

Legislative Assembly.

Friday, 11 March, 1881.

Artillery Subaltern Officers — Eight-hours System of Labour on the Railway—Conditional Purchases—Sydney Hospital Bill—Anatomy Bill (second reading)—Ad Eundem Degrees Bill—Municipal Baths Site Acquisition Bill (second reading)—Berrima Coal-mine Railway Bill (second reading).

Mr. SPEAKER took the chair.

ARTILLERY SUBALTERN OFFICERS.

Mr. HEZLET asked the COLONIAL SECRETARY,—(1.) Will he lay upon the table copies of all correspondence, minutes, &c., confidential or otherwise, relative to the late examination of subaltern officers for the vacancy of captain in the New South Wales Artillery? (2.) Also copies of any correspondence relative to the promotion of any who attended the examination?

Sir HENRY PARKES answered,—I do not think I should be discharging my duty if I consented to lay copies of this correspondence upon the table of the House. The principal facts are these: In the first examination one candidate was barred by two or three marks only. The candidate who succeeded was barred from promotion, according to military rule, by an official report against his conduct. It would be a breach of all proper administration in relation to military discipline to produce copies of these official reports from the commanding officer. It must be injurious to the subject of them, and could do no good whatever. It would have been impossible in the present case to have promoted the gentleman who succeeded by two or three marks, because, as I have said, he was barred by a report, which is held to be an obstacle all over the world to promotion until sufficient time has elapsed and sufficient merit been acquired to condone the offence altogether. I think, therefore, I should not be justified if I were to lay a copy of this correspondence upon the table of the House, as it would tend to impair discipline, and would be contrary to military rules all over the Empire.

EIGHT-HOURS SYSTEM OF LABOUR ON THE RAILWAY.

Mr. CAMERON asked the SECRETARY FOR PUBLIC WORKS,—(1.) Is he aware that a large number of engine-drivers employed on the suburban lines are working at the rate of fourteen hours per day, and does he intend to do anything to reduce their hours of labour? (2.) Have any steps been taken by the department to carry out, as far as practicable, the resolution of this House relating to the application of the eight-hours system of labour, and if not, when is it likely any action will be taken in the matter?

Mr. LACKEY answered,—(1.) It is not the case that the engine-drivers on the suburban lines work at the rate of fourteen hours per day; they work for sixty hours a week or ten hours a day. It is impossible to adopt the eight-hours system in the case of drivers and firemen. Those employed on the suburban line run less miles than any of the other passenger-train drivers, and they have ample time for meals and rest between their trains; moreover, they only run five days a week, one day per week being allowed them to wash out and attend to their engines, on which days they only work five hours. (2.) Yes, action has been taken. Inquiry is being made as to the means by which the working time of the block-signalmen, porters, and others can, as far as practicable, be brought within the limits of eight hours.

CONDITIONAL PURCHASES.

Ordered (on motion by Dr. Ross),—

That there be laid upon the table of this House a return showing the number of conditional purchases made in each district during the last five years, ending the 31st December, 1880; also a return showing the area of land so conditionally purchased, together with the area and number transferred.

SYDNEY HOSPITAL BILL.

Resolved (on motion by Dr. RENWICK),—

(1.) That a select committee be appointed, with power to send for persons and papers, to inquire into and report upon the Sydney Hospital Bill.

(2.) That such committee consist of Mr. Abigail, Mr. Brodribb, Mr. Burdekin, Mr. H. C. Dangar, Mr. Hezlet, Mr. Poole, Mr. Roseby, Mr. R. B. Smith, and the mover.

ANATOMY BILL.

SECOND READING.

Dr. RENWICK: I beg to move the second reading of this Bill to authorise the establishment of schools of anatomy, and for regulating the practice of anatomy therein. The necessity for the Bill must be self evident to all honorable members, and I do not think it will be requisite for me to enter into any elaborate arguments in support of the measure. It is absolutely necessary to have such a law where it is intended to establish schools for education in medical science. In Victoria an Act similar to that which I now propose has been in operation for the last sixteen years; and it forms part of the Act to consolidate the laws relating to medical practice in Victoria. In New Zealand, when it was proposed to establish medical schools there, a similar law was passed. The same law exists in America. Those Acts, like the Bill which I propose, are based on the English Act 2 and 3 William IV., c. 75, which has been found suitable for the requirements of schools of anatomy in the mother country. The preamble to the Act is curious, and as it clearly states the purposes and objects of such an Act, I will read it—

Whereas, a knowledge of the causes and nature of sundry diseases which affect the body and of the best methods of treating and curing such diseases, and of healing and repairing divers wounds and injuries to which the human frame is liable, cannot be acquired without the aid of anatomical examination. And whereas, the legal supply of human bodies for such anatomical examination is insufficient fully to provide the means of such knowledge, and whereas, in order further to supply human bodies for such purposes, divers great and grievous crimes have been committed, and lately murder, for the single object of selling for such purposes the bodies of the persons so murdered, and so forth.

I may state that in this country there has been a great deal of unlegalised dissection—gentlemen who have been studying for the medical profession have been absolutely compelled to perform dissections privately, as in doing so they were acting without the authority of law. A large number of the medical practitioners here had to obtain a knowledge of anatomy to a great extent secretly. I have brought the Bill forward, because I understand that it is the intention of the Government to introduce a measure for the establishment of a medical school in connection with the University.

A knowledge of anatomy lies at the foundation of all medical science; and, therefore, it is desirable that proper means should be afforded for the acquisition of that knowledge. In the other learned professions—such as Law and Divinity—the subjects of study are contained in books, and the necessary knowledge is acquired from reading and attending lectures, but the study of anatomy demands more than books; it must be associated with the dissection of bodies. The Bill does not provide for the granting of degrees or certificates, except certificates of attainments in anatomy. The measure is of a purely practical character. It provides, in the first place, that the Governor-in-Council may authorise the establishment of schools of anatomy; and, as in all schools of anatomy, it is a great necessity that they should be placed under proper supervision, provision is made for the appointment of inspectors by the Governor-in-Council alone. There are other provisions in regard to the inspectors, such as the making of proper returns of the subjects provided for anatomical examination, and also as to the inspection of the schools. The Bill provides that persons having lawful custody of a body may permit it to undergo anatomical examination, and that the bodies of persons who in their wills direct that their bodies should be examined may be sent to the medical schools. The Bill provides various precautions for the exercise of due care in dissections, which shall be made only in places licensed by the Crown. Provision is also made for the making of regulations for the government of the schools, and for the maintenance of discipline. From what I have said, honorable members will gather that the Bill contains nothing of a debatable character, and that it provides for a recognised want. I shall be willing to accept any amendment of a practical nature which may be proposed; and I hope I shall have no difficulty in getting the Bill through Committee.

Question resolved in the affirmative.

Bill read the second time.

In Committee,—

Governor's message No. 12, read.

Clause 2 (Interpretation).

Mr. JACOB pointed out that the meaning of "Governor" might have been given as "Governor with the advice of

the Executive Council," and thus have saved many unnecessary words in the Bill.

Dr. RENWICK admitted the force of the exception taken, and that the suggested interpretation would have shortened some clauses. The use of the full phrase increased the verbiage, but it did not affect the provisions, and perhaps the alteration might be left to be made by the Upper House.

Clause agreed to.

Clause 4. The Governor with the advice of the Executive Council may grant a license to practise anatomy on such conditions for such period and subject to revocation in such manner as may be therein expressed to any graduate or licentiate in medicine or to any legally qualified medical practitioner in New South Wales or to any legally qualified professor or teacher of anatomy medicine or surgery or to any student attending any school of anatomy on application from any such person for such purpose countersigned by a stipendiary magistrate or by two justices of the peace certifying to their knowledge or belief that such person so applying is about to carry on the practice of anatomy.

Dr. ROSS suggested the expediency of making such an amendment as would meet the case of students who wished to be taught anatomy without having an intention to practise as professional men. It would be only fair to place the student on the same footing as that of legally qualified men.

Dr. RENWICK explained that there was no necessity for the amendment, as the case suggested by his honorable and learned friend was fully provided for in other clauses. Licenses to practise were placed in the hands of the Governor-in-Council, who no doubt would take care not to give them to any but eligible persons.

Mr. ROSEBY inquired whether the privileges were confined to one class of medical practitioners. He perceived that reference was made to licentiates in medicine and legally qualified medical practitioners; and he desired to know whether students in the various schools, following the homeopathic or other systems, would be admitted to the privileges conferred by the Bill.

Dr. RENWICK stated that the Bill had nothing to do with any particular theory or system of medicine; it was confined to anatomy. This study lay at the foundation of all medical knowledge. Any scruples as to exclusiveness were removed by the provision that the Governor-in-Council was to grant the licenses.

Mr. S. C. BROWN said it appeared that the licenses were restricted to three sets of persons—legally qualified medical practitioners in New South Wales; to legally qualified professors or teachers of anatomy, medicine, or surgery; and to students attending any school of anatomy. The meaning of "legally qualified medical practitioner in New South Wales" was very restricted in its application. It gave a certain class of practitioners a status in the coroner's court, and unless medical men were recognised by the Medical Board they had not that status; they were not held to be legally qualified. If the Bill were intended to apply to all schools, or systems of medicine, these words of the clause were surplusage, and either they ought to be expunged or words must be inserted to render the intention clear.

Dr. ROSS pointed out that some persons might desire to study practical anatomy in the dissecting room and would not desire to attend the lectures. If the words "teach or" were not inserted in the first part of the clause, it would imply that no practical anatomy was taught.

Dr. RENWICK explained, in reply to his honorable and learned friend, that the terms of the clause were those of the Victorian and New Zealand Acts, and also those of the Act in force in Great Britain, where full liberty was given for lectures and practical teaching. Those words, therefore, would be superfluous. In reference to the exception taken by the honorable member for Newtown, he might point out that the clause provided for those who received education in universities, colleges, and medical schools, for those also who were students of medicine, and these were the only classes of persons who knew anything of anatomy. So that he thought it was desirable to retain the words which the honorable member regarded as surplusage.

Mr. JACOB did not see the necessity for inserting the words suggested by the honorable member, Dr. Ross, as anatomy might be taught without licenses to teach it. As to the other objection, he thought it would remove a great difficulty if the words referred to by the honorable member for Newtown (Mr. S. C. Brown) were expunged.

Mr. FOSTER did not see that the clause would be improved by the omission of these words; they made the Bill more liberal in character. They could not restrict the meaning of the words immediately preceding—"any graduate or licentiate in medicine." The only effect of them was to do away with the necessity of inquiring whether any medical practitioner was a graduate or licentiate without being recognised by the board.

Mr. S. C. BROWN said it was evidently intended that the privileges under the Bill should not be confined merely to those who had passed the Medical Board. In the Act which gave power to the Medical Board were these words—

Any person who shall prove to the satisfaction of the New South Wales Medical Board or a quorum thereof that he has passed through a course of medical study of not less than three years' duration in a school of medicine and that he has received after due examination from the University of Sydney or from some university college or other body duly recognised for that purpose in the country to which such university college or other body may belong a diploma degree or license entitling him to practise shall be deemed to be a legally qualified medical practitioner.

So that if a person came from some place outside the colony, and proved to the board that he had a "diploma degree or license" to practise, and paid certain fees, he became a "legally qualified medical practitioner in New South Wales," and there was a difference between him and any graduate or licentiate. If that distinction were recognised at all, it ought not to be in a Bill like this, which was intended for the good of the general public, because it would promote heartburnings which had existed for years. The distinction was a relic of a past age. At present, however able and eminently successful a medical man might be, if he did not come under the definition of a "legally qualified medical practitioner in New South Wales," he could not claim fees in a coroner's court.

Amendment (moved by Mr. TARRANT) agreed to,—

That after the word "medicine," line 6, the words "or surgery" be inserted.

Mr. S. C. BROWN thought the words "or to any legally qualified medical practitioner in New South Wales" ought to be omitted.

Dr. RENWICK was as desirous as the honorable member for Newtown that the privileges under the Bill should be as open to as many as possible; but if these words were omitted, we should exclude a class of gentlemen who generally taught anatomy—navy and army surgeons—but who did not usually obtain a degree or diploma, but practised under the British Medical Act, adopted by the much maligned Medical Board of this colony. He hoped, therefore, that the amendment would not be moved; it could make no difference in the practical drift of the Bill.

Mr. S. C. BROWN reminded the honorable member in charge of the Bill that there were some qualified medical practitioners who were not legally qualified in the restricted sense of the words in the statute. If the words, the omission of which he had suggested, were retained, there ought to be inserted after them the words "or to any medical practitioner"; this would include both classes. He moved,—

That after the word "practitioner," line 7, the words "or any medical practitioner" be inserted.

Mr. TARRANT considered the amendment a very injudicious one. A man who had been selling groceries to-day might become a "medical practitioner" to-morrow.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 5 (Governor-in-Council to appoint inspectors of schools of anatomy).

Mr. S. C. BROWN perceived that inspectors were to be appointed, and he thought the Committee should be informed what outlay was likely to be incurred in the working of the Bill before they committed themselves to what might eventually become a large expenditure.

Dr. RENWICK explained that the expense would be very trifling. Any Government official might be appointed inspector, as the duties would not at first be very onerous. He apprehended that for some time the number of students would not exceed ten or twelve, and that a salary of £100 or £200 would cover all the expenses. As the schools enlarged, the expenses might be something greater; but, at the same time, the advantages afforded by the establishment would be more extended.

Clause agreed to.

Clause 8. It shall be lawful for any executor or other person having lawful possession of the body of any deceased person and not being an undertaker or other person entrusted with the body for the purpose only of interment to permit the body of such deceased person to undergo anatomical examination unless to the knowledge of such executor such person shall have expressed his desire either in writing at any time during his life or verbally in the presence of two or more witnesses during the illness whereof he died that his body after death might not undergo such examination or unless the surviving husband or wife or any known relative of the deceased person shall require the body to be interred without such examination. For the purposes of this Act the surgeon of any hospital the keeper of any lunatic asylum and the keeper of any gaol shall respectively be persons having the lawful possession of the body of any person who shall die in such hospital asylum or gaol respectively.

Mr. FOSTER thought this was a very dangerous clause, one which the public would never tolerate, and one which it would be very unbecoming to admit as law in any civilised community. It provided that any person, not being a gravedigger or undertaker, might give up a dead body for dissection, so that a lodging-house keeper might give up the body of a person who happened to have been lodging in his house, unless relatives of the deceased were near enough to object. It might be all very well to "cut up" people when they were alive, for they could then object, but after a man had passed out of life, and could not take his own part as far as his remains were concerned, it would be hard for Parliament to give this liberty of dissection. To an executor who had charge of a deceased man's worldly goods, the power might be given perhaps, but even then with much hesitation. No man who appointed an executor took into consideration that he was to deal with his body as well as with his estate. Many a respectable person died far away from friends and relatives, who, on hearing of his serious illness, might hasten to pay a last visit, and, arriving too late, find him dead. They would desire to see the body decently interred, when, to their horror, they would discover that it was cut up in two or three dozen pieces which would be difficult to collect. The surgeon of an hospital, the keeper of a lunatic asylum, or a gaoler, were to be deemed to have lawful possession of bodies. Therefore, if a man met with an accident and died in an hospital, the surgeon might give up his

body for dissection. He had no objection to the largest reasonable opportunities being given to medical students to study practical anatomy, the knowledge thus acquired being very valuable to the community, but to allow extraordinary facilities for the dismemberment of bodies would violate the feelings of the public and prove an evil greater than the benefit to be derived from anatomy.

Mr. FARNELL regarded this as the most useful clause in the Bill, and without it the Bill would be a nullity. There were cases in which persons died of diseases which had baffled medical science, and it would be a great benefit to society to learn by dissection of the bodies the nature of the disease, as it might enable medical men to save the lives of thousands of people. What did it matter to any one after death if his body were cut up? Perhaps it would be the best plan to burn our bodies after life was extinct. If there were no law on the subject, still dissection would go on; and he had busied himself some time ago in seeking to obtain accommodation for a dissecting room and lecture room for the use of the profession. He thoroughly agreed with the Bill, and regarded the objection to the clause as merely sentimental. If the Bill became law, he should be quite prepared in his will to bequeath his remains to the purposes of science.

Mr. WISDOM said it seemed to him that honorable members misunderstood the clause. He thought it extremely unlikely that an anatomical examination would, under the provisions of this clause, take place without the consent of relatives. One of the best answers to the objections urged by honorable members was that the clause had been in force for years in Victoria and elsewhere, and had not been abused. There was no reason to suppose that the evils predicted by honorable members would attend the enactment of the provision in this colony.

Amendment (by Mr. JACOB) agreed to,—

That the words "or other person" be inserted after the word "executor," line 8.

Mr. FOSTER said it was evident that a lodging-house keeper would come within the definition of a person having lawful possession of the body of a deceased person; and he would ask honorable members to have regard for the position of hundreds

of respectable persons in Sydney living far from their friends, but who had no relatives in the colony. In many cases if these persons were to die in a lodging-house, their bodies might be handed over for dissection without their relatives having an opportunity to withhold their consent. Even in the cases of deceased persons having relatives resident perhaps in the suburbs or in the country, it might often happen that the body would be dissected before the relatives were aware of the death, for it was provided that the body might be handed over for dissection after the lapse of twelve hours from the time of death. The friends of the deceased might arrive in Sydney to find that the body had been dissected and distributed in various anatomical museums of surgeons in the city. It was said that the body after dissection was to be put together again and properly interred; but what guarantee was there that the whole of the body would be placed in the coffin? The idea was revolting to humanity; and, whatever the opinions of honorable members as to the disposal of the dead, they ought to have some regard for the sensitive feelings of the living.

Dr. RENWICK said it was absolutely necessary that the clause before the Committee should be retained in the Bill. It was a copy of the clause in force in England, in Victoria, and in New Zealand. The honorable and learned member for Newtown (Mr. Foster) could not point to a single case in which the provision had been abused in London; and, had such a case occurred in Victoria, full particulars would have appeared in the newspapers. The honorable member would carry his idea of respect for the dead to a length incompatible with modern civilisation. The honorable member for St. Leonards confounded schools of comparative anatomy with schools of human anatomy. Comparative anatomy had been practised from the earliest days of science; but human anatomy could not be carried on without legislative enactment.

Mr. FOSTER said he believed the clause was not the same as that in force in England.

Dr. RENWICK said there was a great deal of unnecessary verbiage in the corresponding section of the English Act, and as the provisions of the Victorian and New Zealand Acts were substantially the same, he had preferred to copy them.

[*Mr. Foster.*

Amendment (by Mr. H. C. DANGAR) agreed to,—

That the words "the keeper of any lunatic asylum," line 18, be omitted.

Mr. PIGOTT said he would oppose the clause, and would take care to divide the Committee. He could not agree with the honorable member for St. Leonards that we should disregard sentiment in this matter. If a stranger visiting the colony were to die in a hotel, and his relatives could not be discovered within twelve hours, the hotel-keeper, who would very naturally be anxious to get rid of the body, might hand it over to a school of anatomy, and it might be dissected beyond recognition before his relatives could arrive. He did not think the fact that the clause was in operation in Victoria was any recommendation.

Mr. WISDOM thought there was, perhaps, something in the argument that twelve hours was too short a time to enable relatives to step in and prevent the dissection of a body; but, if evils had not arisen from the operation of the clause in Victoria, he failed to see why they should arise in this colony.

Mr. JACOB said if it could be shown that there was such a clause in existence in New Zealand and Victoria, he would vote for it.

Dr. RENWICK: The clause is from the New Zealand Act word for word.

Amendment (by Mr. JACOB) agreed to,—

That the word "asylum," last line but one, be omitted.

Mr. FOSTER said he must again repeat that the clause did not give relatives of deceased persons sufficient opportunity to object to the dissection of bodies. The abolition of the decencies attending death must have an injurious effect upon the morals of the community.

Question—That the clause, as amended, stand part of the Bill—put, whereupon the Committee divided with the following result:—

Ayes	30	} Majority, 5.
Noes	25	

AYES.

Mr. Abigail,	Mr. Myers,
Mr. Andrews,	Sir Henry Parkes,
Mr. E. Barton,	Mr. Proctor,
Mr. R. Barton,	Mr. Roseby,
Mr. Brodribb,	Dr. Ross,
Mr. Brunner,	Mr. Stuart,

Mr. Burdekin,	Mr. Sutherland,
Mr. Carter,	Mr. Sutor,
Mr. Combes,	Mr. Tarrant,
Mr. H. C. Dangar,	Mr. James Watson,
Mr. T. G. G. Dangar,	Mr. Wilkinson,
Mr. Farnell,	Mr. Wisdom.
Mr. Garrett,	
Mr. Hezlet,	<i>Tellers,</i>
Mr. Jacob,	Dr. Renwick,
Mr. Lackey,	Mr. McCulloch.

NOES.

Mr. J. P. Abbott,	Mr. Hay,
Mr. R. P. Abbott,	Mr. Hoskins,
Mr. Baker,	Mr. Lyne,
Mr. Beyers,	Mr. Martin,
Mr. S. C. Brown,	Mr. Melville,
Mr. Burns,	Mr. Pigott,
Mr. H. Clarke,	Mr. Rutledge,
Mr. Cooke,	Mr. See,
Mr. Copeland,	Mr. Slattery,
Mr. Davies,	Mr. Teece.
Mr. Eckford,	<i>Tellers,</i>
Mr. Fawcett,	Mr. Terry,
Mr. Foster,	Mr. Henson.

Question so resolved in the affirmative.

Clause 9—Provision in case of persons directing anatomical examinations after their death—amended by omission of words admitting of a verbal direction as a warrant for anatomical examination and of the insertion of words providing that the written direction attested by two witnesses of the deceased should be necessary, and agreed to.

Clause 15. Every such body so removed as aforesaid for the purpose of examination shall before such removal be placed in a decent coffin or shell and be removed therein and the person removing the same or causing the same to be removed as aforesaid shall make provision that such body after undergoing anatomical examination be decently interred in consecrated ground or in some public burial-ground in use for persons of that religious persuasion to which the person whose body was so removed belonged and that a certificate of the interment of such body shall be transmitted to the inspector of the district within six weeks after the day on which such body was received as aforesaid.

Mr. FOSTER thought the clause unsatisfactory in that it did not provide for the interment of the whole of the bodies which had undergone anatomical examination. Portions of bodies might be withheld. He doubted whether the clause was a correct transcript of the English Act.

Mr. WISDOM said stipulations might be made by relatives for the retention by the schools of anatomy of certain portions of bodies for purely scientific purposes; and he did not see what objection there could be to that.

Mr. TARRANT said it was frequently necessary to retain bones for the instruction of persons who were commencing anatomical studies, and he hoped that the clause would be passed in the form in which it was submitted.

Mr. FOSTER said he found that he was mistaken in the opinion which he had expressed in reference to clause 8, which was a correct transcription of the English Act. He would withdraw his opposition, therefore, although he thought what was proposed in the clause very objectionable. No doubt if there were any abuses under the Act they would very soon be remedied by legislation.

Mr. STUART thought it would be necessary to insert words giving authority for the preservation of curiosities of anatomical construction. It seemed that as the clause was worded, their interment with the rest of the body would be rendered compulsory.

Dr. RENWICK said that where a similar law was in force in Europe no difficulty arose in regard to the preservation of anatomical curiosities.

Mr. WISDOM thought that no difficulty would ever arise in practice, as no one would be likely to object to the preservation of anatomical curiosities after a body had been given up for dissection.

Clause agreed to.

Bill reported with amendments; report adopted.

AD EUNDEM DEGREES BILL.

In Committee; consideration of Council's amendments,—

Dr. RENWICK moved,—

That the Committee agrees to the Council's amendments.

He said that honorable members would recollect that when the Bill was introduced in the Assembly it contained a clause which provided that university students who had obtained the degree of B.A. should obtain that of M.A. without examination after the expiry of two years. The Assembly expunged that clause, and inserted another conferring upon Bachelors of Arts all the powers and privileges of Masters of Arts in convocation. The Bill had been amended in the Council, but only in such a way as to more effectually carry out the wishes of the Assembly.

Question resolved in the affirmative.

Agreement reported; report adopted.

MUNICIPAL BATHS SITE ACQUISITION BILL.

SECOND READING.

Mr. DAVIES, in moving the second reading of this Bill, said it was found necessary that the Council should obtain power to purchase or lease lands outside the city. At present they had no such power, and great inconvenience arose in consequence. It was occasionally necessary to acquire land on which to erect machinery to prepare metal for the roads, for metal quarries, baths, and other purposes. He had already presented a petition from the Council asking the House to grant the powers asked for under this Bill. That petition was as follows:—

That your petitioners are of opinion that it would be to the advantage of the citizens of Sydney and to others if the City Council could purchase or otherwise become possessed of lands and other premises situate beyond the boundaries of the city, which could be appropriated for the purposes of baths and other public uses.

That your petitioners are advised that under the existing law they have no power to expend any part of the corporate funds for such special purposes beyond the limits of the city, and they are therefore precluded from carrying into effect projects which might be beneficial to the citizens and to residents in neighbouring municipalities.

Your petitioners therefore humbly pray that your honorable House will be pleased to favourably consider a measure which will be introduced for your consideration for placing in the hands of the Council the necessary power to acquire lands or other properties situate beyond their present jurisdiction, for such purposes as they may consider will be advantageous to the public.

He would not detain the House upon the subject. No doubt it was only by an oversight that the power now asked for was not conferred by the City Corporation Act.

Question proposed.

Mr. PIGOTT intended to oppose the Bill, and he had no doubt that many other honorable members would do the same. It was said that the Municipal Council were the best judges of the requirements of the city, but after the many instances which had been disclosed of mismanagement on the part of that body he did not think so, nor did he think the citizens thought so. The House ought to be very careful as to giving the Council any power beyond their own boundaries. He was aware that the Council had been empowered to acquire land beyond the boundaries of the city for the erection of cattle sale-yards, but such a power as that was absolutely necessary, because

they could not well erect cattle sale-yards within the city. It was stated that the object of the Bill was chiefly, if not wholly, to give the City Council power to construct baths at Watson's Bay, on a certain gentleman's land, which would be greatly improved thereby. If there was any truth in that statement, and he asked the honorable member in charge of the Bill to inform the House whether it was true or not, the House ought to exercise very great caution in dealing with the measure.

Mr. CAMERON said one would imagine, from the remarks of the honorable member for Canterbury that the citizens of Sydney had no control over the actions of their representatives. The citizens were in favour of what their representatives proposed to do, and they surely were the best judges of what was good for themselves. It was nothing to the House on whose property the baths might be constructed. They must be erected on ground obtained from some one. There was no reference in the Bill to any person's property, and the House should not allow itself to be led away from the principle of the measure by any idle gossip picked up at street corners. Every one must admit the necessity for the Bill. Notwithstanding the possession of a magnificent harbour and extensive water frontage, Sydney had very few facilities for sea-water bathing. What with the occupation of the water frontages and the pollution of the water by sewage, it was impossible to obtain a clean sea-water bath except by going beyond the limits of the city. The people of Melbourne had to go a considerable distance to obtain a sea-bath. The principal bathing place was Brighton, to which a journey of 9 miles had to be made by train. And what greater boon could be conferred upon the citizens of Sydney than to enable them, by rising early in the morning, to obtain an invigorating sea-bath before breakfast? He would give the Bill his heartiest support, and he hoped honorable members would discuss it without reference to the paltry consideration that some person would be benefited by his land being purchased as a site for the baths.

Mr. BRODRIBB quite indorsed the remarks of the last speaker, and was astonished that any opposition should be

offered to a Bill which proposed to confer upon the citizens the luxury of obtaining a sea-bath. In the Municipal Council of Woollahra, of which he was a member, he had been trying for the last three or four years to establish sea-baths for the inhabitants of the locality, but they had been unable to obtain a suitable site for the purpose.

Mr. POOLE intended to give the Bill his hearty opposition, not that he cared on whose land the baths might be constructed, but because the baths could be of no possible advantage to the citizens, especially the working-classes, who could not afford the time and the expense involved in going to Watson's Bay for a sea-bath. If the City Council wanted to construct baths outside the city, they could construct them at Coogee Bay, which would shortly be connected with the city by means of a tramway. He thought the City Council showed very bad taste in seeking to spend money outside the city when they could not find money to keep the streets in repair. There was no necessity for incurring any expenditure in the erection of baths, for there were already ample means for people to bathe.

Mr. J. P. ABBOTT would vote against the Bill. If the Corporation and citizens of Sydney were alone interested in this matter, he should have very little to say about it, but when we found the City Council repeatedly applying to the Government to be relieved of their obligations and to obtain power to borrow money, the country had an interest in their proceedings. Last session a Bill similar to this was introduced, but its object was then defined and the House refused to accept it. The object was to acquire land in a particular locality, and it was broadly stated in the House, and not at street corners, that the land which the City Council wished to purchase belonged to an honorable gentleman in the present Administration. He did not object to that, but why was the Bill not introduced in such a form that the House could understand its real object? It was absurd to suppose that the citizens of Sydney would go to Watson's Bay for a bath?

Mr. GARRETT said that no valid argument had been brought against the Bill. The object was a general one, and was to enable the City Council to

acquire land beyond the city for other purposes than baths. The necessity for better baths than now existed within the city could hardly be disputed. For one person who used the baths in Woolloomooloo Bay now, hundreds used them some years ago, and the reason for the falling off was that one could not go into the water there without being defiled. The Bill specified no particular locality as the site of the proposed baths. If the Council thought fit, they could construct them at Coogee Bay as the honorable member for South Sydney (Mr. Poole) had suggested. Whatever personal interests would be affected, they formed no ground of opposition to the Bill, which ought to be judged upon its principle, and that principle simply was whether it was advisable to give the Corporation power to acquire land outside the city for baths and other purposes.

Mr. COPELAND would support the Bill with great pleasure. He knew of no more creditable action which a municipal council could take than that of providing public baths, especially baths at a cheap rate for the use of the working-classes. In England many municipalities provided baths to which working men could go for a penny. At Ballarat, in Victoria, the municipal council provided not only ordinary baths, but also Turkish baths. He should like to see the art of swimming encouraged by the offer of prizes for the best swimmers. It was an exercise which greatly assisted the development of the body, besides being valuable as a means of saving life. He did not see that it would be necessary to construct baths at either Watson's Bay or Coogee Bay. The City Council could construct baths in the city itself, and have the pure sea-water pumped into them at a small cost. The water in the existing salt water baths was so polluted that it was little better than liquid manure.

Mr. ABIGAIL disputed the statement which had been made that the citizens of Sydney had no confidence in their aldermen. That they had confidence in them was sufficiently proved by the fact that many of the aldermen had been elected repeatedly. As to the baths in Woolloomooloo Bay, they were a scandal to a city like Sydney. Not long ago the City Council had the ladies' bath cleaned, and

the bottom covered with white sand ; but in a very short time the sand was covered by a layer of filth. Baths, it must be admitted, were a great necessity ; and when the citizens asked for power to obtain them, he could not understand how any one could object. The aldermen were men of experience, and would be responsible to the citizens for the manner in which they exercised the power given to them by this Bill: It was rather a far-fetched argument to say that some private individual would be benefited. The citizens would also be benefited, and to a greater extent. The Bill would confer great advantages on the citizens, and he hoped that it would be passed.

Mr. MELVILLE said one would imagine, from the enthusiastic manner in which the Bill had been assailed, that some extraordinary job was about to be perpetrated. The honorable member for Canterbury (Mr. Pigott) based his objection to the Bill on the ground that some person was to be benefited by the sale of the land. If that were a valid objection, the honorable member would find himself in a dilemma with reference to the proposal which he was about to make that the railway should be continued from Redfern to Circular Quay ; because, if that work were carried out, there would be a large number of persons whose land would have to be bought. The Bill said nothing about any particular piece of land ; it simply conferred on the Corporation the power to choose any land within 10 miles of the city boundary. He believed that new public baths were absolutely required, and it ought to be left to the Corporation to decide where they should be. It was a remarkable fact that when the City Corporation asked the House for further grants of public money, they were not met with opposition ; but directly they came forward and asked to be allowed to select a suitable site for public baths, they were assailed in the most violent manner.

Mr. R. B. SMITH agreed that as a general rule it was advisable to confine municipal bodies within their recognised boundaries, but in this case the circumstances were exceptional. No one would deny that the waters of the harbour in the immediate vicinity of the city were polluted to such an extent as to render it unpleasant to bathe in them, and therefore it was

[*Mr. Abigail.*

advisable that baths should be established at some place where there was no liability of the water being contaminated. He did not visit the Woolloomooloo baths, but a gentleman who did bathe there informed him that they were almost unfit for use. He could not understand why any objection should be offered to the Bill. It was to be presumed that the City Corporation knew their own business, and were capable of deciding as to the most suitable place to establish baths. He believed Watson's Bay to be a place admirably adapted for public baths.

Mr. WITHERS said that if equal facilities were available to reach Coogee as existed in respect to Watson's Bay he should prefer the latter place as a site for public baths, as there were not the same dangers there as there were at Coogee. It was generally acknowledged that the Woolloomooloo baths were almost unfit for use ; and, that being so, he did not see why any objection should be offered to the Council acquiring a site where the water was not liable to contamination.

Mr. GARVAN said no one could question the propriety of establishing baths, but the question which arose in this case was as to whether there was any necessity for them. He contended that there was no necessity for the erection of baths at Watson's Bay. There were at Lavender Bay—a place easy of access to the city at a trifling cost—baths which had been erected partly at the expense of the public. Those baths were conducted by Professor Cavill, one of the best swimmers of the day, and if that gentleman were appealed to he was sure that his testimony would be that the baths would accommodate twenty times the number of people who patronised them.

Mr. GARRARD objected to municipalities or the Government interfering in matters which private enterprise might take up. If there were such a great necessity for baths, surely we should have heard of private individuals proposing to establish them ! He did not attach any importance to the statement that the land on which it was proposed to erect baths belonged to a certain person. It was unbecoming the dignity of the House to treat the matter on personal grounds, and he believed that if personalities were not imported into the discussions so frequently, there would

be greater despatch in carrying on the business. The honorable member for Eden (Mr. Garvan) had unmistakably shown that there was adequate accommodation at the Lavender Bay baths, and that the citizens did not avail themselves of it. The Pyrmont baths were comparatively free from contamination, but they were not used as extensively as they might be. The Corporation had recently expended a large sum of money in erecting machinery for pumping salt water with which to keep down the dust, and he thought they might utilise that machinery to pump water for baths to be erected in the centre of the city. It was stated that the new baths were to be erected in the interests of the poor man, but how could the poor man take advantage of them if they were erected at Watson's Bay?

Mr. BRUNKER said that although he was a country member he would do everything in his power to aid in the improvement of the magnificent city of Sydney. He could not understand the arguments which had been adduced in opposition to the Bill. Why should honorable members be called upon to discuss the matter as to which site should be selected for baths? There was nothing in the Bill to the effect that the baths should be erected at Watson's Bay. The Corporation had petitioned for the powers which the Bill proposed to confer on them, and he assumed that they had the confidence of the citizens. It was also to be assumed that if baths were erected at all, they would be erected at the expense of the ratepayers. We were not asked to sanction an expenditure of public money; and he hoped, therefore, that there would be no further opposition to the Bill.

Mr. McELHONE said he must deny that the ratepayers of the city had confidence in the City Council. The citizens had not asked for baths at Camp Cove; they were not wanted. There was a Tammany ring swindle with regard to these baths. As he had pointed out in a previous session—and it was of no use to mince matters—the land which it was proposed to purchase was a useless block which belonged to Sir John Robertson. Some of that honorable gentleman's friends—and notably the honorable member for South Sydney (Mr. Davies)—were endeavouring to get him out of a difficulty.

If honorable members knew as much as he did of the way in which these things were worked, they would be the last persons to enable the City Corporation to purchase this site for baths. There were baths at Manly Beach and St. Leonards, but they did not return sufficient money to pay a man to keep them clean; and how could it be expected that baths at Watson's Bay would pay? The character of the swindle was apparent from the fact that when the Bill was brought forward at the fag end of last session it was proposed to suspend the Standing Orders and to pass the measure through the whole of its stages in one day; and the Upper House was kept sitting until after 11 o'clock in the hope that it would have an opportunity to pass the measure, which would enable one person, assisted by a few aldermen, to defraud the City Corporation of several thousands of pounds. Although the revenue of the Corporation had been increased to the extent of some £60,000 since the last Corporation Bill was passed, a deputation waited upon the Colonial Secretary the other day and asked him to pass a Bill to enable the Corporation to borrow £100,000. He might be accused of saying rough and hard things, but he was determined to speak in his own way and would expose anything which appeared to him to partake of the character of a swindle, however unpleasant that exposure might be to all concerned. The City Council had bungled every work they had undertaken, from the erection of the Town Hall downwards. The honorable member for West Sydney (Mr. O'Connor) had told him that he now perceived that he had been befooled by a certain clique in the Council, and that he intended to abandon the Bill. The Corporation were already hopelessly insolvent; and he hoped that honorable members who had a spark of honor in their composition would assist him to stonewall this monstrous proposition of civic administrators who had let contracts to thieves and robbers, and enabled them to batten and fatten on the public.

Mr. H. C. DANGAR said it was very unpleasant to those who desired to consult the public convenience to be told that a measure of this kind was designed by Tammany ring swindlers, because, if that statement were true, the measure ought to be kicked out with all possible ignominy.

He must confess that he did not like the prominence which was given in the Bill to public baths, and if he thought that the measure was to forward the erection of baths at Watson's Bay, he would vote against it; but, as there were many other uses to which land outside the city boundaries could and ought to be applied, he would support the Bill. Whatever estimate he might have of the mode in which some city affairs were administered, he had a higher opinion of the Corporation officers than to think that they would be guilty of a Tammany ring swindle.

Mr. HENSON said he was sorry that he should have to record his vote against the Bill. If, as was represented, the City Corporation had not sufficient funds to keep the public thoroughfares within their jurisdiction in a proper state of repair, it was rather extraordinary that they should seek power to acquire land within a radius of 10 miles of the city. Let our civic fathers do necessary work in the city before they expended money in the erection of baths without its boundaries. It had not been shown that baths were needed at Watson's Bay; on the contrary, it appeared that the public did not take advantage of the bathing accommodation already provided.

Mr. CARTER thought it scarcely necessary to reply to the gross charge which the honorable member for The Upper Hunter (Mr. McElhone) had levelled against the City Council. The honorable member had resigned his seat in the City Council only because he was not allowed to make use of the slanderous language which he uttered in this House.

Mr. COMBES hoped the House would pass the Bill, and that the City Corporation would lose no opportunity of acquiring the land which might be required for necessary public buildings.

Mr. ROSEBY thought the Bill would confer a great benefit upon the city. If he thought the measure was simply intended to empower the City Council to purchase land at Camp Cove, he would vote against it. Whatever blunders and mistakes our civic fathers might have made, he believed them to be honest, upright, intelligent men in whom the citizens had every confidence.

[*Mr. H. C. Dangar.*]

Question—That the Bill be read the second time—put, whereupon the House divided with the following result:—

Ayes	41	} Majority, 27.
Noes	14	

AYES.

Mr. Abigail,	Mr. Kidd,
Mr. Baker,	Mr. Lackey,
Mr. R. Barton,	Mr. Lynch,
Mr. Beyers,	Mr. Melville,
Mr. Bowman,	Mr. Proctor,
Mr. Brodribb,	Dr. Renwick,
Mr. Burdekin,	Mr. Roseby,
Mr. Burns,	Mr. See,
Mr. Cameron,	Mr. Slattery,
Mr. Carter,	Mr. R. B. Smith,
Mr. Combes,	Mr. Stuart,
Mr. Cooke,	Mr. Suttor,
Mr. Copeland,	Mr. Teece,
Mr. Davies,	Mr. Terry,
Mr. Eckford,	Mr. Turner,
Mr. Fawcett,	Mr. James Watson,
Mr. Fletcher,	Mr. Withers,
Mr. Fremlin,	Mr. Young,
Mr. Garrett,	<i>Tellers,</i>
Mr. Hezlet,	Mr. Brunker,
Mr. Hoskins,	Mr. H. Clarke.

NOES.

Mr. Bodel,	Mr. Myers,
Mr. J. Brown,	Mr. Poole,
Mr. W. Clarke,	Mr. Rutledge,
Mr. Garrard,	Mr. Wilkinson.
Mr. Garvan,	
Mr. Henson,	
Mr. Lyne,	
Mr. McElhone,	

Tellers,

Mr. Pigott,
Mr. J. P. Abbott.

Question so resolved in the affirmative.

Bill read the second time.

In Committee,—

Clause 2. On and after the passing of this Act it shall be lawful for the Council to purchase or lease any land within 10 miles of any of the boundaries of the city of Sydney for the purpose of acquiring a site or sites and thereupon to erect and establish public baths or for other public use.

Mr. McELHONE thought that the honorable member might as well drop the Bill, as he was resolved that it should go no further. If the people of Sydney wanted baths at Watson's Bay, let them hold a public meeting and give an unmistakable expression of their wishes. The city was taxed to the extent of 1s. 5d. in the £; there was a tax of 6d. for sewerage, and a water-tax. We ought not to give power to the Corporation to borrow money and fool it away in this manner. We saw the Government the other night getting £16,000 or £17,000 passed for one of their colleagues.

Mr. GARRETT rose to order. The honorable member had no right to make reflections upon the proceedings of the

House, and he was not justified in attributing to the Government the perpetration of anything like a swindle.

Mr. JAMES WATSON: As far as the Government are concerned, they care very little about what the honorable member says.

Mr. McELHONE: As long as the Government had a majority they did not care. As regarded the point of order, he considered the language he had used perfectly justifiable. No clique should be allowed to plunder the corporate purse.

Mr. DAVIES thought that the honorable member's language was unjustifiable, and his statements were untrue.

The CHAIRMAN: There can be no doubt that the language used by the honorable member is out of order. He has no right to reflect upon the proceedings of Parliament.

Mr. McELHONE would withdraw his words. Past Parliaments no doubt had been guilty of very degrading transactions, but this Parliament would do nothing derogatory to its character. If, however, the land required for baths at Watson's Bay had not belonged to Sir John Robertson, we should have heard nothing of the Bill. An attempt was made to get a Bill authorising the purchase of that land through Parliament last session, and this Bill was intended to accomplish the same purpose. It was absurd to talk about working-men paying 6d. to go all the way to Watson's Bay for a bath. Unfortunately the city aldermen were too ready to shut their eyes to any swindle which might be going on. This was what they did when they were being swindled by contractors.

Mr. W. CLARKE had voted against the second reading of the Bill because he objected to the Corporation having power to go beyond their boundaries to acquire land, but he would not be a party to any obstructive tactics.

Mr. GARVAN did not intend to obstruct. He had endeavoured to show that the baths were not required, and that, if they were, they would be utterly useless if erected at such a distance from the city. He would now leave it to the citizens to express their opinion upon the subject if they disapproved of the object of the Bill.

Mr. GARRETT pointed out that the Corporation, who were the representatives of the citizens, had petitioned Parliament to pass the Bill. If the citizens did not agree with the measure, they had had ample opportunity to express their disagreement, as the Bill had already been a month before the House. There would also be sufficient opportunity for them to express their disapproval of the measure before it was passed through all its stages in the two Houses.

Mr. BODEL had opposed the Bill because the country had already had to meet an indebtedness of the Council to the amount of £750,000. It was nonsense to say that the country was not interested when we had to give up the proceeds of nearly 1,000,000 acres of the public land to pay their debts. From a return laid on the table last night he saw that they were again indebted to the sum of £500,000. Until they were able to pay their way the City Council ought not to be entrusted with any more power. If the citizens were willing to submit to further taxation to meet their liabilities, he would have no objection to give them additional taxing power.

Mr. COPELAND moved,—

That the words "public baths," in line 6, be omitted.

This would make the Bill what it was meant to be. Its ostensible object was to give power to the Council to acquire land for various purposes. He thought that the remarks of the honorable member who had just spoken were wide of the mark. If the Council thought it necessary to spend money in the erection of baths, it would be grossly unjust for Parliament to interfere. The citizens apparently approved of the Bill. If they did not, they could hold meetings and oppose it. Not a single petition against the Bill had been laid before the House. No doubt the idea of establishing baths 10 miles away from the city was very ridiculous, and he hoped that the Council would reconsider the matter.

Dr. RENWICK said that the mover of the amendment must have misunderstood the object of the Bill. Its principal purpose was to enable the Council to purchase a site for the construction of those baths. He rather objected to the Bill simply empowering the purchase of land

for various uses, because we did not know for what uses land might not be obtained, nor how much expense the ratepayers might be saddled with. The Council might then become what the honorable member for The Upper Hunter had described it—a regular Tammany ring. He hoped that the amendment would be withdrawn.

Mr. PIGOTT said that he had no desire to adopt “stonewalling” tactics, and he had only done his duty in the course which he had taken in reference to the Bill. All that had been said against the Bill was justified by a comparison of the present measure with the Bill of last session. Its sole object was to enable the Council to purchase land for public baths. He understood that the honorable member who had charge of the Bill had been obliged to move the second reading because the honorable member for West Sydney (Mr. O'Connor), finding that he was being made a tool of, refused to have anything to do with it. The honorable member ought certainly to inform the House whether or not he had been requested by the honorable member for West Sydney to move the second reading at all. He had referred to the rumour that the sole object of the Bill was to enable the Council to purchase certain land at Watson's Bay, and none of those who had authority to speak on behalf of the City Council had ventured to deny it.

Mr. DAVIES said that the honorable member for West Sydney (Mr. O'Connor) had sent a message to him by the honorable member, Mr. Martin, asking him either to postpone the second reading of the Bill or proceed with it, and he had chosen the latter course. He wished to disabuse the minds of honorable members with reference to the statement that the Parliament had shown any generosity to the city of Sydney by relieving it of a great debt. It was true that Parliament relieved the city of a debt of £750,000, but it was a debt which had been contracted, not by the city, but by Government officers, and, in consideration of taking over the debt, Parliament deprived the city of its two greatest assets, the sewerage and water works, so that no generosity whatever was shown. These matters, however, were foreign to the object of the Bill. The question was

simply whether the Municipal Council should have the power they asked for. For the manner in which they might exercise that power they would be responsible to the citizens. They were in no way responsible to Parliament, and they did not ask Parliament to spend a single penny. The Bill did not say where the baths were to be constructed, and the Council would not be compelled to construct them at Watson's Bay.

Mr. PIGOTT: Will you say that that is not the intention?

Mr. DAVIES said it was a matter of no consequence to him whether the Bill passed or not, but it had been affirmed by twenty-two members of the City Council, and a petition in its favour was adopted by 13 to 5. Of what consequence was it to Parliament where the baths were constructed? But there were other purposes besides the establishment of baths for which the Council needed to acquire land outside the city. They would soon have to go beyond the city to erect markets, and it would be of great advantage to have land for quarries. The baths at Woolloomooloo Bay had become so filthy from the quantity of sewage which had for years been poured into the harbour that it was impossible now to obtain a clean bath.

Mr. McELHONE challenged the honorable member for South Sydney (Mr. Withers) to say whether, when the former Bill was brought before the City Council, it was not plainly understood that the land at Camp Cove belonging to Sir John Robertson was to be purchased. The present Bill was almost precisely the same as the former one, with the addition of a few words to one of the clauses. No Tammany ring ever existed in America like that which ruled the affairs of the city at the Town Hall for years past. If the honorable member for South Sydney (Mr. Davies) would consent to postpone the Bill until the honorable member in charge of it (Mr. O'Connor) was present, and if that honorable member did not fulfil the promise he had made to withdraw it, he would offer no further opposition.

Mr. DAVIES would accept the condition offered by the honorable member.

Mr. WITHERS wished to state, in reply to the challenge of the honorable member for The Upper Hunter (Mr. McElhone), that when the former Bill was brought

[Dr. Renwick.]

before the City Council he did not remember anything being said as to the land which was to be purchased; and, on the latter occasion, he had sufficient confidence in his brother aldermen to believe that, like himself, they voted for the Bill on a broad principle, and with the object, which was a natural one, of increasing the power of the Council. It was said that the citizens had not asked for the Bill, but if the Council waited for the citizens to move in every matter, very few necessary works would be carried out. He was not convinced that it would be desirable to construct baths at any distance from the city. The people who required the public baths most were the working-classes, and they could not go any distance to them. He would prefer to see salt water baths constructed in the city. The sea-water could be pumped into them by a very inexpensive process, and it could afterwards be used to flush the sewers.

Mr. PIGOTT regretted that Sir John Robertson's name had been introduced into the debate. He did not introduce it in any way, and he was sure that Sir John Robertson would not knowingly do anything dishonorable. He regretted also that the honorable member for South Sydney (Mr. Davies) had not replied to the charge made by the honorable member for The Upper Hunter (Mr. McElhone), that the Bill had been introduced for the express purpose of enabling the City Council to purchase a piece of land belonging to Sir John Robertson. With regard to the statement made by the honorable member (Mr. Davies) this evening, that the honorable member for West Sydney (Mr. O'Connor) had sent a message to him by Mr. Martin, leaving it to his discretion to postpone or proceed with the Bill, he had Mr. Martin's authority for saying that the message was simply that he should postpone the Bill. He would like to know from the honorable member, Mr. Davies, if this were not correct.

Mr. DAVIES said that when he moved the second reading of the Bill the honorable member for The Upper Hunter was not present. If the statements which had been made had been made previously, he should not have proceeded with the second reading of the Bill. The honorable member for West Sydney (Mr. Martin)

told him that his colleague, Mr. O'Connor, wished the Order of the Day to be postponed, but thinking that if it were not proceeded with there would be no chance of passing it this session, he said he would proceed with it. Yesterday the honorable member, Mr. O'Connor, told him he should be here, at all hazards, to move the second reading of the Bill.

Mr. MARTIN said that the honorable member for South Sydney (Mr. Davies) had accurately stated the conversation which took place, with one exception. He never said that the honorable member for West Sydney (Mr. O'Connor) told him to ask the honorable member for South Sydney to postpone the Bill or else to move it. The honorable member for West Sydney (Mr. O'Connor) asked him to postpone the Bill for a week. He narrated this conversation to the honorable member for South Sydney, who said he would take up the Bill. As the honorable member was an alderman, he agreed that it would be better for him to take up the Bill.

Mr. McELHONE said the explanation just given made matters worse. What right had the honorable member for South Sydney to take up a Bill which was to be abandoned by the honorable member who introduced it? It was quite clear that had he not come into the House when he did the Bill would have been passed.

Mr. DAVIES said he had accepted the offer which the honorable member for The Upper Hunter had made. If the honorable member for West Sydney (Mr. O'Connor) would substantiate what the honorable member said, he should not proceed with the Bill further. He had no interest to serve in the matter; but, having presented a petition from the Corporation in favour of the Bill, and knowing that through illness in his family the honorable member for West Sydney could not be present, he thought it best to proceed with the Bill. Honorable members who were not fresh to parliamentary life knew that Orders of the Day were the property of the House, and that any honorable member could take them up without reference to the honorable member who originated them.

Question—That the Chairman leave the chair—resolved in the affirmative.

Progress reported.

BERRIMA COAL-MINE RAILWAY BILL.**SECOND READING.**

Mr. GARRETT, in moving the second reading of this Bill, said it was not necessary for him to make any remarks respecting it, inasmuch as it had been approved of by a select committee.

Question resolved in the affirmative.

Bill read the second time.

Reported with amendments ; report adopted.

House adjourned at 10 minutes after 11 o'clock p.m.

Legislative Assembly.

Tuesday, 15 March, 1881.

Member Sworn—The Bishop of Sydney—The Barwon River—Fire Brigades Bill—Milburn Creek Copper-mining Company—Personal Explanation (Leadership of the Opposition)—Report of Elections and Qualifications Committee (Electorate of Argyle)—Elections and Qualifications Committee—Railway from the Clarence to New England—Public Works not Tendered for—N. P. Bayley's Land, District of Mudgee—Railway Scales and Weigh-bridges—Police Magistrate for Burrowa—Electoral Act Amendment Bill—District Courts Act Amendment Bill—Osborne's Leasing Bill—Third Readings—Site for Free Public Library—Banks's Meadow Reserve—Bridge to connect Sydney and North Shore—Maps showing Crown Lands open to Selection or Sale—Quarter Sessions and District Court at Cowra.

Mr. SPEAKER took the chair.

MEMBER SWORN.

William Forster, Esquire, member for Gundagai, took the oath and subscribed the roll.

THE BISHOP OF SYDNEY.

Mr. BUCHANAN asked the COLONIAL SECRETARY,—(1.) What amount of money does Bishop Barker draw yearly from the State? (2.) Does he draw his full State salary during his absence from the colony? (3.) If so, is it the intention of the Government to reduce Bishop Barker's salary that he draws from the State by one-half during his absence from duty?

Sir HENRY PARKES answered,—(1.) The Bishop receives £1,500 from the sum provided under Schedule C to the Constitution Act. He also receives £500 from the Bishopthorpe Estate. (2.) He does draw his full salary during his absence from the colony? (3.) I do not think the Government are called upon to interfere.

THE BARWON RIVER.

Mr. T. G. G. DANGAR asked the SECRETARY FOR PUBLIC WORKS,—In the event of the railway policy of the Government not being extended to Walgett, and the fact of there being no material to construct a road,—Is it intended to provide a sum of money to clear and snag the Barwon River from Walgett to Bourke, and thus enable the residents in these localities to take advantage of water carriage to Bourke railway?

Mr. LACKEY answered,—In the event of the railway policy not containing provision for extension to Walgett, ample provision will be made in this matter to enable the residents to take advantage of water carriage to the railway at Bourke?

FIRE BRIGADES BILL.

Mr. S. C. BROWN asked the COLONIAL SECRETARY,—Is it the intention of the Government to proceed with the Fire Brigades Bill this session?

Sir HENRY PARKES answered,—I cannot say at this moment. I should like to go on with the Bill, but it will depend upon the progress of the public business.

MILBURN CREEK COPPER-MINING COMPANY.

Mr. S. C. BROWN asked the COLONIAL SECRETARY,—(1.) What are the names of the shareholders of the Milburn Creek Copper-mining Company, to whom is to be paid any compensation or money voted by the Parliament, and what number of shares is held by each shareholder? (2.) What are the names of the directors of the said company?

Sir HENRY PARKES answered,—The legal manager of the company has been asked for the information the honorable member desires. So soon as his statement is obtained it shall be laid upon the table of the House.

PERSONAL EXPLANATION.**LEADERSHIP OF THE OPPOSITION.**

Mr. FITZPATRICK : I desire to make a few remarks personal to myself. It will be in the recollection of honorable members who formed part of the last Parliament that for some reasons, which appeared sufficient to the gentlemen on this side of the House, I was chosen what is nominally called leader of the Opposition.