the great city, though capable in other details of affording unsurpassed opportunities for medical study, is in the study of anatomy often at great comparative disadvantage.

Had Dr. Stuart expressed to Dr. Belgrave his objection to the presence of any officer in Department of Justice of the Colony, his representation would have availed, the Inspector's idea in relation to this particular having been that the presence of the Coroner would have effectually disabused the public mind of wrong impressions, in the event of the matter becoming publicly known. Dr.

Dr. Stuart evidently concluded that the inquiry was intended to injure him.

As Dr. Belgrave had, much to his own cost, been actually instrumental in bringing about the situation which led to the appointment of Dr. Stuart, and had also been the first to make it known that he would be a probable candidate, it was very unlikely that he could have entertained other than the most friendly feelings in relation to Professor Anderson Stuart personally.

Touching the presence of the dog,—it is obvious, the Inspector submits, that such animals are not admissible into the premises, except under conditions provided by recent law in England.

The present impression on the Inspector's mind is that the dog had not been successfully confined to one room, though Dr. Stuart may have intended that, and that the animal may have had an opportunity of picking up stray pieces of human flesh, it being difficult in practice to prevent pieces falling on the floor and ultimately being carried with sweeping to other parts of the building or enclosure.

It also appears that the dog was not an ordinary companion dog of the Professor. Professor Stuart's admission with reference to the bone outside the hut indicates the desirability of future repairs being done during holidays.

The two inspections Dr. Belgrave has made since his appointment have afforded him all the information he has required. The "Inspector" in London is almost unknown among dissecting-room officials, but since this functionary has been a medical man, he has kept himself very well informed of the state of the different schools, without being inquisitorial or offensive.

The Inspector of Anatomy testifies with pleasure that Dr. Stuart's remarks respecting the hitherto smooth working of the Anatomical School, in spite of inconveniences, are justified. Experience, however, in England indicates in the present connection that, had the Inspector not discovered that adverse reports had been set afloat, the career of the School might not have been so smooth.

Dr. Stuart may also claim credit for attempting to segregate the remains of individual subjects; a detail scandalously neglected elsewhere.

Professor Stuart's optimistic views in reference to the improbability of wrong-doing in connection with the study of anatomy Dr. Belgrave does not share, nor could any one who has had similar opportunities for informing himself on the matter.

The Inspector however, thinks C. Brown exaggerated matters seriously, but in earnestness and sincerity, and possibly under the influence of fear and superstition.

The suggestion that Dr. Belgrave first suggested a cause for the man's illness is not correct, or that he "pumped" Brown before the latter complained.

The small saucers used on the dissecting tables, though useful, are obviously insufficient, as practically would be any other contrivance, to prevent small pieces of flesh occasionally getting on to the floor.

The Inspector will recur to this subject in his annual report.

Dr. Belgrave's mind is not satisfied with reference to the presence of the dog; and strongly urges that Professor Stuart should receive some intimation that it is not desirable vivisections should be performed in illustrating facts in physiology in ordinary instruction to students.

The arrangement in England at present is that *experimental* physiologists are permitted *under license* to practice vivisections, but only for the purpose of eliciting new facts, and not to convey information to young students.

There being a surprising tendency on the part of young modern professors to illustrate their lectures by such exhibitions, and these being wholly unnecessary and extremely injurious to students, and irritating to the public mind, and whereas they may occasionally be necessary and even praiseworthy when undertaken in the prosecution of original inquiry, the Inspector feels that he would be unworthy the position he has the honor to fill if he did not intimate that, in his opinion, it is desirable that the Professor of Anatomy and Physiology at the Sydney University should be required to keep a record of any vivisections he may think proper to make in the course of original work, but that it should be understood such experiments are not to form part of the ordinary course of instruction to youthful students.

When Dr. Belgrave was a student the practice did not obtain, but since gradually and imperceptibly crept in, until every class of society became convulsed with mingled feelings of horror and indignation, and a "law in control" was passed by Parliament, in the teeth of both the Government and the strongest phalanx of eminent and scientific men that had ever coalesced for a political or a social object.

A little early "officiousness" on the part of Dr. Charles Hawkins, the Inspector of Anatomy in London, would have saved the Government of England in connection with this matter much humiliation and annoyance, and many worthy men a degree of opprobrium they little anticipated, while the great cause of original experimental inquiry would not have been injured, nor its practice associated with unmerited charges of inhumanity.

THOS. B. BELGRAVE,
Inspector of Anatomy.

No. 14.

Minute by Minister of Public Instruction.

Department of Public Instruction, Sydney, 23 April, 1884.

THE letter of the Inspector of Anatomy of the 19th January, with his observations, may be forwarded to Professor Anderson Stuart, for his perusal, and for any observations he may think it necessary to make. At the same time, I shall be glad if the Senate will inform me whether they think, seeing that there is only one School of Anatomy in the Colony, and that under the control of the University, which is responsible to this Department, there can be any necessity to continue the expenditure in connection with the office of Inspector of Anatomy. For my part, I am inclined to think that at present the office is not required.

J. P. ABBOTT.

The Registrar, University of Sydney. Papers, to be returned.—G.M., B.C., 23/4/84. The Under-Secretary for Public Instruction, with letter and papers.—H.E.B., 9/5/84.

No. 15.

The Acting Under Secretary to Professor Stuart.

Sir,

Department of Public Instruction, Sydney, 23 April, 1884.

To be returned.

I am directed by the Minister of Public Instruction to transmit herewith, for your perusal, and for whatever observations you deem it necessary to make, Dr. Belgrave's communication of the 19th January last, further respecting his report as to certain alleged irregularities in the School of Anatomy connected with the University of Sydney.

I have, &c.,

G. MILLER,

Acting Under Secretary.

No. 16.

The Registrar of the University to The Under Secretary for Public Instruction.

Sir,

University of Sydney, 9 May, 1884.

I have the honor to inform you that the minute of the Hon. the Minister of Public Instruction, dated 23rd April, 1884, in which he states his opinion that the office of Inspector of Anatomy is not required, and asks the opinion of the Senate of the University as to the necessity for its continuance, was laid before that body on Wednesday last.

In reply, I am directed to state that the Senate entirely concurs with the Minister in his opinion that the office is not necessary.

I have, &c.,

H. E. BARFF,

Registrar.

Submitted in connection with Mr. Abbott's minute of 23/4/84, appended.—G.M., 10/5/84.

No. 17.

Professor Stuart to The Minister of Public Instruction.

Sir,

University of Sydney, 13 May, 1884.

I have the honor to reply to your communication of the 23rd ultimo, and I do so very briefly, partly because I have so little to add to my previous report, and partly because if I were to discuss all the inaccuracies, irrelevancies, and contemptible insinuations contained in Dr. Belgrave's report, it would be a well-nigh endless task.

I trust that my reply will be sufficient, and prove satisfactory to the Minister. I have now spent much time and had a great deal of bother in the matter, and since I *must* do my duty to my pupils and to the University, I really have not time to be wasted, as it undoubtedly has been in this affair.

The gist of Dr. Belgrave's reply, so far as I can perceive, may be put as follows:—

1. He charges me with such carelessness in my management of the school under my direction as permitted a dog to devour human remains.
2. He insinuates that I had that dog there for purposes which he states are illegal.
3. He demands powers such that no teacher of anatomy could consistently with a proper regard of his self-respect, perform his duties as by law recognized, were that power granted.
4. He asserts that he has performed his duties, which have been defined by himself, with delicacy, circumspection, and success, with advantage to the school, and so as to have procured safety to the community.
5. He admits that I may claim credit for my arrangements for the segregation of the remains of different individuals.
6. He testifies "with pleasure" that the school *has* worked smoothly.

The following are the remarks which I deem it expedient to make about the above.

About 1st. Since my former report was sent in, I have learned the *whole* story of the dog; it was a young dog which fawned on me, and I patted its head, on the street, while I was going to the School, where having arrived, I discovered it behind me. Since it would not leave, and since we had not at the moment either time or inclination to take it so far away as out on to the street, I took it into one of the rooms, at that time almost empty, which was *not* the dissecting-room, and in which there were *no human remains*. My intention was to secure it and keep it from haunting the place until we could take it away. It very soon became restless, and was tied with a string. Then it became noisy, and now was tied outside the house. At 4 p.m. it was taken away by the servitor, who tried to get rid of it, but it would not leave him. He therefore took it to his home, which was close by, and after supper, when it was dark, succeeded in straying it—or rather escaping from it.

I regret entering into such detail, but I think it wise to show how and why the dog came there, and what became of it. Many persons would have dealt more summarily with the dog, but we did not care to be cruel.

I think Dr. Belgrave should have accepted my statement as contained in my former report.

Since the bodies are all saturated with preserving fluid—saturated alcoholic solution of corrosive sublimate thrice injected into the blood-vessels, the idea of the dog "devouring" any portion of a body so prepared without almost immediately showing signs of poisoning is altogether out of the question.

2nd, 3rd, 4th, and 5th. Since my opinions remain unchanged, I need not add anything to what I have said in my previous report.

6th. It is true that the school *has* (at one time) worked smoothly, but this was before Dr. Belgrave's appointment, and not since. The most essential duties were, before his appointment, carried out for months without additional expense, by the alternative officers, as provided by the Anatomy Act, in the case of no Inspector being appointed.

It is convenient and profitable for Dr. Belgrave to overlook the fact that the Anatomy Act and the Compulsory Registration of Deaths Acts have done two things:—1st—They have absolutely entirely taken away the inducement—as Dr. Belgrave affirms the necessity (?)—to do wrong, on the part of teachers of anatomy in Sydney, because here the legal supply of subjects is far and away beyond anything that can be required for a long time to come. 2nd—They have rendered it practically impossible for such teachers to do

wrong

ANATOMY OFFICE.

REGISTER (B) of Bodies received for Dissection. To be kept by Licensed Teachers of Anatomy.

No.	Name.	Sex.	Age.	Day and hour of reception.	Cause of death as ascertained by examination with scalpel, microscope, or analysis.*	Date of removal for sepulture.	Name and vocation of person removing the body.	Name of contracting undertaker.

* Where no probably adequate cause can be discovered the circumstance is to be noted.

N.B.—This book is to be delivered, on the 1st of January of each year, at the office of the Inspector of School of Anatomy.

ANATOMY OFFICE.

REGISTER (C) to be kept by Superintendents of Institutions authorized to send bodies to the Anatomical Schools.

No.	Name.	Sex.	Age.	Day and hour of death.	Immediate cause of death.	Name of medical person signing the certificate of death.	Anatomical School sent to.	Name of person who conveyed the body to the School.	Name of person at School who actually took in the body.	Day and hour of its receipt at the School.

N.B.—This book is to be exhibited or delivered to the Inspector of School of Anatomy, every 1st of January.

ANATOMY OFFICE.

REGISTER (D) to be kept by _____, an undertaker authorized to remove bodies to and from the Anatomical Schools.

No.	Name.	Sex.	Age.	Name of signatory to certificate of death.	Date of certificate of death.	Date of removal to School.	Date of removal from School.	Place of burial.	No. of grava.

This book is to be taken to the Anatomy Office, on the 1st of January of each year; also, on relinquishing a contract, the undertaker must, within twenty-four hours, return the Register to the Inspector of School of Anatomy.

The Acting Under Secretary to The Registrar, Sydney University.

Sir,

Department of Public Instruction, Sydney, 14 February, 1884.

I am directed by the Minister of Public Instruction to transmit herewith, for the information of the Vice-Chancellor, an annual report furnished by the Inspector of the School of Anatomy connected with the University of Sydney.

I have, &c.,

G. MILLER,

Acting Under-Secretary.

The Registrar, Sydney University, to The Acting Under Secretary.

Sir,

University of Sydney, 19 March, 1884.

I am directed by the Vice-Chancellor to return you herewith the report of the Inspector of Anatomy, and at the same time to convey to the Minister his thanks for this courtesy.

I have, &c.,

H. E. BARFF,

Registrar.

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.

(MESSAGE No. 11.)

Ordered by the Legislative Assembly to be printed, 17 January, 1884.

AUGUSTUS LOFTUS,
Governor.

Message No. 11.

In accordance with the provisions contained in 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 a Bill for the amendment of the Laws respecting the Medical Profession, and for the establishment of a Medical Council.

Government House,

Sydney, 21st December, 1883.

1883.

(THIRD SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MEDICAL BILL.

(PETITION AGAINST—RICHARD SADLEIR, R.N.)

Received by the Legislative Assembly, 7 December, 1883.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of Richard Sadleir, R.N., J.P., on behalf of the Homœopathists of Sydney,—

HUMBLY SHOWETH :—

That in reference to the Medical Bill, now before your Honorable House, your Petitioners are not aware that the public requires any Bill to protect their interests in cases of sickness or surgical assistance, and that such a Bill so exclusive would be prejudicial to the interests and necessities of residents in many parts of the Colony where such medical advice could not be obtained.

That from the increasing confidence of the public in Homœopathy and other kindred associations, as evidenced by their increasing chemical departments and increase of practitioners, your Petitioners pray that any Council formed for examination and granting licenses should be representative, so that candidates may have competent examiners capable of entering into any particular theory of medicine they may have been educated in. And further, such qualified persons and students may have free access to the Infirmaries and Hospitals as schools of practise, and may enjoy, as in the United States and Victoria, a fair recognition of public support when so qualified.

Your Petitioners agreeing with some portions of said Bill, as to the assumption of titles and impositions thereby stated, nevertheless believe that class legislation favourable to any one branch of the profession would create monopoly, which would seriously affect scientific progress, which is benefited by full inquiry, in a profession which deals with health and life, and which is progressive.

Therefore your Petitioners protest against the tendering of such a Bill of protectionist principles, and pray that the Bill should not be retrospective.

And your Petitioners pray that your Honorable House may take the aforesaid premises into your consideration,—

And will, as in duty bound, ever pray.

Sydney, December 6th, 1883.

RICHARD SADLEIR,
Chairman of Committee

1883-4.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

MEDICAL BILL.

(PETITION FOR AMENDMENT OF—RESIDENTS OF SCONE.)

Received by the Legislative Assembly, 15 January, 1884.

The humble Petition of the undersigned residents of Scone, and surrounding districts,—

RESPECTFULLY SHOWETH :—

1st. That your Petitioners consider that a person who has habitually practised medicine in this Clause 7. Colony for a period of two years should be entitled to a license provided he passed the examination as required in Schedule III.

2nd. That any person who has habitually practised medicine in one district in this Colony for a Clause 8. period of four years shall be entitled to be registered under the Act, on production of a declaration, as set forth in Schedule IV, signed and testified as required.

3rd. That any person who has habitually practised medicine in one district for four years, having gained the confidence of the inhabitants, has given sufficient guarantee of his knowledge and capacity as a medical practitioner.

Your Petitioners therefore humbly pray that your Honorable House will consider their wishes.

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

[*Here follow 356 signatures.*]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.

(PETITION FOR AMENDMENT OF—CITIZENS OF SYDNEY.)

Received by the Legislative Assembly, 31 January, 1884.

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

The humble Petition of the undersigned Citizens of Sydney,—

RESPECTFULLY SHOWETH:—

1. That your Petitioners have heard with infinite pleasure that a Bill entitled "The Medical Bill" has been introduced into your Honorable House.
2. In relation to which they desire humbly, but most earnestly, to represent that there exists throughout the Colony most serious necessity for some such measure.
3. While your Petitioners recognize great difficulties in legislating upon the question, and perceive in the Medical Bill now before your Honorable House serious defects requiring amendment, they venture most humbly to express a hope that your Honorable House may not reject this measure at its second reading in consequence of these imperfections, but will carry it into Committee in order that it may be moulded into such form as may meet the necessities of the case without inflicting injustice or dishonour on any section of the community.
4. Your Petitioners respectfully represent that in consequence of the present insufficiency of the law in relation to the practice of medicine, and the use of medical titles, innocent and afflicted people suffer most grievously in their persons, often engaging and paying considerable sums to absolutely ignorant pretenders to medical knowledge, in the belief that these are educated and skilled in the degree implied by the titles the said pretenders display and profess to rightfully possess.
5. That the consequences of this state of things are often fatal to life.
6. That as young men intended for the medical profession know there is no law in this Colony to effectually distinguish a completely certified practitioner from one who has had no systematic training, they are thereby encouraged to neglect to qualify themselves, and prematurely enter on the responsibilities of medical practice to their own lasting injury and the great danger of the people.
7. That the number of untrained persons practising medicine in the Colony is increasing, while trained and qualified men are discouraged and humiliated through the confusion reigning in the public mind as to who are and who are not trained medical practitioners.
8. Your Petitioners humbly desire to draw the attention of your Honorable House to the generally admitted failure of the Medical Council of Great Britain and Ireland, and to its impending practical supercession by the proposed "One portal system of State examination"; also to the fact that the cause of this failure is traceable to the circumstance that the Council consists almost exclusively of representatives from the Medical Corporations, who have been more solicitous each man to promote the pecuniary interests of his own Corporation than to benefit the public and elevate the faculty.
9. Your Petitioners most humbly submit and hope that if for the purposes of the Act it be esteemed necessary to have a cumbersome Council instead of a Government Registrar, your Honorable House will provide for the righteous proportional representation of the public, and of all the vocations ancillary to medicine, such as the profession of the dentist, the pharmaceutical chemist, the practice of midwifery by women, &c.
10. Finally, while your Petitioners feel the great necessity for a Medical Bill for securing the safety of the people and the promotion of the interests of a profession on whose skill and honour the fate of nearly all of us must at some time become dependent, we trust your Honorable House will jealously preserve the principle contained in clauses 7 and 8 of the Bill, intended to secure the acquired rights of gentlemen who may have been in continuous reputable practice during many years.

11. Your Petitioners desire humbly to assure your Honorable House that there are some such in the Colony who are college trained medical practitioners, but whom the fortune of war, political and other circumstance, compelled in their youth to seek refuge in this Colony, when they would have been entitled to apply for qualifying certificates in their own Universities, but for the forfeiture of their rights through the victories of the armies and cause in opposition to which they had been arrayed.

Your Petitioners therefore most humbly pray your Honorable House will take these premises into your most serious consideration, and incorporate the just and necessary principles they embody into the Medical Bill now before your Honorable House.

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

[Here follow 210 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.

(PETITION FOR AMENDMENT OF—RESIDENTS OF SYDNEY.)

Received by the Legislative Assembly, 31 January, 1884.

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

The humble Petition of the undersigned Residents in Sydney and other parts of the Colony,—

RESPECTFULLY SHOWETH :—

1. That they have heard that there is a Bill before your Honorable House relating to the medical profession. While your Petitioners admit the great and crying necessity for some such measure they desire earnestly to point out that the Bill now before your Honorable House is faulty in a few important particulars :—

1st. The proposed Medical Council is to be so constituted that the general public, though deeply interested and affected by its action, is to be altogether excluded from any share in its proceedings—no provision being made for lay representation, either directly or indirectly.

Your Petitioners humbly submit that this would be contrary to constitutional principle, public policy, and reason, and is calculated to degrade such a body into a mere instrument for promoting sectional or class interests, as has been painfully illustrated by the career of the Medical Council of the United Kingdom, which, nearly all admit, has shown more solicitude for the pecuniary advantage of medical corporations than for the great public and professional interests confided to its care, or than for the promotion of sound learning among the medical youth of the country.

The Medical Bill now before your Honorable House moreover contains no provision for the periodical renewal of the proposed Council, whose members it is intended to elect for life, a practice universally admitted in constitutional countries to be antagonistic to progress and successful working, and which is certain to defeat the more necessary and essential provisions of the Bill if it should become law.

Your Petitioners desire further to humbly express their sincere approval of those excellent features in the Bill intended to prevent unmerited hardship on certain old established reputable but uncertified practitioners who have acquired in their own neighbourhood and among even qualified doctors reputations for skill and good personal character.

Your Petitioners further desire to humbly point out that these equitable provisions in the Bill are in entire harmony with past legislation in England and other civilized countries.

Your Petitioners beg also to represent to your Honorable House that the want of a Medical Act in this Colony is daily productive of untold sorrow and inconvenience, especially among the poor and uneducated, mainly from the difficulty at present experienced in distinguishing certified trained doctors from fraudulent and vicious persons who adopt titles or designations implying that they have received certificates of previous training in hospitals and medical schools.

Your Petitioners respectfully pray that your Honorable House will, by amendments in Committee of the Medical Bill now before Parliament, secure to the public the necessary means to enable them in the hour of peril to distinguish between dangerous pretenders to systematic medical training and practitioners who have endeavoured to prepare for their serious vocation by a regular course of training and study.

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

[Here follow 226 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.

(PETITION AGAINST—MEDICAL PRACTITIONERS OF NEW SOUTH WALES.)

Received by the Legislative Assembly, 28 February, 1884.

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

The humble Petition of the undersigned duly qualified Medical Practitioners, residing and practising in the Colony of New South Wales,—

SHOWETH :—

1. That your Petitioners are all duly qualified medical practitioners, residing and practising in the Colony of New South Wales, and are opposed to the provisions of the Bill lately introduced into your Honorable House by the Honorable Member for Kiama, Dr. Tarrant, intituled, "A Bill for the amendment of the laws respecting the Medical Profession, and for the establishment of a Medical Council."

2. That your Petitioners believe that such Bill is wrong in principle, and will not meet with the approval of the medical profession generally, or of the public, and is premature and uncalled for.

3. That the said Bill authorizes to be placed upon the Register of the Medical Board certain persons who have received no medical education whatever, and others whose education in that respect is most meagre, and insufficient to enable them to practise medicine and surgery with safety to the public, to the principle of which clause your Petitioners are strongly opposed.

4. That your Petitioners are of opinion that the said Bill will, by imposing uncalled for disabilities on chemists and other unregistered persons, seriously interfere with the rights of such persons and the convenience and benefit of the general public.

5. That, in your Petitioners' opinion, the only Act at present required for the protection of the public of this Colony is one providing for the imposition of penalties on persons who, not being registered in accordance with the now existing laws, shall wilfully and falsely pretend to be legally qualified medical practitioners.

Your Petitioners therefore humbly pray as follows :—

1. That your Honorable House will not pass into law the Bill so introduced into your Honorable House by the Honorable Member for Kiama, Dr. Tarrant.

2. That your Honorable House will, in substitution for such Bill, introduce and pass an Act solely for the purpose of imposing penalties on persons who, not being registered in accordance with the now existing laws of this Colony, shall wilfully and falsely pretend to be legally qualified medical practitioners.

And your Petitioners will ever pray, &c.

[Here follow 184 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MEDICAL BILL.

(PETITION FOR AMENDMENT OF—RESIDENTS OF WINDSOR, RICHMOND, HAWKESBURY, &c.)

Received by the Legislative Assembly, 28 February, 1884.

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

The humble Petition of the undersigned Residents in Windsor, Richmond, the Hawkesbury Valley, and contiguous neighbourhood,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners have for a long time been painfully conscious of the serious evils resulting from the difficulty of distinguishing certified trained medical practitioners from others who have had no training, but who, by assuming titles generally used to denote the possession of a diploma, deceive the public, often to the very serious and irreparable injury of the latter.

Your Petitioners having heard that a Medical Bill has been introduced into your Honorable House, having mainly for its object the correction of this dangerous state of things, desire most humbly to represent that such a law is one of crying necessity in the Colony, and that the absence of one daily leads to the most lamentable occurrences.

Your Petitioners are of opinion that, to secure this urgently needed protection to the public, it is not necessary to inflict any hardship on those uncertified persons who have, in the absence of a regulating law, been honorably practising medicine and surgery during many years; and they humbly petition that provision be made in the Medical Bill to prevent such hardship, by depriving it of any retrospective force.

Your Petitioners respectfully beg to further represent that this Bill will afford an excellent opportunity to legally define, limit, and encourage the very useful calling of "apothecary," more generally designated "pharmaceutical chemist,"—a vocation indispensable in the country, and one which the wisdom and liberality of Parliament have, through the medium of the School of Pharmacy under the Board of Technical Education, placed within the easy attainment of any young man of sufficient preliminary education.

Your Petitioners further desire to humbly point out that at present neither the Sydney University nor the Medical Board have any legal power to recognize certificates of attendance on lectures in Europe and America, unless associated with a University or the actual possession of a diploma; and that in consequence numerous young medical students in an advanced state of consumption, who have been compelled to come to the genial climate of New South Wales, and also others who having been constrained to enter the active military medical service of foreign countries before they were old enough or otherwise eligible to take their degrees in their own Universities, find themselves unable in this Colony to secure recognition of their academical status, and are thus permanently excluded from fellowship with the members of the profession of their choice.

Your Petitioners therefore humbly pray that your Honorable House will take these serious circumstances into consideration, and so amend the Medical Bill introduced by Dr. Tarrant that these grievances may be remedied.

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

[Here follow 82 signatures.]

1883-4.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ADULTERATION OF FOODS ACT.
(NUMBER OF PROSECUTIONS UNDER.)

Ordered by the Legislative Assembly to be printed, 21 October, 1884.

[*Laid upon the Table in accordance with promise made in answer to Question 7, Votes No. 104, 22nd May, 1884.*]

(7.) Prosecutions under Adulteration of Foods Act:—*Mr. Day*, for *Mr. Tarrant*, asked the Minister of Justice,—How many prosecutions have taken place under the Adulteration of Foods Act?

Mr. Cohen answered,—This information cannot be furnished without reference to the various Benches of Magistrates, and it will take some time to collect the complete number of prosecutions referred to. The matter shall receive early attention.

ADULTERATION OF FOODS ACT.

A circular letter having been addressed to the several Benches of Magistrates throughout the Colony, it has been ascertained that only one prosecution under the Adulteration of Foods Act, 42 Vic. No. 14, has taken place in the Colony.

This case was heard at Balmain, and resulted in a dismissal.

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