

1863.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RIVERINE DISTRICT.

(PETITION, TO THE GOVERNOR, RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 2 September, 1863.

To His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice Admiral of the same.

The humble Petition of the Inhabitants of the Pastoral Districts, and others interested in that part of the Colony of New South Wales known as "The Riverine District,"

HUMBLY SHEWETH:—

That your Petitioners inhabit that portion of the Colony of New South Wales lying to the north of the Murray River, and bounded as follows, viz.:—On the north commencing at a point where the Culgoa River intersects the Queensland boundary, by a line forming the southern boundary of Queensland, and running due west to the South Australian boundary; on the west by a line at right angles to the last-mentioned line, being the 141st degree of longitude, and forming the eastern boundary of South Australia, to its intersection with the Murray River; on the south by the Murray River; and on the east, commencing at a point on the Murray River, a few miles east of Howlong, at or about 146 degrees 40 minutes east longitude, by a line to the junction of Houlahan's Creek with the Murrumbidgee River; thence by Houlahan's Creek to a point on that creek, and then by a line to the nearest point on the Narraburra Creek; thence by the Narraburra Creek and Cowal Lake to the junction of Bullock Creek and the Bogan River; thence by that river to its confluence with the Darling River; thence by the Culgoa River to the commencing point on the Queensland boundary:—sometimes called, "The Riverine District."

That your Petitioners have, for many years, suffered such inconvenience and hardship from the effect of legislative and administrative neglect, the result of their present practical political disability, that they humbly approach your Excellency to pray for relief; and your Petitioners would respectfully point out that the distance of Sydney from Deniliquin is 478 miles, with a twelve days' course of post, from Wentworth by course of post 740 miles, and from Perry by course of post 848 miles; that the nearest Assize Court is held at Goulburn, distant from Deniliquin 370 miles, from Moama 420 miles, from Wentworth 600 miles, from Menindie 800 miles; and that the majority of witnesses attending this Court, travel those distances on foot over trackless plains and bridgeless rivers, with considerable risk and not unfrequent loss of life, while those who can afford to do so proceed by Melbourne and Sydney, a distance to and fro of about 2,400 miles, at an expense of nearly £100; convictions are, consequently, so difficult that felonies are often compounded or silently submitted to, and even undoubted murderers have escaped through the absence of witnesses.

That your Petitioners suffer the greatest inconvenience in respect to transactions connected with the transfer and mortgage of real property, stations, stock, sheep, and wool, it being next to an impossibility to complete any such transactions within a shorter period than from six to eight weeks. Many negotiations with respect to such transactions in consequence of such delay, fall through, and entail in many instances ruinous consequences on the parties intimately connected therewith. The delay arises from the long time which elapses before the result of the usual and necessary searches in the Registry and Supreme Court Offices for incumbrances and charges on such properties can possibly be made known to the interested parties in this district, and from the long time which again elapses before such transactions can themselves be registered.

That your Petitioners are subject to great injustice in all civil actions and suits in consequence of the proceedings in such actions and suits having to be initiated and carried on in Sydney at a cost, owing to the heavy expenses connected with the attendance and loss of time of witnesses, which practically amounts to a denial of justice.

Debtors are frequently leaving the Riverine district for other colonies, but as it takes at the least three weeks to obtain from Sydney a common writ of summons, and from four to five weeks to obtain a writ of *capias* or *ne exeat* to prevent the departure of such debtors, your Petitioners are in reality without any redress, and in many instances they suffer actual and heavy loss.

That the sheep of this district amount in number to not less than 3,000,000, the cattle 100,000, and the horses 25,000; which, with stations and improvements, represent a capital of not less than five millions sterling, besides the capital invested in the towns, villages, and local trade.

That the produce sent from the district in wool and fat stock alone, amounting to more than one million sterling per annum, with an extensive and rapidly increasing return trade, gives rise to innumerable business transactions, many of them large and intricate, and your Excellency cannot fail to see that the establishment of a branch of the Supreme Court, with branches of all other Government offices in Deniliquin, has become not only an act of justice but of absolute necessity.

That this district is of a peculiar nature with peculiar requirements, consisting of immense level arid plains (sometimes 200 miles across), without surface water. This immense tract of plains (400 miles long by 350 miles broad) is intersected by five great watercourses, of which two are in summer only lines of precarious water-holes, and the remainder full of serious impediments to navigation.

That the efforts and capital of the flockmasters have hitherto been confined to the country in the neighbourhood of the watercourses, but that they would occupy the entire area, capable of carrying 20,000,000 of sheep, were the country opened up for them.

That to canalize and clear these rivers, so as to obtain at once lines of communication and a permanent supply of water, besides opening up, by means of wells and tanks, &c., 1,000 miles of public road across the great plains, very large sums of money must be expended.

That the inhabitants of the eastern portion of the Colony will naturally have strong objections to pay interest upon a debt of some millions sterling, for works from which they will derive no benefit whatever.

That your Petitioners have equal objections to paying for railways which they can never use, as they neither export nor import nor transact any business whatever through the New South Wales seaboard. That your Petitioners are conscious that the debt and expenses of Government of 20,000 inhabitants of this district will be much greater in proportion than those of the 350,000 inhabitants of the seaboard, and they respectfully propose that each be charged with the interest of the future debt incurred for their particular benefit, and that a retrospective account may be taken, as in the case of Queensland, to ascertain upon what amount of the present debt this district should pay interest.

That your Petitioners would respectfully point out that a Government Resident will be required to communicate with the central Government to overlook the branch departments of public money, also that it will be necessary to define the district under his jurisdiction and liable for the local debt, and your petitioners would respectfully point out the expediency of establishing this as a distinct district with defined boundaries, on the same footing as Port Phillip before separation, with a Superintendent, possessing however sufficient power to prevent the constant reference to head-quarters which caused so much delay and discontent.

That while the property of your petitioners is so large, their annual produce being more than one million sterling, their population is under 20,000, and their representation being in the ratio of 20,000 to 350,000, they are practically disfranchised. Your petitioners would respectfully submit that, taking into consideration their isolation and distance from the seat of Government, and their large property, ten members would not be more than a fair amount of representation.

That the Riverine district is at present principally occupied by pastoral tenants of the Crown, and while pre-eminently adapted for grazing purposes, is almost totally unfit for agriculture, consisting, as it does, of immense plains subject to severe droughts and hot winds, which set in so early in summer, and are of such a scorching nature and of such frequent recurrence, that only the hardiest of the native herbs are able to survive their withering influence, and all attempts to cultivate the ordinary crops are rendered abortive; indeed it is now an axiom of universal recognition here that where the salt-bush grows there cereals will not flourish.

That notwithstanding these facts, legislation has regarded these lands as equally adapted to agricultural settlement as those of the more favoured portions of the Colony. That your Petitioners, having had two years experience of the Crown Lands Act of 1861, while admitting that they may be admirably adapted for developing the resources of other regions of the Colony, beg respectfully and advisedly to state that they are in many of their provisions so prejudicial to the Riverine District that unless some few, but most important amendments, are speedily made, the pastoral interest will be so materially damaged, that the prosperity of the district will be destroyed, and all classes of the community will be involved in one common ruin.

That your Petitioners would wish that every opportunity should be given to the cultivators, and that they should have the most ample scope for selecting lands for any purpose which they may imagine would be profitable; but your Petitioners would point out that there are thousands of miles of salt bush plains which can be turned to account as pasture only. That to throw these open for conditional purchase would be no benefit whatever to the *bonâ fide* agricultural settler, but would lay the pastoral tenant open to such extortion and persecution as was practised lately at the Tataila run, on the Murray,

by

by a pretended agriculturist. He took up forty acres of land, at an expense of £10, and at once impounded the imported bulls and other stock belonging to the lessee, as they passed between his pegs to water, levying the sum of £35 2s. 6d., as the amount of damage he had sustained thereby.

That your Excellency will find that the amendments in the said Lands Acts, as craved by your Petitioners in their prayer hereto, are calculated not only to increase the security of the tenure of the pastoral tenant of the Crown, but also to place in a far better position the *bonâ fide* conditional purchaser, giving him a pre-emptive right of purchase over land twice the size of that conditionally purchased, thereby securing to him exclusive occupation thereof, in lieu of a pre-emptive right of lease over three times the area of the land conditionally purchased, which has proved nothing but a delusion and a snare—because within twenty-four hours of acquiring the pre-emptive lease, the land over which such lease extends may be conditionally purchased by another free selector, who in his turn would be deprived of his pre-emptive lease as soon as he had the misfortune to have a conterminous neighbour.

THEREFORE YOUR PETITIONERS HUMBLY PRAY—

That the Riverine province may be defined by the following metes and bounds, viz.:—On the north, commencing at a point where the Culgoa River intersects the Queensland boundary, by a line forming the southern boundary of Queensland, and running due west to the South Australian boundary; on the west by a line at right angles to the last-mentioned line, being also the 141st degree of longitude, and forming the eastern boundary of South Australia, to its intersection with the Murray River; on the south by the Murray River; and on the east commencing at a point on the Murray River, a few miles east of Howlong, at or about 146 degrees 40 minutes east longitude, by a line to the junction of Houlahan's Creek with the Murrumbidgee River; thence by Houlahan's Creek to a point on that creek, and then by a line to the nearest point on the Narraburra Creek; thence by the Narraburra Creek and Cowal Lake to the junction of Bullock Creek and the Bogan River; thence by that river to its confluence with the Darling River; thence by the Culgoa River to the commencing point on the Queensland boundary; and that the same be proclaimed a district of New South Wales.

That a Government Superintendent may reside at Deniliquin.

That a branch of the Supreme Court, with judge, officers, and all its appendages, may be established at Deniliquin.

That a Registrar's office may be established at Deniliquin.

That a branch Land and Survey office and Commissioner of Crown Lands office, and all other public offices may be opened there also.

That a sufficient loan may be at once raised for canalizing and clearing the Darling, and clearing the Murrumbidgee and Murray Rivers (precedence being given to the clearing and canalizing of the Darling), and for erecting necessary public offices and other improvements.

That after providing for the support of local government and judicial institutions, &c., and the payment of the fair quota of the cost of the postal service, and of the expense of the general government, and of the interest on the Colonial debt, the balance of the revenue of the Riverine province, as well as the money borrowed in behoof thereof, may be expended therein upon public works under the supervision of local boards.

That the Riverine province may be divided into ten electoral districts, each returning one member to the Legislative Assembly.

That in lieu of a pre-emptive lease of an area thrice that of the land conditionally bought, the conditional purchaser may be granted an indefeasible lease for fourteen years, with an absolute pre-emptive right over an area of twice that of the land conditionally bought; but that the land, purchased by the conditional purchaser, and held by such pre-emptive lease, shall be securely fenced within two years from the date of such selection, and that until such fencing be made and completed no power of impounding off such land by such purchaser shall exist or be allowed.

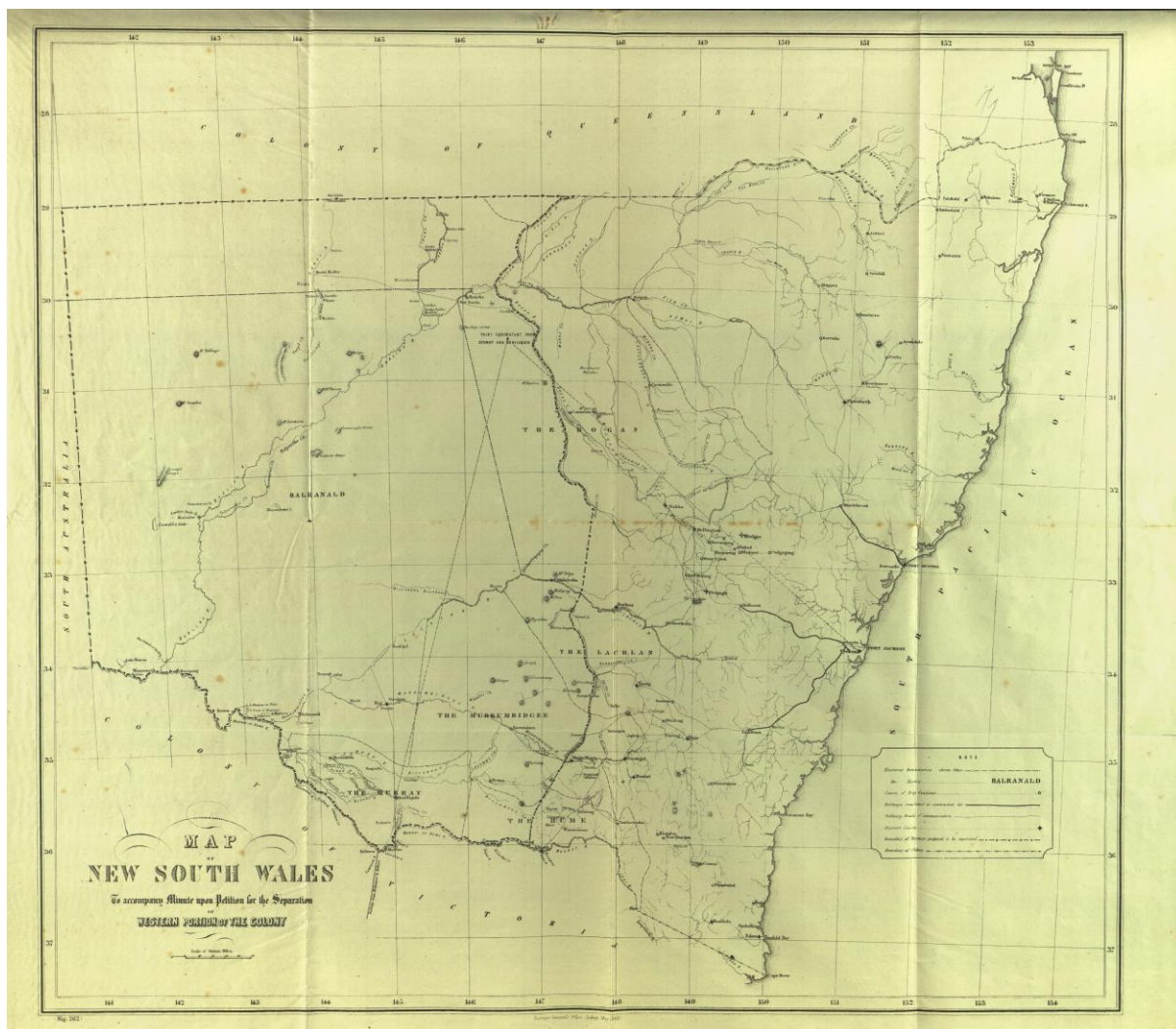
That the leases to which holders of runs are entitled under the Crown Lands Occupation Act of 1861, may be made renewable leases at the expiration of the term granted by said Act, and that the rent payable during such renewed term may be fixed by appraisement to be made periodically by arbitration, until the lands are required for sale or for any other public purpose; and that the power of making reserves within which free selection, as it is now known, will apply, should be continued undisturbed, provided that all such reserves so made shall be submitted to Parliament within one month, if the same be in session; if not in session, within one month of the assembling of the House; and that no permissive occupation may be allowed until the sanction of Parliament be obtained; and that such sanction may not be given until three months after the matter has been brought under the notice of Parliament, and three months' notice has been given to the lessee or lessees on whose run or runs the proposed reserves are to be made.

That upon reserves made upon any of the said runs becoming conditionally occupied by free selection, or otherwise alienated, the lessee of such runs shall receive compensation, by appraisement of its market value as pasture, for the loss of the portions so occupied from an assurance fund to be raised by general assessment on all station holders, on the same plan as the Scab Assessment is raised.

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

[Here follow 1261 Signatures.]

[REPLY.]



[REPLY.]

*Colonial Secretary's Office,
Sydney, 1 September, 1863.*

GENTLEMEN,

I am directed by the Colonial Secretary to acquaint you that the petition which was presented by you, on the 3rd ultimo, as a deputation from the inhabitants of the District of Deniliquin and the surrounding country, has been carefully considered by the Government, and that the following decision has been arrived at, upon the various matters referred to in that document.

2. With reference to the first proposition, I am to inform you that the Government is not prepared to recognize the necessity of defining any portion of the existing Colony of New South Wales as a separate Province.

3. As regards the second proposition, the Government is of opinion that the appointment of a Government Superintendent, to reside at Deniliquin, would rather impede than expedite the transaction of the public business by the Government departments.

4. In respect to the desire expressed that a branch of the Supreme Court with judge, officers, and all its appendages, may be established at Deniliquin, I am to acquaint you that the question of increased facilities for the administration of justice in the more remote districts has for some time engaged the attention of the Government, and a proposal with that object will shortly be submitted to Parliament; but the establishment of a Registrar's office, separate and distinct from that at Sydney, besides being surrounded with difficulties which seem insuperable, would be likely to complicate transactions which it is intended to assist.

5. In reply to your request that a branch Land and Survey Office, and Commissioner of Crown Lands Office, and other public offices may be opened at Deniliquin, I am also instructed to intimate that the Government has already provided District Survey Offices for the more important divisions of the Colony, and there will be no objection to extend the number of such offices to other districts from time to time, if it be shewn that the expense of such establishments can be justified.

6. The Government has already directed its attention to the improvement of the navigation of the Darling, Murrumbidgee, and Murray Rivers; and Parliament will be invited to make further appropriations from time to time, as such expenditure may be considered expedient after proper surveys and investigation.

7. The Government is also prepared to recognise the justice of a fair distribution of the General Revenue of the Colony, throughout its various districts.

8. In the event of any re-adjustment of the representation of the Colony being necessary, by its increased population, due consideration will be given to those districts whose claims may be established to the satisfaction of Parliament.

9. With respect to the remaining portions of the Petition, I am directed to add, that there do not seem to be sufficient reasons set forth to induce the Government to ask the Legislature, at present, to sanction alterations in the Land Laws of the Colony, these laws appearing to have met a most difficult and complicated question, in a manner calculated to give the greatest amount of advantage to each class interested, at the least amount of inconvenience or impediment to any other class. The Government entertains no doubt that the request for continuous renewals of leases will be accorded on a re-appraisal of the rental for each five years; a course the less objectionable from the fact that under the present law, all lands the leases or renewals of leases of which may have been, or may be promised subsequently to the 22nd February, 1858, are notwithstanding such leases, open to sale conditionally or unconditionally.

10. The Colonial Secretary further directs me to assure the inhabitants of the district of Deniliquin, and the surrounding country, that the Government is at all times prepared to give the fullest consideration to any representations having for their object the attaining of redress for any grievances under which they may be suffering. Differing from the Petitioners as to the character of the country described by them, and not admitting that that country is totally unfit for agriculture, and that all attempts to cultivate the ordinary crops must be abortive, the Colonial Secretary begs to assure them that the Government will be ready, cheerfully, and to the extent of its power, to afford every facility for increasing the population, and for developing the resources of this valuable part of the Colony.

I have, &c.,

W. ELYARD.

GIDEON S. LANG, Esq.,
and the other Gentlemen of the Deputation,
from the District of Deniliquin, and the
surrounding Country.

[Price, 3d.]

Sydney: Thomas Richards, Government Printer.—1863.

RIVERINE DISTRICT.

No. 1.

SIR JOHN YOUNG, BART., to SECRETARY OF STATE FOR THE COLONIES.

(No. 63.)

Government House,
Sydney, 21 July, 1865.

SIR,

I have the honor to forward herewith, for presentation to Her Most Gracious Majesty, a Petition for the separation of the District termed by the Petitioners "Riverina" from New South Wales; also, a "Supplementary Petition," which has the same object in view.* The Petitioners pray "that your Majesty will be graciously pleased "to grant to the Inhabitants of that portion of New South Wales known as Riverina, a "separate Government, with such a Constitution as your Majesty and the Imperial "Parliament may be graciously pleased to bestow."

2. The views of the Petitioners do not coincide with those of my Responsible Advisers. In order to give the latter an opportunity of replying on the whole case, I detained the Petition until the recess of Parliament, and have now been furnished with the counter-statement, which is enclosed, along with its vouchers, and the Map (No. 2).

3. These papers will fully explain the opinions which are put forth, and the facts which are relied upon by either side in this controversy.

I have, &c.,
JOHN YOUNG.

* The originals of these Petitions were forwarded to England, and no copies of them kept.

14 July, 1865.

MINUTE of the Cabinet upon the Petitions for erecting a portion of New South Wales into a separate Colony.

THE first Petition reiterates, with amplification, what was brought forward in the Petition of 1863, which was printed, by order of the Legislative Assembly, on the 2nd September of that year. A copy of that Petition (No. 1) and of the Reply is appended.

It seems necessary to state, at the outset, that the agitation which has called into existence the association designated as the Riverine Council, for the purpose of procuring the separation of a large portion of New South Wales, and its erection into an independent Colony, originated in the desire of certain wealthy and influential individuals, not very numerous, to secure to themselves, on terms inimical to the satisfactory settlement of the country, the Crown Lands comprised within its boundaries. A reference to the Map (No. 2) which accompanies this minute will shew, in addition to other valuable information, the area of which it is the aim of these gentlemen to obtain the practical control; and the annexed Return (No. 3) states the number of acres at present held by some of the larger tenants of the Crown, under pastoral leases, within the district.

The estimated population of New South Wales is 390,000 (three hundred and ninety thousand), of which about 130,000 (one hundred and thirty thousand) are male adults; the estimated population of the territory proposed to be severed is 8,000 (eight thousand), of which about 4,000 (four thousand) are male adults. It is proposed to cut off 156,000 (one hundred and fifty-six thousand) square miles for the new Colony, leaving only 167,430 (one hundred and sixty-seven thousand four hundred and thirty) square miles as the old Colony of New South Wales.

A question arises at once as to the power of the Imperial Government to alter the existing boundaries of this Colony, without the consent of the local Parliament, having regard to the provisions of the Constitution Act 18 and 19 Victoria, No. 54. By the 7th clause of that Act, power was reserved to Her Majesty to erect a Colony to the north of New South Wales, and the erection of Queensland into a separate Colony could not, therefore, be complained of. It is contended, however, by this Government, that it would be a hardship to the colonists of New South Wales, as well as to those who have purchased debentures issued by this Colony, in securing the payment of which the Crown Lands form an important element, if the Imperial Government were to interfere injuriously between it and the public creditor.

The Imperial Government has hitherto wisely abstained from giving a favourable ear to applications for separation, and it is hoped that no sufficient reason will be considered to have been shewn for entertaining the extraordinary application now brought forward.

It is believed that the Parliament of New South Wales will not consent to any such reduction of its territory.

The mode of dealing with the public debt would, in any case, have to be first decided. New South Wales has not yet been able to obtain payment of that owing to her by Queensland.

The

The Petitions are so lengthy, and contain so many allegations, that no attempt will be made to discuss them all. Some answer themselves, and others are manifestly weak or altogether groundless. It is broadly asserted that the creation of inland Colonies is a necessity; that the portion of territory described ought to be separated from New South Wales, because it is impossible to govern it by existing institutions, and that the division of New South Wales into two independent Colonies offers the most effectual mode of meeting the obstacles in the way of properly governing the people. Against these assertions it is urged that the creation of an inland Colony will not remedy any of the evils said to exist. In what way, it may be inquired, will the creation of an additional boundary of nearly 400 (four hundred) miles in length, with no distinguishing features, tend to settle the Border Customs question. With South Australia no dispute has ever existed, and, therefore, all that is urged in regard to that Colony might have been spared.

South Australia has never refused to collect our duties for a commission; and a friendly arrangement to that effect is now in force. Victoria has not been so amicably disposed; but there is no insuperable obstacle to our collecting these duties ourselves; and if Victoria finally refuses to co-operate with us, New South Wales must do what the proposed new Colony would have to do. It is a fallacy to assert that to comply with the prayer of the Petitioners will have any effect in determining the point raised. An additional Colony can only be an additional difficulty. As matters now stand, it may be rather urged that it would have been better if, before the Imperial Government established any other Colony contiguous to New South Wales, a general system had been laid down for charging, collecting, and distributing Customs' duties. Considering the comparatively recent settlement of the western portion of New South Wales, it is submitted that the small number of people scattered over it have not much, if anything, to complain of in regard to the means provided for the security of property and the maintenance of good order. Money has been spent with no stringent rule on economical grounds, for roads, bridges, court-houses, gaols, and other public works. A system of police, applicable all over the Colony, is in force. Courts of Quarter Sessions and Petty Sessions have been, and are, from time to time, being established, as well as District Courts under the Act 22 Victoria, No. 18; and during the last Session of Parliament, the appointment of a Fourth Judge of the Supreme Court was authorized, having more especial reference to the extending Circuit Courts in a northern and southern direction. The appointment has since been made.

The returns annexed (No. 4) shew the operation of the District Courts at places within the proposed new Colony, or along its eastern boundary; and it must be remarked that, though Courts have only been held at Deniliquin, Hay, and Balranald, *within the so-called Riverine District*, they are also held at Albury, Wagga Wagga, Young, Forbes, and Dubbo; and if the Supreme Court be held at Wagga Wagga and Tamworth, the portion of territory proposed to be severed as a new Colony, will obtain justice more conveniently than from any points now sufficiently inhabited within its own limits.

The Petitioners themselves must also be fully aware that, from the thinness of the inhabitants, it would be an utter impossibility to obtain jury panels, except in rare instances. There is, in fact, no middle class to any extent, the social relation of the community being only that of master and servant.

It is denied that the population of whom the Riverine Council assume to act as the representatives, have been refused any reasonable requests. In addition to other conveniences, the telegraph is extended to them, and most efficient postal arrangements have been carried out, without regard to cost, in all directions.

The statement that no money has been expended in improving the navigation of their rivers is incorrect, as the return (No. 5) appended to this Minute will prove.

Municipalities might have been introduced under the Municipalities Act of 1858, if the districts were sufficiently populous, or had chosen to avail themselves of it; but the proposed boundary has been disingenuously drawn; for while passing not far from Albury, Wagga Wagga, and other comparatively settled localities, those townships are excluded in fact, though the population is included to make up the numbers.

The statement respecting the political franchise and the electoral districts, can only have been brought forward for effect.

The accompanying return of districts, electors, and representatives (No. 6), will shew how little those statements can be relied on. The qualification of electors is given in the Electoral Act of 1858, clause 9, and contains, in addition to a residuary qualification, others recognizing the rights of property.

The elective franchise of New South Wales is far more conservative than that of South Australia; nor is the principle of equal electoral districts, as implied by the Petitioners, rigidly adhered to; and while they complain that they have only four representatives, it is the boast of those representatives that they can command the sympathetic co-operation, on important occasions, of thirteen Members of Assembly, who are large holders of Crown Lands within the limits of the proposed new Colony; nor do they hesitate to impress upon the Ministry of the day, how powerful they are in Parliament; the argument being not unfrequently used as a reason for granting concessions, that the existence of the Administration depends upon the votes of themselves and their parliamentary friends.

A return (No. 7) is appended of Members of the Legislative Council and Legislative Assembly who are lessees of runs in the Western Pastoral Districts, or so called Riverina.

If

If the management of the splendid domain, over which it is the object of the Petitioners to establish a kind of oligarchy, can be obtained even after a few years of agitation, by funds collected from certain of the inhabitants, under a pretext of settling Border Customs questions and other alleged grievances, the Petitioners will individually have cause for congratulation, however injurious it may be to the interests of Australia.

From the return numbered 3, it will be seen, that at present, nearly 25,000,000 (twenty-five million) of acres are leased by thirty individuals. It may also be stated that, in the territory proposed to be left as the Colony of New South Wales, 7,500,000 (seven million five hundred thousand) acres of Crown Lands have been granted, or sold; while in the proposed new Colony, only 46,500 (forty-six thousand five hundred) acres have been alienated.

The question of Immigration—one of the highest importance in considering the subject of colonization—is not mentioned in the Petitions. With no ports or harbours, this could only be carried on, by the proposed new Colony, through the adjoining Colonies; and it will be a just ground of complaint, if the expense incurred by them for increasing their population should be made available by the new Colony for increasing, without cost, its population.

While the country is becoming settled and peopled, New South Wales will be actively engaged in carrying railways in the direction of Fort Bourke on the west, and of Albury to the south, not in the mean time being in any respect indifferent to the improvement of the navigation of the Rivers Darling, Murray, and Murrumbidgee.

The principal argument usually relied upon in advocating separation for local government is not applicable to this case. A reference to the appended Map (No. 2) will make apparent that the town of Bourke is situate on the River Darling, in the most central position, having regard to the confluence of all its tributaries, and must ultimately become the largest seat of population on our western waters; whilst Deniliquin is the suggested seat of the proposed new Government; but Fort Bourke is only 315 (three hundred and fifteen) miles from the town of Bathurst, to which point a railway from Sydney is in an advanced state of forwardness, and all necessary funds for its completion have been voted by Parliament; whereas Deniliquin is 375 (three hundred and seventy-five) miles from Fort Bourke, with the additional disadvantage that there is no existing direct road, nor possibility of making a road, by which wheeled traffic could be maintained between the two places, the ordinary route being by way of Sydney and Melbourne.

The annexed extract (No. 8) from a communication addressed to me by the Registrar General upon the subject of a separate registry, points out very accurately the difficulties which surround the carrying of that into effect.

It is difficult to understand what relation the altitude of the district, or the rainfall, bears to the question of separation; or how the expenditure of large sums in costly deputations or convivial entertainments entitles the case of the Petitioners to consideration at all, still less the extraordinary if not unconstitutional interference asked for from the Imperial Authorities.

If these Petitions be favourably entertained, equally strong and perhaps stronger grounds will be insisted upon for separating the Clarence and Richmond Districts, and certainly the Districts of Hunter's River; while the sub-division of Victoria will also be again demanded by the south-western portion of that Colony. As regards Queensland too, it may be urged that some portion ought never to have been separated from New South Wales.

CHARLES COWPER.

[Enclosures in foregoing.]

No. 1.

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

The humble Petition of the Inhabitants of the Pastoral Districts, and others interested in that part of the Colony of New South Wales known as the "Riverine District."

HUMBLY SHEWETH:—

That your Petitioners inhabit that portion of the Colony of New South Wales lying to the north of the Murray River, and bounded as follows, viz.:—On the north commencing at a point where the Culgoa River intersects the Queensland boundary, by a line forming the southern boundary of Queensland, and running due west to the South Australian boundary; on the west by a line at right angles to the last-mentioned line, being the 141st degree of longitude, and forming the eastern boundary of South Australia, to its intersection with the Murray River; on the south by the Murray River; and on the east, commencing at a point on the Murray River, a few miles east of Howlong, at or about 146 degrees 40 minutes east longitude, by a line to the junction of Houlahan's Creek with the Murrumbidgee River; thence by Houlahan's Creek to a point on that creek, and then by a line to the nearest point on the Narraburra Creek; thence by the Narraburra Creek and Cowal Lake to the junction of Bullock Creek and the Bogan River; thence by that river to its confluence with the Darling River; thence by the Culgoa River to the commencing point on the Queensland boundary:—sometimes called the "Riverine District."

That your Petitioners have, for many years, suffered such inconvenience and hardship from the effect of legislative and administrative neglect, the result of their present practical political disability, and they humbly approach your Honorable House to pray for relief; and your Petitioners would respectfully point out that the distance of Sydney from Deniliquin is 478 miles, with a twelve days' course of post, from Wentworth by course of post 740 miles, and from Perry by course of post 848 miles; that the nearest Assize Court is held at Goulburn, distant from Deniliquin 370 miles, from Moama

No. 7.

List of Members of the Legislative Council and Legislative Assembly, who are Lessees of Runs in the Western Pastoral Districts ("Riverina").

LEGISLATIVE COUNCIL:—

Alexander Campbell.
James Chisholm.
Thomas Ieely.
John Brown Watt.

LEGISLATIVE ASSEMBLY:—

William Forlonge.
John Hay.
John Hurley.
Joshua F. Josephson.
Robert Landale (and James Robertson).
Benjamin Lee.
George William Lord.
William Macleay.
Thomas H. Mate.
John Morrice.
P. H. Osborne.
James J. Phelps.
James White.

Crown Lands Office,
Sydney, 10th July, 1865.

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

No. 8.

Extract from a letter from the Registrar General, dated 15th July, 1865, upon the subject of a separate Registry for Deeds at Deniliquin.

The following are some of the difficulties and disadvantages that I conceive exist, as to the establishment of a separate Registry Office for Deeds, at Deniliquin.

If established, the two systems would have to be carried out, that is the old or Conveyance System, and the new or Transfer or Torrens' System, entailing the appointment of Registrar, Examiners, Commissioners, and Clerical Staff, and it would have to be exclusively, as affecting lands, within the Riverine District.

Should a proprietor of lands within Riverina and New South Wales deal with his properties by one deed, registration would have to be effected in both districts; this would also be the case in all general deeds executed, such as assignments. Registration could also not be complete, unless wills affecting properties in Riverina were also proved or recorded in Riverina, necessitating the appointment of a Prothonotary and Supreme Court.

Judgments of the Supreme Court, when execution lodged, and writs of execution from any Court when registered, bind lands throughout New South Wales, including Riverina. Registration could not be complete at Riverina, therefore, unless this were altered, and judgments and executions made to affect only lands not within Riverina unless registered at Riverina; unless Riverina were a separate Supreme Court Jurisdiction, records would perhaps have to be produced before the Supreme Court, Sydney, entailing considerable cost, damage, and risk of absolute loss.

Non-resident proprietors would have to transact their business by agencies at Riverina.

Most of the advances to the Riverina stock and station proprietors, are made by Sydney or Melbourne merchants; the Sydney merchants have the facilities of obtaining all informations at the Registry Office, Sydney; and the Melbourne merchants of obtaining the same through their agents at Sydney, where numbers of agents, legal and otherwise, can easily be procured.

If separate registry were established, both would have to do their business through agents, perhaps where agents could not so readily be obtained; trusting to the accuracy of their Riverina agents in searching, &c.

To make separate registration perfect, it might also probably be necessary to establish branch Surveyor General's Office.

APPENDIX A.

RIVERINA.

POPULATION, according to the Census of 1861, of the following Police Districts of New South Wales; parts of which comprise the so-called Riverina.

Deniliquin	1,674
Balranald	* 2,003
Albury	3,771
Moama	256
Moulamein	463
Wagga Wagga	2,647
Binalong	13,450
Molong	1,862
Dubbo	2,959
Wee Waa	862
Wyallda	2,148
TOTAL	32,095

Deduct alone north-east portion of the Lachlan Pastoral District, including Burrangong Gold Fields in New South Wales. (As per Census) .. 11,526

Leaves nearly the population as returned in Petition from Riverina (20,000), viz. .. 20,569

Then deduct the population in Towns of Albury, Binalong, Wagga Wagga, Molong, Dubbo, Wee Waa, and Wyallda, as well as other parts of these Districts in New South Wales .. 12,739

Making an estimated population of "Riverina" .. 7,830†

* N.B.—The figures given in the former return of 18th July, 1865, (1,903) were incorrect. This alteration makes the estimated population of Riverina, 100 in excess of the previous return—which was stated to be 7,730. †

No. 2.

GOVERNOR SIR JOHN YOUNG, BART., to SECRETARY OF STATE FOR THE COLONIES.

(No. 88.)

Government House,
Sydney, 21 September, 1865.

SIR,

With reference to my despatch No. 63, of date July 21st, 1865, I have the honor to forward herewith, for presentation to Her Most Gracious Majesty, a further Petition* for the separation of the District termed by the Petitioners "Riverina," from New South Wales.

2. This Petition is signed by five Members of the Legislative Assembly, and was presented by Dr. Lang, whose name stands first on the list of signatures.

3. My responsible advisers have informed me that they do not consider any further reply on their part necessary, but are prepared to rely on the statement which accompanied my former despatch.

I have, &c.,

JOHN YOUNG.

* The original of this Petition was forwarded to England, and no copy kept.

No. 3.

SECRETARY OF STATE FOR THE COLONIES to GOVERNOR SIR JOHN YOUNG, BART.

(No. 87.)

Downing-street,
21 December, 1865.

SIR,

I have to acknowledge the receipt of your despatches, No. 63 of the 21st July, and No. 88 of the 21st of September, enclosing, for presentation to Her Majesty, Petitions in favour of the separation of the Riverine District from the Colony of New South Wales. The former of these despatches also encloses, amongst other documents, a copy of a minute by your Cabinet on the prayer of the Petitioners.

I have to inform you, in reply, that I have laid these Petitions before the Queen, but that I have been unable to advise Her Majesty that any steps ought to be taken for giving effect to the wishes of the Petitioners. I regret the inconvenience to which the inhabitants of the Riverine District are at present subjected by their distance from the seat of Government; but these inconveniences are in a great measure removable, and I ought not to doubt that they will be removed when, by the ordinary constitutional methods, they are pressed upon the attention of the Government and Legislature. On the other hand, I am convinced that a permanent injury will be inflicted on the Colony if these or other passing inconveniences are allowed to supply a reason for indefinite subdivision. I am, therefore, convinced that it would not be for the present or future benefit of Australia that a tract of country comprising, it would seem, nearly half of New South Wales, inhabited by an extremely scattered population of about 20,000 souls, and having no direct access to the sea, should become a separate Colony.

I have, &c.,

EDWARD CARDWELL.