

Votes

New South Wales.

No. 1.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FOURTH SESSION OF THE NINETEENTH PARLIAMENT.

TUESDAY, 19 JANUARY, 1904.

1. OPENING OF THE SESSION:—The House met at Twelve o'clock at Noon, pursuant to a Proclamation of His Excellency the Governor, bearing date the seventh day of January, 1904.

Mr. Speaker took the Chair.

The Acting Clerk, by direction of Mr. Speaker, read a copy of the said Proclamation, as follows:—

"NEW SOUTH WALES, } Proclamation by His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral
"to wit. } in the Royal Navy, Knight Commander of the Most Honorable Order of
"(L.S.) } the Bath, Governor of the State of New South Wales and its Dependencies,
"HARRY H. RAWSON, } in the Commonwealth of Australia.
"Governor.

"WHEREAS the Parliament of New South Wales now stands prorogued to Tuesday, the twelfth day of January instant: Now, I, Sir HARRY HOLDSWORTH RAWSON, in pursuance of the power and authority in me vested as Governor of the said State, do hereby further prorogue the said Parliament to Tuesday, the nineteenth day of January instant: And I do hereby further announce and proclaim that the said Parliament shall assemble for the despatch of business on the aforesaid nineteenth day of January instant, at twelve o'clock at noon, in the buildings known as the Legislative Council Chambers, situate in Macquarie-street, in the City of Sydney: And the Members of the Legislative Council and Legislative Assembly respectively are hereby required to give their attendance at the said time and place accordingly.

"Given under my hand and Seal, at Sydney, this seventh day of January, in the year of our Lord one thousand nine hundred and four, and in the third year of His Majesty's Reign.

"By His Excellency's Command,

"JOHN SEE.

"GOD SAVE THE KING!"

2. WRITS OF ELECTION:—

(1.) Mr. Speaker informed the House,—

1. *Electorate of Armidale*.—That, upon the passing of the resolution of the 17th November, 1903, declaring the seat of Edmund Lonsdale, Esquire, vacant, he had issued a Writ for the Election of a Member to serve in the room of Mr. Lonsdale, and that such Writ had been duly returned, with a certificate endorsed thereon by the Returning Officer of the election of Sydney John Kearney, Esquire, to serve as Member for the Electoral District of Armidale.

2. *Electorate of Moree*.—That, upon the passing of the resolution of the 18th November, 1903, declaring the seat of William Webster, Esquire, vacant, he had issued a Writ for the Election of a Member to serve in the room of Mr. Webster, and that such Writ had been duly returned, with a certificate endorsed thereon by the Returning officer of the election of Percy Ernest Stirton, Esquire, to serve as Member for the Electoral District of Moree.

3. *Electorate of Waratah*.—That, upon the passing of the resolution of the 18th November, 1903, declaring the seat of Arthur Griffith, Esquire, vacant, he had issued a Writ for the Election of a Member to serve in the room of Mr. Griffith, and that such Writ had been duly returned, with a certificate endorsed thereon by the Returning Officer of the election of Matthew Charlton, Esquire, to serve as Member for the Electoral District of Waratah.

19th January, 1904.

(2.) Mr. Speaker also informed the House,—

1. That during the recess, in accordance with the direction of the 53rd section of the Parliamentary Electorates and Elections Act of 1902, he had issued Writs for the election of Members to serve in the Legislative Assembly in the room of the undermentioned gentlemen, viz. :—

Archibald Campbell, Esquire, Member for Illawarra, deceased,
Frank Farnell, Esquire, Member for Ryde, resigned.

2. That the first of the said Writs had been duly returned to him, with a certificate endorsed thereon, by the Returning Officer of the election of Edward Allen to serve as Member for the Electoral District of Illawarra.

3. MEMBER SWORN :—Matthew Charlton, Esquire, having taken and subscribed the Oath of Allegiance, and signed the Roll of House, took his seat as Member for the Electoral District of Waratah.

4. ASSENT TO BILLS :—Mr. Speaker reported that, during the recess, he had received the following Messages from His Excellency the Governor :—

(1.) Appropriation Bill :—

HARRY H. RAWSON,
Governor.

Message No. 1.

A Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the year from the 1st day of July, 1903, to the 30th day of June, 1904, inclusive of both dates; to adjust the vote 'Advance to Treasurer, 1902-1903,' for supplementary charges during the period from 1st July, 1902, to 30th June, 1903, inclusive of both dates; and to cover payments 'Unauthorised in Suspense' for urgent claims on account of Services of the year 1902-3; and for purposes connected with and incidental to the above objects,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 28th November, 1903.

(2.) Juvenile Smoking Suppression Bill :—

HARRY H. RAWSON,
Governor.

Message No. 2.

A Bill, intituled "*An Act to restrict and prohibit the use of tobacco, cigars, and cigarettes by juvenile members of the community,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

State Government House,
Sydney, 30th November, 1903.

(3.) Reduction of Members Referendum Bill :—

HARRY H. RAWSON,
Governor.

Message No. 3.

A Bill, intituled "*An Act to submit the question of the reduction of the number of the Members of the Legislative Assembly to a referendum; and for purposes consequent on or incidental to that object,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 1st December, 1903.

(4.) Bills of Sale (Amendment) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 4.

A Bill intituled "*An Act to amend the Bills of Sale Act of 1898,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 1st December, 1903.

(5.) Loan Bill :—

HARRY H. RAWSON,
Governor.

Message No. 5.

A Bill, intituled "*An Act to authorise the raising of a Loan for Public Works and Services, and for other purposes,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 2nd December, 1903.

(6.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

19th January, 1904.

(6.) Commercial Causes Bill:—

HARRY H. RAWSON,
Governor.

Message No. 6.

A Bill, intituled "*An Act to provide a more expeditious method for the trial of commercial causes; and for purposes consequent on or incidental to that object,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(7.) Friendly Societies (Amending) Bill:—

HARRY H. RAWSON,
Governor.

Message No. 7.

A Bill, intituled "*An Act to amend the Friendly Societies (Further Amendment) Act, 1901,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(8.) Sydney Harbour Trust (Leasing) Bill:—

HARRY H. RAWSON,
Governor.

Message No. 8.

A Bill, intituled "*An Act to give the Sydney Harbour Trust Commissioners extended powers of leasing,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(9.) Native Animals Protection Bill:—

HARRY H. RAWSON,
Governor.

Message No. 9.

A Bill, intituled "*An Act to protect native animals, and to amend the Birds Protection Act, 1901,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(10.) Deaf, Dumb, and Blind Institution Vesting Bill:—

HARRY H. RAWSON,
Governor.

Message No. 10.

A Bill, intituled "*An Act to vest certain land now belonging to the Board of Water Supply and Sewerage in Trustees upon the trusts declared in a certain Crown Grant of a site for an Institution for the deaf and dumb and blind; and for other purposes,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(11.) Crown Lands Act Amendment Bill:—

HARRY H. RAWSON,
Governor.

Message No. 11.

A Bill, intituled "*An Act to amend the Crown Lands Acts so as to provide for granting increased areas to present holders; permitting a present holder to sell to another; for the reduction of interest on unpaid balances and the issue of certificates in certain cases; to alter the present conditions of residence on, and selling, exchanging, and leasing lands; to alter the present system of balloting; to defer payments and provide for family holdings, and the right of parents to assist their children; to provide for the conversion and extension of settlement leases and annual leases; and for other purposes,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(12.)

19th January, 1904.

(12.) Government Savings Bank (Amendment) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 12.

A Bill, intituled "*An Act to amend the Government Savings Bank Act, 1902*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

(13.) Sydney Harbour Collieries (Limited) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 13.

A Bill, intituled "*An Act to enable the Sydney Harbour Collieries (Limited) to drive two headings to cross underneath certain public streets and private lands at Balmain, and under the reserved portion of lands surrounding Goat Island*,"—as finally passed the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of His Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper Officer for enrolment, in the manner required by law.

State Government House,
Sydney, 5th December, 1903.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR:—The Usher of the Black Rod being admitted, delivered the following Message :—

"Mr. Speaker,

"It is the pleasure of the Governor that this Honorable House do attend His Excellency "immediately in the Legislative Council Chamber."

The House went—and being returned, adjourned, on motion of Sir John See, at twenty-five minutes after Twelve o'clock, noon, until Four o'clock This Day.

The House resumed, pursuant to adjournment.

6. MEMBERS SWORN :—The undermentioned gentlemen, having each taken and subscribed the Oath of Allegiance, and signed the Roll of the House, took their Seats as Members for the Electoral Districts respectively named :—

Sydney John Kearney, Esquire, for Armidale.
Edward Allen, Esquire, for Illawarra.
Percy Ernest Stirton, Esquire, for Moree.

7. LAW OF EVIDENCE BILL :—Sir John See presented a Bill, intituled "*A Bill to amend the Law of Evidence*,"—which was read a first time *pro forma*.

8. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—

"By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales in the Commonwealth of Australia.

"PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—

" Henry Clarke, Esquire,	|	James Alexander Hogue, Esquire, &
" Hugh Macdonald, Esquire,		Patrick Edward Quinn, Esquire,
" Thomas Jessep, Esquire,		John Thomson, Esquire, and
" William Millard, Esquire,		William John Ferguson, Esquire, &
" Samuel Wilkinson Moore, Esquire,		

"being Members of the said Assembly, to be Members of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid.

"Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,
"this nineteenth day of January, in the year of our Lord one thousand nine hundred
"and four.

"WILLIAM McCOURT,
"Speaker."

9. TEMPORARY CHAIRMEN OF COMMITTEES.—Mr. Speaker, pursuant to Standing Order No. 28, appointed—
James Alexander Hogue, Esquire,
Sydney James Law, Esquire,
Richard Denis Meagher, Esquire,
James Francis Smith, Esquire, and
Philip Hurley Sullivan, Esquire,
to act as Temporary Chairmen of Committees during the present Session.

10. PAPER :—Mr. O'Sullivan laid upon the Table,—Report of the completion of the Johnstone's Creek Storm-water Channel Low-level Sewer to Pumping Station No. 3.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

19th January, 1904.

11. SUSPENSION OF STANDING ORDERS:—Sir John See moved, pursuant to notice, That so much of the Standing Orders be suspended—

(1) As requires the Speaker to read the Governor's Opening Speech to the House, and the preparation and adoption of an Address-in-Reply.

(2) As would preclude the introducing and proceeding with "a Bill to provide for the reduction of the number of members of the Legislative Assembly and of the number of electorates to ninety; for the distribution of electorates; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence; to provide that existing electors' rights shall continue to have effect in respect of the new electorates; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902; and for purposes consequent on or incidental to the carrying out of the said objects,"—as far as the second reading at one sitting of the House.

Debate ensued.

Question put.

The House divided :

Ayes, 76.

Mr. Waddell,	Mr. Jessep,	Mr. Moore,
Mr. Kidd,	Mr. Carruthers,	Mr. Fleming,
Mr. Brinsley Hall,	Mr. Law,	Mr. Ferguson,
Mr. Henry Clarke,	Mr. Anderson,	Mr. Dacey,
Sir John See,	Mr. Quinn,	Mr. Wade,
Mr. Hayes,	Mr. Hollis,	Mr. Morton,
Mr. Crick,	Mr. Charlton,	Mr. J. F. Smith,
Mr. Davis,	Mr. Perry,	Mr. E. M. Clark,
Mr. O'Sullivan,	Mr. Coleman,	Mr. Mahony,
Mr. Cann,	Mr. Cohen,	Mr. Thomson,
Mr. Garland,	Mr. McGowen,	Mr. Estell,
Mr. Kearney,	Mr. Lee,	Mr. Jones,
Mr. Levy,	Mr. Eden George,	Mr. Holman,
Mr. Fegan,	Mr. Stirton,	Mr. McFarlane,
Mr. W. F. Hurley,	Mr. Byrne,	Mr. Brunker,
Mr. Davidson,	Mr. Donaldson,	Mr. Scobie,
Dr. Ross,	Mr. T. H. Griffith,	Mr. Macdonell,
Mr. Young,	Mr. Latimer,	Mr. Gormly,
Mr. T. R. Smith,	Mr. Phillips,	Mr. McLaurin,
Mr. Allen,	Mr. Nielsen,	Mr. John Storey,
Mr. Evans,	Mr. Hawthorne,	Mr. Mackenzie,
Mr. Thomas,	Mr. Collins,	Mr. John Hurley.
Mr. Archer,	Mr. Edden,	<i>Tellers,</i>
Mr. Broughton,	Mr. Ashton,	Mr. Oakes,
Mr. D. R. Hall,	Mr. Sleath,	Mr. Affleck.
Mr. Fallick,	Mr. Moxham,	

Noes, 6.

Mr. Levien,
Mr. Norton,
Mr. Briner,
Mr. Miller.
Tellers,
Mr. Burgess,
Mr. J. C. L. Fitzpatrick.

And so it was resolved in the affirmative.

12. BUSINESS DAYS—PRECEDENCE OF BUSINESS (*Sessional Order*):—Sir John See moved, pursuant to Notice, That, unless otherwise ordered, this House shall meet for the despatch of Business at half-past Ten o'clock a.m. on Tuesday, Wednesday, Thursday, Friday, and Saturday in each week, and "Government Business only shall be dealt with."

Debate ensued.

Mr. Garland moved, That the Question be amended by leaving out the words "Government Business only shall be dealt with," and inserting the words "the Reduction of Members Bill shall have precedence over all other business" instead thereof.

Question proposed,—That the words proposed to be left out stand part of the Question.

Debate continued.

Question put,—That the words proposed to be left out stand part of the Question.

The House divided :

Ayes, 52.

Mr. Perry,	Mr. Willis,
Mr. Hayes,	Mr. Miller,
Mr. Brinsley Hall,	Mr. Evans,
Mr. Kidd,	Mr. Nicholson,
Sir John See,	Mr. T. H. Griffith,
Mr. Crick,	Mr. Edden,
Mr. Sleath,	Mr. Gormly,
Mr. O'Sullivan,	Mr. Raymond,
Mr. Scobie,	Mr. John Storey,
Mr. Donaldson,	Mr. Charlton,
Mr. Waddell,	Mr. Anderson,
Mr. Byrne,	Mr. Collins,
Mr. Power,	Mr. Young,
Mr. Quinn,	Mr. Thomson,
Mr. D. R. Hall,	Mr. Davis,
Mr. Estell,	Mr. McLaurin,
Mr. McGowen,	Mr. J. F. Smith,
Mr. Cann,	Mr. Thomas Fitzpatrick,
Mr. T. R. Smith,	Mr. Holman,
Mr. Archer,	Mr. Jones,
Mr. Levien,	Mr. O'Conor,
Mr. Hollis,	Mr. Macdonell,
Mr. Alexander Campbell,	Mr. Williams.
Mr. Henry Clarke,	<i>Tellers,</i>
Mr. Dacey,	Mr. W. F. Hurley,
Mr. Kelly,	Mr. Nielsen.
Mr. Meagher,	

Noes, 42.

Mr. Gilbert,	Mr. Fleming,
Mr. Mahony,	Mr. Oakes,
Mr. Lee,	Mr. Haynes,
Mr. Garland,	Mr. Ferguson,
Mr. Daniel O'Connor,	Mr. Latimer,
Mr. Carruthers,	Mr. Millard,
Mr. Moore,	Mr. Carroll,
Mr. Cohen,	Mr. Hawthorne,
Mr. Jessep,	Mr. Briner,
Mr. J. C. L. Fitzpatrick,	Mr. Burgess,
Mr. Allen,	Mr. Ashton,
Mr. Eden George,	Mr. Morton,
Mr. Coleman,	Mr. Dick.
Mr. Davidson,	<i>Tellers,</i>
Mr. Fallick,	Mr. Wade,
Dr. Ross,	Mr. Nobbs.
Mr. Rose,	
Mr. Mackenzie,	
Mr. Moxham,	
Mr. Affleck,	
Mr. John Hurley,	
Mr. Winchcombe,	
Mr. Law,	
Mr. Brunker,	
Mr. Stirton,	
Mr. Thomas,	
Mr. Phillips,	

And so it was resolved in the affirmative.

19th January, 1904.

Original Question again proposed.

Mr. Winchcombe moved, That the Question be amended by adding the words, "and that the sittings shall close not later than 10 o'clock p.m. on each day."

Question proposed,—That the words proposed to be added be so added.

Debate continued.

Question,—That the words proposed to be added be so added—put and negatived.

Original Question put and passed.

13. CHAIRMAN OF COMMITTEES :—Sir John See moved, pursuant to Notice, That John Henry Cann, Esquire, be Chairman of Committees of the Whole House for the present Session.
Question put and passed.

14. ELECTORATES REDISTRIBUTION BILL :—

- (1.) The following Message from His Excellency the Governor was delivered by Sir John See, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 14.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 reduction of the number of Members of the Legislative Assembly and of the number of Electorates to ninety ; for the distribution of Electorates ; to apply the Royal Commission Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence ; to provide that existing electors' rights shall continue to have effect in respect of the new Electorates ; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902 ; and for purposes consequent on or incidental to the carrying out of the said objects.

*State Government House,
Sydney, 19th January, 1904.*

Ordered, to be referred to the Committee of the Whole on the Bill.

- (2.) Sir John See moved, That this House will, forthwith, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the reduction of the number of Members of the Legislative Assembly and of the number of Electorates to ninety ; for the distribution of Electorates ; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence ; to provide that existing electors' rights shall continue to have effect in respect of the new Electorates ; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902 ; and for purposes consequent on or incidental to the carrying out of the said objects.

Question put and passed.

- (3.) On motion of Sir John See, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider the expediency of bringing in a Bill to provide for the reduction of the number of Members of the Legislative Assembly and of the number of Electorates to ninety ; for the distribution of Electorates ; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence ; to provide that existing electors' rights shall continue to have effect in respect of the new Electorates ; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902 ; and for purposes consequent on or incidental to the carrying out of the said objects.

Mr. Speaker resumed the Chair ; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, That the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

Resolved,—That it is expedient to bring in a Bill to provide for the reduction of the number of Members of the Legislative Assembly and of the number of Electorates to ninety ; for the Distribution of Electorates ; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence ; to provide that existing electors' rights shall continue to have effect in respect of the new Electorates ; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902 ; and for purposes consequent on or incidental to the carrying out of the said objects.

On motion of Sir John See, the Resolution was read a second time and agreed to.

- (4.) Sir John See then presented a Bill, intituled "A Bill to provide for the reduction of the number of Members of the Legislative Assembly and of the number of Electorates to ninety ; for the distribution of Electorates ; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence ; to provide that existing electors' rights shall continue to have effect in respect of the new Electorates ; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902 ; and for purposes consequent on or incidental to the carrying out of the said objects,"—which was read a first time.

Ordered to be printed and read a second time To-morrow.

15. ADJOURNMENT :—Sir John See moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at twenty-five minutes after Ten o'clock, until To-morrow at Half-past Ten o'clock a.m.

RICHD. A. ARNOLD,
Acting Clerk of the Legislative Assembly.

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 2.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FOURTH SESSION OF THE NINETEENTH PARLIAMENT.

WEDNESDAY, 20 JANUARY, 1904.

1. The House met pursuant to adjournment. Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) *Vote of Women on the Referendum* :—Mr. Whiddon asked the Colonial Secretary,—Will he be good enough to inform the House what percentage of women voted on the Referendum Vote in December last (a) for the metropolis (b) suburbs, and (c) the State generally, as compared with the total number enrolled as entitled to vote?

Sir John See answered,—I am informed that this information cannot be supplied, as the rolls under the Commonwealth Electoral Act were used, and the parcels containing same have been returned to the Commonwealth Authorities. I quite recognise the importance of this information, and will endeavour to obtain it.

- (2.) *Hughestonia Tank* :—Mr. Affleck asked the Secretary for Public Works,—

(1.) Has any official report been received by the Department within the last month regarding the size and condition of the Hughestonia Tank, in the Burrowa electorate?

(2.) Will he lay upon the Table of this House a copy of all the papers sent in, and including the last report made within the past month?

(3.) If he declines to lay the papers upon the Table of this House this week, will he inform the House what are the cubic contents of the said tank, and in what condition it is in regarding the completion of the same; also, what was the original size as laid out to be completed?

Mr. O'Sullivan answered,—

(1.) No.

(2 and 3.) The Honorable Member may move for these papers.

- (3.) *Claim for State Properties taken over by the Commonwealth* :—Mr. J. C. L. Fitzpatrick asked the Colonial Secretary,—

(1.) Has any claim yet been made against the Federal Government for the value of State properties taken over by the Federation; if so, what is the aggregate amount so claimed?

(2.) Is he aware that the Federal Treasurer has stated during the past fortnight to a Press interviewer, that no claim had, up to that time, been received by him from the Government of New South Wales?

Sir John See answered,—No. I may say, for the information of the House, that valuations of the various properties belonging to the State, which have been transferred to the Commonwealth under the Commonwealth Act, have been made, but the account has not yet been furnished. There is a difference about the Custom House. The State Government occupy about two-thirds of the Custom House, and it is a question of law, I admit, as to whether the Federal Government is entitled to have the Custom House transferred to it. Then, some question has been raised about the Victoria Barracks. If the Federal Government do not want the Victoria Barracks for military purposes, the State Government can do better with the property than transfer it; and I say at once, that if the property is transferred, it must be transferred at a price equal to its commercial value. I think it is too valuable for the purpose for which it is used. It is quite a coincidence that Mr. Chapman, the Federal Minister for Defence, and myself expressed our views upon the question simultaneously. I had no conference or communication with that gentleman about the matter. The view I hold in regard to Victoria Barracks is that the land is too valuable for the purpose for which it is now used. I think the State Government should get the full value of any property transferred.

(4.)

20th January, 1904.

(4.) Tenders by Superintendent of Government Dock, Biloela:—Mr. J. C. L. Fitzpatrick asked the Secretary for Public Works,—

- (1.) Is the Superintendent of the Government Dock, Biloela, subject to the same terms and conditions as other contractors when tendering for Government work?
- (2.) Does he enclose with his tender a preliminary deposit, as required by General Conditions; if so, is it Government money?
- (3.) In the event of his tender being accepted, does he find the cash security, as required by the General Conditions, and imposed on other contractors, for the due performance of their contract; if so, is it Government money?
- (4.) In the event of the contract costing more than the amount of the tender, who makes good the difference;—is it borne by the Government?

Mr. O'Sullivan answered,—

- (1.) He tenders in accordance with the specification, but the conditions regarding preliminary deposit and security are not insisted upon.
- (2.) No.
- (3.) No.
- (4.) In one case the work was completed at the Dock in excess of the amount quoted, but in other instances a saving on the accepted prices has been effected, and it is anticipated that savings will more than counterbalance losses; however, the whole matter is being considered by my honorable colleague, the Treasurer, and myself, with a view to placing affairs on a proper basis.

(5.) Prosecutions for use of Preservatives in Food:—Mr. Morton asked the Colonial Secretary,—

- (1.) Has his attention been directed to the prosecution of the management of a milk condensing factory in this State for using certain preservatives in their product?
- (2.) Is it not a fact that a Select Committee of this House, supported by the evidence of scientific authorities, have reported that the addition of this preservative is not dangerous to public health?
- (3.) Will he authorise the suspension of these prosecutions until the matter has been finally dealt with?

Sir John See answered,—I am aware that the Board of Health has declared that certain preservatives are injurious to public health. My position is this: As long as we have a Board of Health, formed of capable men, who understand all the scientific dealings with matters of food supply and liquids, I should be placing myself in a very invidious position if I refused to accept the recommendation of that Board. In regard to the Select Committee of this House which inquired into the question of preservatives in food, I hope to be able to give effect to their labours, and to let them continue their inquiry, the House having an opportunity of saying whether they agree with the Select Committee or not. But I must say this—and I say it with very great respect, and although it may affect the interests of some of my oldest friends—I think the question of the public health is of more importance than individual interests. I say this advisedly, and I am not prepared to accept the responsibility, as head of the State, of refusing to carry into effect recommendations made by gentlemen who are supposed to know more about these matters than I do. If there is a conflict of opinion between medical authorities, I cannot see how Parliament, apart from legislation, can deal with such a matter. Parliament may have its own opinions or it may obtain information from experts, and we know that doctors differ, as lawyers differ. The overriding consideration is as to whether preservatives are injurious to public health. If they are, we had better take the risk of not allowing them to be used than to expose ourselves to the danger of using them. However, I have a perfectly open mind in the matter. I must give my hon. friend to understand that I have given him this answer now because I have gone fully into the matter on my own responsibility, but the matter is by no means settled. If some prosecutions take place under the present Regulations, penalties will not be enforced pending a settlement of the whole question.

(6.) Ex Contributors to the Superannuation Fund:—Mr. Broughton asked the Colonial Secretary,—

- (1.) Will he give the names of all public servants who called off the Superannuation Fund in the year 1896, and were dismissed the same year?
- (2.) The length of service in each case?
- (3.) The annual salary they were in receipt of at the time of such dismissal?
- (4.) Will he give the names of all who have called off the Fund, up to the date of this return, still in the Service?
- (5.) The respective Departments to which they are attached?
- (6.) The amount of refund in each case now bearing interest at 3 per cent. per annum?

Sir John See answered,—As it will take some time to prepare this information I shall be glad if the Honorable Member will move for a Return in the usual way. I will endeavour to get the information as soon as possible.

(7.) Keepit Land Exchange:—Mr. Moore asked the Secretary for Lands,—When will the Keepit exchange lands be made available for settlement?

Mr. Hayes answered,—The exchange has now been completed, and the lands will be available on the 25th February.

2. PAPERS:—Mr. Hayes laid upon the Table,—

- (1.) *Gazette* Notices setting forth the mode in which it is proposed to deal with the dedication of Crown Lands, under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897.
- (2.) Additional Regulations Nos. 36A and 157E, and additional Forms Nos. 4A, 4B, and 66A, under the Crown Lands Acts.
- (3.) Additional Regulations Nos. 342 to 355, and amended Regulation No. 15, also additional Forms Nos. 95 to 108, under the Crown Lands Act Amendment Act, 1903.
- (4.) Amended Regulation No. 63, under the Pastures Protection Act, 1902.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

20th January, 1904.

3. ELECTORATES REDISTRIBUTION BILL :—The Order of the Day having been read;—Sir John See moved, That this Bill be now read a second time.

Debate ensued.

Mr. Dacey moved, pursuant to Standing Order No. 142, That the Honorable Member for Sydney—Belmore Division, Mr. Eden George, be not further heard.

Question put, and voices given,—Mr. Speaker stated his opinion that the *Noes* had it.

Whereupon, Division called for,—and Mr. Speaker having, in accordance with Standing Order No. 213, directed the Members to take their seats to the right and left of the Chair respectively, declared the determination of the House to be in the *negative*, as there were only ten Members in the minority who had challenged his decision.

The following are the names of the Members in the minority, viz. :—Mr. Macdonald, Mr. Crick, Mr. Clara, Mr. Nielsen, Mr. Dacey, Mr. Holman, Mr. Macdonell, Mr. Jones, Mr. Hollis, and Mr. D. R. Hall.

Debate continued.

Question put and passed.

Bill read a second time.

On motion of Mr. Perry, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

And the Committee continuing to sit after Midnight,—

THURSDAY, 21 JANUARY, 1904, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Sir John See the report was adopted.

Sir John See then moved, "That" the Bill be now read a third time.

Mr. McFarlane moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words "the Bill be recommitted for the reconsideration of clause 4" instead thereof.

Question proposed,—That the words proposed to be left out stand part of the Question.

Debate ensued.

Question put,—That the words proposed to be left out stand part of the Question.

The House divided :

Ayes, 76.		Noes, 18.	
Mr. Cann,	Mr. McCoy,	Mr. Clara,	Mr. Norton,
Mr. Kidd,	Mr. Jones,	Mr. Nicholson,	Mr. Meagher,
Dr. Ross,	Mr. Newnan,	Mr. Macdonald,	Mr. Donaldson,
Mr. Lee,	Mr. E. M. Clark,	Mr. Gormly,	Mr. Sleath,
Mr. Anderson,	Mr. Bruncker,	Mr. Miller,	Mr. J. C. L. Fitzpatrick,
Mr. Scobie,	Mr. Law,	Mr. Moxham,	Mr. McLaurin,
Mr. John Storey,	Mr. Phillips,	Mr. Oakes,	Mr. McFarlane,
Mr. Kelly,	Mr. Latimer,	Mr. Rose,	Mr. Briuer,
Mr. Fleming,	Mr. Haynes,	Mr. Stirton,	Mr. Thomas Fitzpatrick,
Mr. Wade,	Mr. Power,	Mr. Carruthers,	Mr. Williams,
Mr. Fegan,	Mr. Nielsen,	Mr. Winchcombe,	Mr. Young,
Mr. Bennett,	Mr. Holman,	Mr. Nobbs,	Mr. Barnes,
Mr. Crick,	Mr. Broughton,	Mr. Thomas,	Mr. MacMahon,
Mr. D. R. Hall,	Mr. Hogue,	Mr. Garland,	Mr. Thomson,
Mr. Levien,	Mr. Nelson,	Mr. Davidson,	Mr. Collins,
Mr. Perry,	Mr. Hawthorne,	Mr. Price,	Mr. Brinsley Hall.
Sir John See,	Mr. J. F. Smith,	Mr. Cohen,	<i>Tellers,</i>
Mr. W. F. Hurley,	Mr. Edden,	Mr. Carroll,	Mr. Evans,
Mr. O'Sullivan,	Mr. Charlton,	Mr. Mackenzie,	Mr. Pyers.
Mr. Jessep,	Mr. Mahony,	Mr. Gillies,	
Mr. Moore,	Mr. Burgess,	Mr. John Hurley,	
Mr. Ashton,	Mr. David Storey,	Mr. Millard.	
Mr. Sullivan,	Mr. Dacey,	<i>Tellers,</i>	
Mr. Ferguson,	Mr. McGowen,	Mr. Quinn,	
Mr. Daniel O'Connor,	Mr. Levy,	Mr. Morton.	
Mr. Hollis,	Mr. Byrne,		

And so it was resolved in the affirmative.

Question,—That the Bill be now read a third time,—put and passed.

Bill read a third time, and, on motion of Sir John See, *passed*.

Sir John See then moved, That the Title of the Bill be, "*An Act to provide for the reduction of the number of Members of the Legislative Assembly and of the number of electorates to ninety; for the distribution of electorates; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take Evidence; to provide that existing electors' rights shall continue to have effect in respect of the new electorates; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902; and for purposes consequent on or incidental to the carrying out of the said objects.*"

Question put and passed.

Ordered that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled "*An Act to provide for the reduction of the number of Members of the Legislative Assembly and of the number of electorates to ninety; for the distribution of electorates; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence; to provide that existing electors' rights shall continue to have effect in respect of the new electorates; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902; and for purposes consequent on or incidental to the carrying out of the said objects.*"—presents the same to the Legislative Council for its concurrence

Legislative Assembly Chamber,

Sydney, 21st January, 1904, a.m.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

20th January, 1904.

4. SPECIAL ADJOURNMENT :—Sir John See (*by consent*) moved, without Notice, That this House, at its rising this day, do adjourn until Four o'clock p.m. To-morrow.
Debate ensued.
Question put and passed.

5. ADJOURNMENT :—Sir John See moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

The House adjourned accordingly, at ten minutes before Two o'clock a.m., until Four o'clock p.m. This Day.

RICHD. A. ARNOLD,
Acting Clerk of the Legislative Assembly.

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 3.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FOURTH SESSION OF THE NINETEENTH PARLIAMENT.

THURSDAY, 21 JANUARY, 1904.

1. The House met pursuant to adjournment. Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Waiting-shed, corner of Devonshire and Castlereagh Streets :—Mr. Whiddon asked the Colonial Treasurer,—In view of the very dusty conditions that exist at the corner of Devonshire and Castlereagh streets, would it not be possible to have a waiting-room erected at the point of land adjoining the Railway Institute, at the corner of Prince Alfred Park and Castlereagh-street, for the convenience of the large number of passengers who are always waiting for the different trams that pass this corner ?

Mr. Waddell answered,—I have consulted the Railway Commissioners in the matter. It is not thought, however, that a waiting-room is absolutely essential at this place, and the position will probably be altered when the new railway station is opened.

- (2.) Distribution of Christmas Gifts :—Mr. Whiddon asked the Colonial Secretary,—

(1.) In connection with the gifts given by the Government to the deserving but needy at Christmas time, was the same sum allowed to each Member in the city and suburbs ?

(2.) If not, will he kindly inform the House in what electorate any difference in the sum was made, and what was the reason of the different amounts ?

Sir John See answered,—The poorer electorates received the greater assistance, as will be seen by the list which I will presently lay upon the Table.

- (3.) Road Vote :—Mr. Affleck asked the Secretary for Public Works,—

(1.) Have orders been given to the various Road Superintendents throughout the State to call tenders for road repairs for the balance of the Vote on the scheduled roads they were previously authorised to hold over ; if so, when was the order issued ; if not, will he issue orders immediately, so that the money voted by Parliament may be expended and paid during the present financial year ?

(2.) What is the total balance in hand, at present unexpended, of the £450,000 voted by Parliament for expenditure on the scheduled roads of the State ?

Mr. O'Sullivan answered,—

(1.) The Road Superintendents have been instructed to proceed with works according to the amounts set against each road, and also reminded that the greatest care is necessary in expenditure to 30th June next, so that the best results may be achieved with the funds at disposal.

(2.) The unexpended balance on 31st December last was £225,080 net, deducting advances of £72,670 made to local officers to meet urgent payments.

- (4.) Sale of Diseased Animals :—Mr. Affleck, for Mr. Rose, asked the Colonial Treasurer,—

(1.) Is it a fact that, under the Diseased Animals and Meat Act, country auctioneers are prosecuted for selling diseased animals, while no such prosecutions take place for such sales at Flemington ?

(2.) Is the law so administered that there is one application for the metropolis and a totally opposite one for country districts ; and, if so, for what reason ?

(3.) Is it not a fact that diseased animals are usually detected by experts after they are killed ?

Mr. Waddell answered,—

(1 and 2.) No.

(3.) Auctioneers are not prosecuted unless the disease is visible during life to an ordinary observer using reasonable care.

(5.)

21st January, 1904.

- (5.) Shelter-boxes for Tramway Signalmen:—Mr. Whiddon asked the Colonial Treasurer,—In view of the excessively dusty weather, alternated with heavy rains, that the signalmen at the railway yards, Hunter-street, Castlereagh and Devonshire streets, and many other places, are exposed to, will he be good enough to consider whether shelter-boxes, with glass at the sides, could not be constructed to protect these men during the trying weather they have to contend with?

Mr. Waddell answered,—I am informed that flagmen are placed at certain street intersections and crossings for the purpose of protecting vehicular and other traffic. They could not properly perform their duties from the shelter-boxes, as suggested, and they are no more exposed than other persons whose employment is of an out-door character. They are supplied with helmets and macintoshes.

- (6.) Collection of the Betterment Land Tax:—Mr. Affleck asked the Colonial Treasurer,—
- (1.) Has the Government yet begun to collect the betterment land tax, as authorised by the various Railway Construction Acts that Parliament passed, specifying that such tax should be collected from the time the said railways were completed; if not, what is the cause of the delay, and does the Government intend to enforce the law without any further delay?
 - (2.) Which are the particular lines that were constructed on these conditions, and what were the respective dates on which each of the said lines were completed, and what are the respective amounts now due to be collected on such lines up to the present date?

Mr. Waddell answered,—I am informed that the betterment tax has not yet been collected on the branch lines—namely, The Rock to Lockhart, Koorawatha to Grenfell, and Byrock to Brewarrina—on which it is due. The delay has been owing to the difficulty of establishing the necessary machinery for the collection of the tax, and it is likely that legislation will be necessary before the tax can be collected. It cannot be said what amounts are due.

- (7.) Valuation of Lands for Taxation:—Mr. J. C. L. Fitzpatrick asked the Colonial Treasurer,—
- (1.) Are all lands valued for taxation purposes first inspected, or are they valued in the office without inspection?
 - (2.) Does the Commissioner for Land Tax alter the values submitted by his officer, and does he alter the values of the Chief Assessor and other Valuers?
 - (3.) Have the lands in the county of Mitchell been revalued lately; if so, were they inspected; if not, how were the values made?

Mr. Waddell answered,—

- (1.) In all cases, where necessary, they are inspected.
- (2.) The Land and Income Tax Act charges the Commissioners alone with the responsibility of making the assessments; but of course they have to be guided by the reports of their assessors and responsible officers, as well as other information that may be got through the sales of similar lands adjoining.
- (3.) Lands in the county of Mitchell have recently been revalued by an officer having a good knowledge of that county. I will take this opportunity of correcting statements that have been made of Government interference. I have neither directly nor indirectly in any way suggested to the Taxation Commissioners that they should endeavour to get more revenue from the land. The matter, as provided by the Act, is entirely in the hands of the Commissioners. I may add that if anyone feels aggrieved at the assessment, and applies to the Commissioners, I shall ask them to hear all that can be said, so as to give as little cause for trouble as possible, and to avoid any appeal to the Court. I am anxious that as little trouble as possible should be given to the owners of land. If any man thinks he is aggrieved, and if he goes to the Commissioners before appealing to the Court, I will ask them to go into the case. Every care will be taken to prevent any trouble that can be avoided. I would like to emphasise the statement that I have not directly or indirectly, in any shape or form, made the slightest suggestion to the Commissioners that they should get more revenue from the land tax. My desire is to leave the matter entirely in their hands as the Act provides, and that they should carry out the law in a fair, just, and impartial manner.

- (8.) Overtime Employment in Taxation Department:—Mr. Morton asked the Colonial Treasurer,—
- (1.) Is he aware that a number of officers in the Taxation Department have worked overtime extending over several hundreds of hours, for which they have received no compensation beyond tea money?
 - (2.) Is he aware that the reason given for non-payment is because the Commissioners are afraid the Vote will not bear the expenditure?
 - (3.) Will he provide for the immediate payment for such overtime, so that no injustice may be inflicted on the officers who have sacrificed so much of their own time in the interests of the State?

Mr. Waddell answered,—Under the Public Service Regulations, officers may in time of stress be required to work beyond the usual hours without compensation. The Commissioners, in the case of officers employed on the 1903 Land Tax notices, conceded several days extra leave at Christmas time as a reward for the additional services rendered. Certain other officers have voluntarily worked overtime for considerable periods during the year; but in view of the limited funds at their disposal, and the necessity for economy in expenditure, the Commissioners have not so far been able to recommend any payment for such services, although the matter has not been lost sight of.

- (9.) Resumption of the "Ship Inn" and Change Alley, Circular Quay:—Mr. Broughton asked the Colonial Secretary,—
- (1.) What amount was paid to the owners and lessees in connection with the resumption of the "Ship Inn" and Change Alley, Circular Quay?
 - (2.) For what term are the present premises let?
 - (3.) The amount of rent received for same?

Sir John See answered,—

- (1.) The amount paid was £27,630.
- (2.) The premises are let on weekly tenancy.
- (3.) The rent is £216 0s. 4d. per annum.

(10.)

21st January, 1904.

- (10.) Victoria Barracks Property :—Mr. J. C. J. Fitzpatrick asked the Secretary for Lands,—
- (1.) Is it a fact that the land on which Victoria Barracks stands was originally granted for the purposes of a common or recreation reserve, and that this dedication was not revoked; if this is so, does not this property belong to the State, irrespective of the circumstance that it has been taken over by the Federal Government?
 - (2.) Will he cause investigation to be made with the object of ascertaining just how the State stands in regard to this property?
- Mr. Hayes* answered,—On the 6th November, 1850, a grant for the subject lands to the Principal Officers of Ordnance in Great Britain, for the time being, and their successors in office, was enrolled in the office for Registry of Deeds at Sydney; and by *Gazette* Notice dated the 30th January, 1900, No. 88, the said land was transferred to the Colonial Government by the Imperial Government.
- (11.) Sydney Cricket Ground Dispute :—Mr. Sullivan asked the Colonial Secretary,—
- (1.) Cannot steps be taken to put an end to the friction existing between the Trustees and the Cricket Association?
 - (2.) Where are the funds coming from for the litigation now going on?
- Sir John See answered,—Litigation is now pending. In such a case opinion is not usually expressed. The Department has knowledge of the matter in dispute; but, in view of the legal proceedings, action is not being taken. The necessary cost of the legal proceedings are not being provided by the State.
- (12.) Solicitor to the Navigation Department :—Mr. Sullivan asked the Colonial Treasurer,—
- (1.) How are assessors chosen or selected for the hearing of navigation cases in that Court?
 - (2.) What fees are paid to Mr. Thompson, solicitor, for appearing for the Navigation Department in that Court in the interests of the Department?
 - (3.) Is he also retained to watch the interests of certain shipping companies in the same Court whose vessels are surveyed by officers of the Navigation Department?
 - (4.) Are there not any barristers or solicitors employed in the Crown Solicitor's or Attorney-General's Departments able to do the work?
- Mr. Waddell* answered,—
- (1.) Assessors are appointed by the Colonial Treasurer in order of rotation from the list of Assessors as settled by him under the Navigation Act.
 - (2.) A small fee of from 3 to 4 guineas per day, according to the length of the case.
 - (3.) There is no information available on this subject.
 - (4.) Mr. Thompson was retained, as the Attorney-General considered there was no officer in the Department available who had the necessary knowledge of navigation to undertake the duty.
- (13.) Colonial Wine Licenses at Parramatta :—Mr. Sullivan asked the Colonial Secretary,—
- (1.) Is he aware that it is impossible for grocers and others to obtain a colonial wine license in Parramatta?
 - (2.) Is he aware that the holders of the only two colonial wine licenses in Parramatta are related to one of the members of the Licensing Bench, being a son and nephew respectively?
 - (3.) Is he prepared to allow such an improper state of things to continue?
- Sir John See answered,—The Attorney-General and Minister of Justice has furnished me with the following reply :—
- (1.) No.
 - (2.) I am not aware.
 - (3.) I cannot control the exercise of the discretion which, by law, is vested in the Licensing Court. If any specific charge of corruption, or undue influence, or of being beneficially interested in licensed premises, is made against a member of the Court, it will be investigated in the usual way. The Court consists of three members, and applications may be granted by a majority.
- (14.) Hughestonia Tank :—Mr. Affleck asked the Secretary for Public Works,—Has any officer been authorised within the last three months to report on the Hughestonia Tank; if so, has that report been received?
- Mr. O'Sullivan* answered,—Yes; a report has been called for, but it has not yet reached me.
- (15.) Appointment of Mr. McMahon to the Forestry Department :—*Mr. Fleming*, for Mr. Morton, asked the Secretary for Lands,—
- (1.) Is it a fact that a Mr. McMahon has received an appointment in the Forestry Department; or is it likely that he will receive such an appointment?
 - (2.) If so, what are the gentleman's qualifications, and where has he been employed?
- Mr. Hayes* answered,—Mr. McMahon has not received an appointment. It is impossible to say who will be appointed. Mr. McMahon at present holds the position of Director, Botanic Gardens and Government Domain, Brisbane, Queensland; has been employed privately in England, also in Royal Natural Botanic Gardens, Key; was Curator, Botanic Garden, Hull, Yorkshire; has also been employed in India and in Victoria. He claims the qualification of a perfect knowledge of the Forestry business, from professional training and wide experience.
- (16.) Supply of Electricity to Government Offices :—Mr. Sullivan asked the Secretary for Public Works,—
- (1.) In view of the complete plant being laid down for lighting the city with electricity by the City Council, will he stop the expenditure of some £20,000 to simply light the Government Offices, considering that the Council will supply the current at a cheap rate to all consumers?
 - (2.) Will he then consider the advisability of dispensing with an electrical engineer at £500 a year?
- Mr. Bennett* answered,—My hon. colleague will call for a report upon the matter and communicate with the Honorable Member later on.

21st January, 1904.

(17.) Mr. Cook, Government Architect's Department :—Mr. Sullivan asked the Secretary for Public Works,—

- (1.) Has Mr. Cook any authority to recommend certain officers for retrenchment in the Government Architect's Department?
- (2.) Is the Department still using his pulverised paint?
- (3.) Has he been called upon for a report for the £10,000 worth of work condemned on Messrs. Brown and Tapson?

Mr. Bennett answered,—

- (1.) If the Honorable Member refers to Mr. Cook, of the Architect's Branch, the answer is "No."
- (2.) My honorable colleague is not aware that this officer has asked the Department to use any special brand of paint, but will cause inquiries to be made.
- (3.) He has called for a report upon certain material supplied by Messrs. Brown and Tapson which has been condemned.

2. PAPERS :—

Mr. Waddell laid upon the Table,—

- (1.) Notification of appropriation of land, under the Public Works Act, 1900, for Water Supply at Capertee, for Railway purposes.
- (2.) Report of the Railway Commissioners on Railways and Tramways, for quarter ended 31st December, 1903.
- (3.) By-laws of the Municipal District of Campbelltown, under the Public Health Act, 1902.
- (4.) By-laws of the Municipal District of Dubbo, under the Public Health Act, 1902, and the Nuisances Prevention Act, 1897.
- (5.) By-laws of the Municipal District of Parkes, under the Public Health Act, 1902.
- (6.) By-laws of the Borough of Bathurst, under the Public Health Act, 1902.
- (7.) By-laws of the Borough of Granville, under the Nuisances Prevention Act, 1897.
- (8.) By-laws of the Borough of Orange, under the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902.
- (9.) By-laws of the Municipal District of Broken Hill, under the Public Health Act, 1902.

Mr. Kidd laid upon the Table,—

- (1.) Regulations under the Mining Laws Amendment Act, 1901.
- (2.) Proclamation under the Stock Act, 1901, altering the conditions of Proclamation, dated 11th March, 1903, issued under that Act, regarding the importation of stock from Queensland.
- (3.) Regulation under the Stock Act, 1901.
- (4.) Amended Regulation under the Stock Act, 1901.

Mr. Hayes laid upon the Table,—

- (1.) Abstract of Crown Lands authorised to be dedicated to Public Purposes, under the Crown Lands Act of 1884.
- (2.) Notification of resumption of land, under the Public Works Act, 1900, for a Public Recreation Ground, at Spring Valley.
- (3.) Notification of resumption of land, under the Public Works Act, 1900, for a Public Recreation Ground, at Hampton.
- (4.) Notification of resumption of land, under the Public Works Act, 1900, for a Public Recreation Ground, at Shell Beach.
- (5.) Amended Regulations Nos. 221 and 319A, also additional Regulation No. 214A, and additional Form No. 109, under the Crown Lands Acts.
- (6.) Notice of intention to declare that Homestead Selection 1903-6, in the District of Newcastle, applied for by Alfred Noble, shall cease to be voidable.

Sir John See laid upon the Table,—

- (1.) Interim Report of Commissioners on certain parts of Primary Education.
- (2.) Report of the Public Service Board in regard to the Inquiry held into the causes of the alleged excessive cost of the erection of the New Pavilions at the Prince Alfred Hospital, under the Day-labour System.
- (3.) Regulations under the Fisheries Act, 1902.
- (4.) Statement of Accounts of the Sydney Harbour Trust for year ended 30th June, 1903.
- (5.) Twenty-first General Report of the Parliamentary Standing Committee on Public Works. Ordered to be printed.
- (6.) By-laws of the Borough of Albury.
- (7.) By-laws of the Borough of Bathurst.
- (8.) By-laws of the Borough of Dundas.
- (9.) By-laws of the Borough of Petersham.
- (10.) By-laws of the Borough of West Maitland.
- (11.) By-laws of the Borough of North Sydney.
- (12.) By-laws of the Borough of Randwick.
- (13.) By-laws of the Borough of Waterloo.
- (14.) By-laws of the Borough of Willoughby.
- (15.) By-laws of the Municipal District of Braidwood.
- (16.) By-laws of the Municipal District of Broken Hill.
- (17.) By-laws of the Municipal District of Canterbury.
- (18.) By-laws of the Municipal District of Jerilderie.
- (19.) By-laws of the Municipal District of Manly.
- (20.) By-law of the Municipal District of Marsfield.
- (21.) Regulations under the Reduction of Members Referendum Act, 1903.
- (22.) Result of Polling for the number of Members of the Legislative Assembly, to be elected under the Reduction of Members Referendum Act.

Mr.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

21st January, 1904.

Mr. Perry laid upon the Table,—

- (1.) New and Amended By-laws of the University of Sydney.
- (2.) Notifications of resumption of land, under the Public Works Act, 1900, for Public School purposes at Upper Manilla, Ward's Mistake, Tyagong, and Iandra Siding.
- (3.) Minute respecting retirement of Temporary Officers from the Department of Public Works.
- (4.) Notification of resumption of land, under the Public Works Act, 1900, for a Fire Brigade Station at Woollahra.
- (5.) Notification of resumption of land, under the Public Works Act, 1900, for Water Supply for Sydney and Suburbs.
- (6.) Notification of resumption of land, under the Public Works Act, 1900, for an Artesian Well at Kensington.
- (7.) Notification of resumption of land, under the Public Works Act, 1900, for a way of access between Woodlands Road, Canterbury, and Palace-street, Ashfield.
- (8.) Notification of resumption of land, under the Public Works Act, 1900, for a Bridge over the Hunter River at Singleton.
- (9.) Notification of resumption of land, under the Public Works Act, 1900, for a Water Reserve at Lochinvar.
- (10.) Notification of resumption of land, under the Public Works Act, 1900, for a Wharf at Cahill's, on the Bellingen River.

3. LEAVE OF ABSENCE:—Sir John See (*by consent*) moved, without Notice, That leave of absence for the present Session be granted to Albert Edward Chapman, Esquire, Member for Braidwood.
Question put and passed.

4. ELECTORATES REDISTRIBUTION BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to provide for the reduction of the number of Members of the Legislative Assembly, and of the number of electorates, to ninety; for the distribution of electorates; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence; to provide that existing electors' rights shall continue to have effect in respect of the new electorates; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902; and for purposes consequent on or incidental to the carrying out of the said objects,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney; 21st January, 1904.*

F. B. SUTTOR,
President.

5. SPECIAL ADJOURNMENT:—Sir John See (*by consent*) moved, without Notice, That this House, at its rising this day, do adjourn until Wednesday next.
Question put and passed.

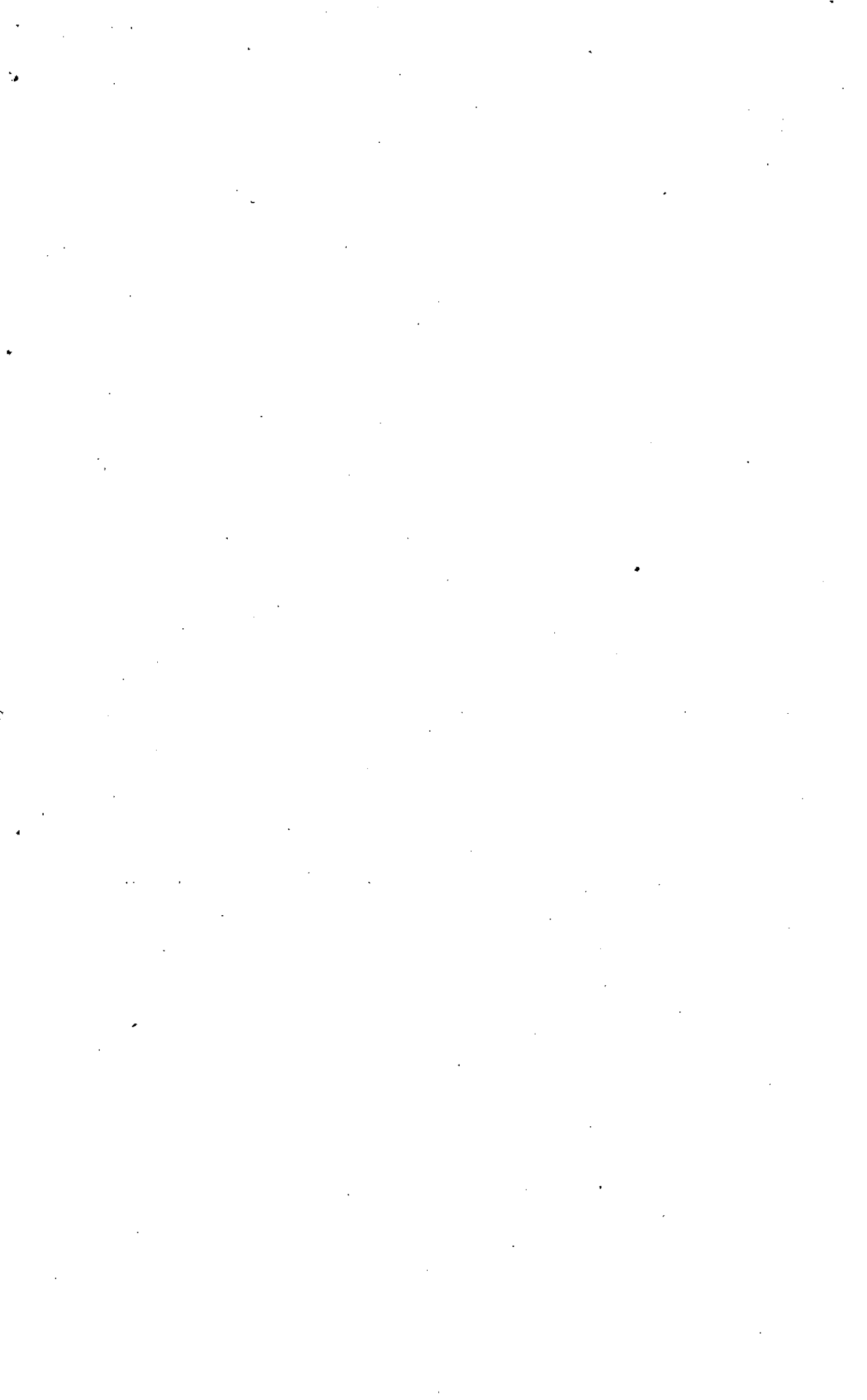
6. ADJOURNMENT:—Sir John See moved, That this House do now adjourn.
Debate ensued.

Mr. Speaker stated that he had had handed to him a document proroguing Parliament.

Mr. Speaker thereupon left the Chair, at ten minutes before Eight o'clock.

RICHD. A. ARNOLD,
Acting Clerk of the Legislative Assembly.

WILLIAM McCOURT,
Speaker.





PROCLAMATION

<p>NEW SOUTH WALES, to wit. (L.S.) HARRY H. RAWSON, <i>Governor.</i></p>	}	<p>By His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight Commander of the Most Honorable Order of the Bath, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.</p>
--	---	---

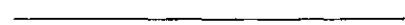
WHEREAS by an Act passed in the second year of the Reign of His Majesty King Edward the Seventh, being "An Act to Consolidate the Acts relating to the Constitution," it is amongst other things enacted that the Governor of New South Wales may prorogue the Legislative Council and Assembly thereof from time to time: And whereas it is expedient to prorogue the said Council and Assembly: Now, therefore, I, Sir HARRY HOLDSWORTH RAWSON, the Governor aforesaid, in pursuance of the power and authority so vested in me, do hereby prorogue the said Legislative Council and Assembly until Tuesday, the eighth day of March next, and the same stand so prorogued accordingly.

Given under my Hand and Seal, at Sydney, this twenty-first day of January, in the year of our Lord one thousand nine hundred and four, and in the third year of His Majesty's Reign.

By His Excellency's Command,

JOHN SEE.

GOD SAVE THE KING!



1904.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

BUSINESS UNDISPOSED OF AT THE CLOSE OF THE SESSION.

(PROROGUED, 21 JANUARY, 1904.)

QUESTIONS:—

1. MR. SULLIVAN *to ask* THE COLONIAL SECRETARY,—
 - (1.) In view of the pronounced views of the public in favour of economy in the Public Service, what steps are being taken to reduce the Public Service?
 - (2.) Will it be necessary to continue the great expense of three members of the Public Service Board;—will not one be sufficient, as in the Commonwealth?
2. MR. D. R. HALL *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Has his attention been called to a statement in the *Daily Telegraph* of the 20th instant, showing that over 100,000 acres of North Coast land is shortly to be made available as conditional purchase, and only 8,000 acres as homestead selection?
 - (2.) Is this correct?
 - (3.) Is there any special reason why this land should be offered under freehold instead of leasehold tenure?
 - (4.) Does the Government intend to abandon the leasehold system, and revert to a land policy which involves a complete alienation of the public estate?

GENERAL BUSINESS—NOTICES OF MOTIONS:—

1. MR. AFFLECK *to move*, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the taking of a referendum vote at the next State election on the question of Local and State Option regarding the number of licenses to be granted for the future, under the Liquor Act of 1898 or any Act amending the same; also, as to the question of compensation for the loss of such licenses, whether there should be any, and, if so, whether it should be monetary or time compensation; and for purposes consequent on or incidental to that object.
2. MR. LEVIEN *to move*,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the use of the preservative and colouring matters in the preservation and colouring of food, and whether the use of such materials, or any of them, for the preservation and colouring of food in certain quantities is injurious to health; and if so, in what proportions does their use become injurious; and to what extent and in what amounts are they used at the present time.
 - (2.) That such Committee consist of Mr. Waddell, Mr. Meagher, Mr. Edden, Mr. E. M. Clark, Mr. Richards, Mr. Gillies, Mr. Eden George, Mr. Nobbs, Dr. Ross, and the Mover.
 - (3.) That the Progress Report, Minutes of Proceedings, and Evidence of the Select Committee of Session 1903 be referred to such Committee.

[3d.]

1904.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ATTENDANCES OF MEMBERS IN DIVISIONS AND COUNTS-OUT
DURING THE SESSION OF 1904.

	Divisions in the House.	Divisions in Committee.	Counts-out.	Total.
Afleck, William, Esq.	2	1	.....	3
Allen, Edward, Esq.	2	.....	.....	2
Anderson, George, Esq.	3	1	.....	4
Archer, William, Esq.	2	.....	.....	2
Ashton, James, Esq.	3	1	.....	4
Barnes, John Frederick, Esq.	1	1	.....	2
Bennett, The Hon. Walter, Esq.	1	.....	.....	1
Briner, George Stuart, Esq.	3	1	.....	4
Broughton, Ernest Clement Vernon, Esq.	2	1	.....	3
Brunker, The Hon. James Nixon, Esq.	3	1	.....	4
Burgess, George Arthur, Esq.	3	1	.....	4
Byrne, Francis Arthur, Esq.	3	1	.....	4
Campbell, Alexander, Esq.	1	.....	.....	1
Cann, John Henry, Esq. (<i>Chairman of Committees</i>)	3	.....	.....	3
Carroll, James George, Esq.	2	1	.....	3
Carruthers, The Hon. Joseph Hector, Esq.	3	1	.....	4
Chapman, Albert Edward, Esq. ... ..	.....	.....	.....	.....
Charlton, Matthew, Esq.	3	1	.....	4
Clara, Patrick James, Esq.	1	1	.....	2
Clark, Edward Mann, Esq.	2	1	.....	3
Clarke, Henry, Esq.	2	.....	.....	2
Cohen, John Jacob, Esq.	3	1	.....	4
Coleman, John William, Esq.	2	1	.....	3
Collins, Albert Ernest, Esq.	3	1	.....	4
Crick, The Hon. William Patrick, Esq.	3	1	.....	4
Dacey, John Rowland, Esq.	3	1	.....	4
Daley, William Michael, Esq. ... ..	.....	.....	.....	.....
Davidson, Robert, Esq.	3	1	.....	4
Davis, William Walter, Esq.	2	.....	.....	2
Dick, William Thomas, Esq.	1	1	.....	2
Dight, Charles Hilton, Esq. ... ..	.....	.....	.....	.....
Donaldson, Robert Thomas, Esq.	3	1	.....	4
Edden, Alfred, Esq.	3	1	.....	4
Estell, John, Esq.	2	1	.....	3
Evans, Joseph George, Esq.	3	1	.....	4
Fallick, James, Esq.	2	1	.....	3
Fegan, The Hon. John Lionel, Esq.	2	1	.....	3
Ferguson, William John, Esq.	3	1	.....	4
Fitzpatrick, John Charles Lucas, Esq.	3	1	.....	4
Fitzpatrick, Thomas, Esq.	2	1	.....	3
Fleming, William Montgomerie, Esq.	3	1	.....	4
Garland, John, Esq.	3	1	.....	4
George, Eden, Esq.	2	1	.....	3
Gilbert, Owen, Esq.	1	1	.....	2
Gillies, John, Esq.	1	1	.....	2
Gormly, James, Esq.	3	1	.....	4
Griffith, Thomas Hunter, Esq.	2	.....	.....	2
Hall, Brinsley, Esq.	3	1	.....	4
Hall, David Robert, Esq.	3	1	.....	4
Hawthorne, John Stuart, Esq.	3	1	.....	4
Hayes, The Hon. James, Esq.	2	.....	.....	2
Haynes, John, Esq.	2	1	.....	3
Hogoe, James Alexander, Esq. (<i>Temporary-Chairman of Committees</i>)	1	1	.....	2
Hollis, Robert, Esq.	3	1	.....	4
Holman, William Arthur, Esq.	3	1	.....	4
Hurley, John, Esq.	3	1	.....	4
Hurley, William Fergus, Esq.	3	1	.....	4
Jessep, Thomas, Esq.	3	1	.....	4
Jones, George Alfred, Esq.	3	1	.....	4
Kearney, Sydney John, Esq.	1	.....	.....	1
Kelly, Andrew Joseph, Esq.	2	1	.....	3
Kidd, The Hon. John, Esq.	3	1	.....	4

	Divisions in the House.	Divisions in Committee.	Counts-out.	Total.
Latimer, William Fleming, Esq.	3	1	.....	4
Law, Sydney James, Esq. (<i>Temporary-Chairman of Committees</i>) ...	3	1	.....	4
Lee, Charles Alfred, Esq.	3	1	.....	4
Levien, Robert Henry, Esq.	3	1	.....	4
Levy, Daniel, Esq.	2	1	.....	3
Macdonald, Hugh, Esq.	1	1	.....	2
Macdonell, Donald, Esq.	2	.....	.....	2
MacKenzie, Thomas Fitzherbert Hawkins, Esq.	3	1	.....	4
MacMahon, Michael John, Esq.	1	1	.....	2
Mahony, William Henry, Esq.	3	1	.....	4
McCourt, The Hon. William, Esq. (<i>Speaker</i>) ...	.....	.....	.....	.....
McCoy, Richard Watson Walker, Esq.	1	1	.....	2
McFarlane, John, Esq.	2	1	.....	3
McGowen, James Sinclair Tnylor, Esq.	3	1	.....	4
McLaurin, Gordon Ranald, Esq.	3	1	.....	4
McNeill, John, Esq. ....	.....	.....	.....	.....
Meagher, Richard Denis, Esq. (<i>Temporary-Chairman of Committees</i>) ...	2	1	.....	3
Millard, William, Esq.	2	1	.....	3
Miller, Gustave Thomas Carlisle, Esq.	3	1	.....	4
Moore, Samuel Wilkinson, Esq.	3	1	.....	4
Morton, Mark Fairles, Esq.	3	1	.....	4
Moxham, Thomas Robert, Esq.	3	1	.....	4
Nelson, Arthur David, Esq.	1	1	.....	2
Newman, Henry William, Esq.	1	1	.....	2
Nicholson, John Barnes, Esq.	2	1	.....	3
Nielsen, Niel Rasmus Wilson, Esq.	3	1	.....	4
Nobbs, John, Esq.	2	1	.....	3
Norton, John, Esq.	2	1	.....	3
Oakes, Charles William, Esq.	3	1	.....	4
O'Connor, Daniel, Esq.	2	1	.....	3
O'Connor, Broughton Barnabas, Esq.	1	.....	.....	1
O'Sullivan, The Hon. Edward William, Esq.	3	1	.....	4
Perry, The Hon. John, Esq.	3	.....	.....	3
Phillips, Simon, Esq.	3	1	.....	4
Power, John Joseph, Esq.	2	1	.....	3
Price, Richard Atkinson, Esq.	1	1	.....	2
Pyers, Robert, Esq.	1	1	.....	2
Quinn, Patrick Edward, Esq.	3	1	.....	4
Quirk, Ellison Wentworth, Esq. ....	.....	1	.....	1
Reymond, Joseph Bernard, Esq.	1	1	.....	2
Richards, Edwin, Esq. ....	.....	1	.....	1
Rose, Thomas, Esq.	2	1	.....	3
Ross, Andrew, Esq., M.D.	3	1	.....	4
Scobie, Robert, Esq.	3	1	.....	4
Seé, The Hon. John, Esq.	3	1	.....	4
Sleath, Richard, Esq.	3	1	.....	4
Smith, James Francis, Esq. (<i>Temporary-Chairman of Committees</i>) ...	3	1	.....	4
Smith, Thomas Richard, Esq.	2	.....	.....	2
Stirton, Percy Ernest, Esq.	3	1	.....	4
Storey, David, Esq.	1	1	.....	2
Storey, John, Esq.	3	1	.....	4
Sullivan, Philip Hurley, Esq. (<i>Temporary-Chairman of Committees</i>) ...	1	1	.....	2
Thomas, Follet Johns, Esq.	3	1	.....	4
Thomson, John, Esq.	3	1	.....	4
Waddell, The Hon. Thomas, Esq.	2	.....	.....	2
Wade, Charles Gregory, Esq.	3	1	.....	4
Whiddon, Samuel Thomas, Esq. ....	.....	.....	.....	.....
Williams, William John, Esq.	2	1	.....	3
Willis, William Nicholas, Esq.	1	.....	.....	1
Winchcombe, Frederick Earle, Esq.	2	1	.....	3
Wood, William Herbert, Esq. ....	.....	1	.....	1
Young, William White, Esq.	3	1	.....	4

Legislative Assembly Office,
Sydney, 21 January, 1904.

RICH. A. ARNOLD,
Acting Clerk of the Legislative Assembly.

1904.

LEGISLATIVE ASSEMBLY,
NEW SOUTH WALES.

BUSINESS OF THE LEGISLATIVE ASSEMBLY OF NEW SOUTH WALES
DURING THE SESSION OF 1904.

1. New Writs issued										
2. Select Committees:—										
On Public Matters										
On Private Bills										
3. Standing Committees										
4. Public Bills:—										
Originated in the Assembly—										
Received the Royal Assent					1					
Reserved										
Otherwise disposed of					1					
							2			
Brought from the Council—										
Received the Royal Assent										
Otherwise disposed of										
5. Private Bills:—										
Originated in the Assembly—										
Received the Royal Assent										
Otherwise disposed of										
Brought from the Council—										
Received the Royal Assent										
Otherwise disposed of										
6. Petitions received:—										
Printed										
Not Printed										
7. Divisions:—										
In the House					3					
In Committee of the Whole					1					
										4
8. Sittings (for details see paragraph 15, page 2):—										
Days of Meeting										3
Hours of Sitting									26 h.	0 m.
Hours of Sitting after Midnight									1 h.	50 m.
Daily Average									8 h.	40 m.
Adjourned for want of a Quorum—										
Before commencement of Business										
After commencement of Business										
9. Votes and Proceedings										
Entries in Votes and Proceedings—										
Of Business done					26					
Of Questions answered					24					
										50
Daily Average										17
Entries in Notice Paper—										
Of Questions					85					
Of Notices of Motion					9					
Of Orders of the Day					1					
Of Contingent Notices										
										45
Daily Average										15
10. Contingent Notice Papers										
11. Orders for Papers										
12. Addresses for Papers										
13. Other Addresses										
14. Papers laid upon the Table:—										
By Message					1					
By Command					78					
In Return to Orders										
In Return to Addresses										
Reports from Standing and Select Committees										74
Ordered to be Printed					5					
Not ordered to be Printed					69					
										74
					74					

15. Sittings of the House:—

Return of the number of days on which the House sat in the Session of 1904, stating, for each day, the date of the month and the day of the week, the hour of the meeting and the hour of adjournment, and the total number of hours occupied in the sittings of the House, and the average time; and showing the total number of hours on which the House sat each day, and the number of hours after midnight, and the number of entries in each day's Votes and Proceedings.

No.	Month.	Day.	House Met.	House Adjourned.	Hours of Sitting.	Hours after Mid-night.	Entries in Votes.
					h. m.	h. m.	
1	19 January	Tuesday	{ 12 noon	12:25 o'clock p.m.	0 25	...	5
			{ 4 o'clock p.m.	10:25 " "	6 25	...	10
2	20 "	Wednesday	10:30 " a.m.	1:50 " a.m.	15 20	1 50	5
3	21 "	Thursday	4 " p.m.	7:50 " p.m.	3 50	...	6
Total					23 0	1 50	26

Average length of sitting daily, 8 hours 40 minutes.

Legislative Assembly Office,
Sydney, 21st January, 1904.

RICHD. A. ARNOLD,
Acting Clerk of the Legislative Assembly.