

FRIDAY, AUGUST 12, 1870.

The report of the commission appointed to inquire into the condition of the Malmabury reservoir has engaged the attention of the Government for some days past, and the net result seems to be that the chief engineer for waterworks, Mr. CHRISTOPHERSON, together with Mr. R. H. SHAKESPEAR, engineer of the Malmabury reservoir, and Mr. J. WOODS, assistant-engineer on the same work, are to be deprived of their posts. This seems to be a somewhat abrupt and arbitrary exercise of power, but we cannot say that it is an injustice—so far, at all events, as Mr. CHRISTOPHERSON is concerned. For some years past this gentleman has filled a post for which he was not qualified either by talent or experience, and during his tenure of office some dreadful engineering blunders have been committed which it will cost the country a great deal of money to repair. The Stoney Creek dam, in the Geelong water-supply scheme, has illustrated nearly every error which a hydraulic-engineer can commit, while the Coliban scheme has been marred by very gross blunders for which Mr. CHRISTOPHERSON is mainly responsible. These facts are evidence which cannot be gainsaid; and the public will therefore concur in the sentence of dismissal from his office that has been virtually pronounced against Mr. CHRISTOPHERSON.

But his fate will nevertheless excite a good deal of commiseration, while the fate of his colleagues will probably elicit some kind of public remonstrance. Facts have proved that Mr. CHRISTOPHERSON was never qualified for the extremely important office which he was appointed to fill,

public service. They have in some respects a better claim to re-appointment than Mr. CHRISTOPHERSON, inasmuch as they are not known to have committed any palpable blunders, and are more or less absolved, by the subordinate positions which they have held, from the blame which attaches to the failure of the great public works on which they have been engaged.

To recur to Mr. CHRISTOPHERSON'S case, we entirely concur in the proposition to displace him. The long series of blunders which makes up the recent history of Victorian waterworks construction proves him to be unfit for the place he still occupies, and it has always been a proof of weakness on his part that he sought to maintain himself in office by the favour of members of Parliament rather than by virtue of his professional accomplishments or achievements. But this should not be laid too heavily to his charge. Rising to importance in the public service of the country in a time when professional skill and zeal were as nothing as compared with Parliamentary influence, he may be in some sort excused for relying on the former rather than on the latter, and it will be no more than a proper vindication of the right principle of government if he now suffers some considerable loss of emolument, as he already has of *prestige*, through his mistake in following a course which might possibly lead to fame and profit but was not the most direct or the most honourable road to either.

The most important question in connexion with the approaching revolution in the Waterworks department is—what next? Is Mr. CHRISTOPHERSON'S place to be filled by some other engineer who has a good many members on

but the public sense of justice will be amply satisfied if some other place is found for him which is within the scope of his ability. The case of his subordinates — Messrs. SHAKSPEAR and WOODS—is different. So far as is known, they suffer through the incapacity of their superior, and it seems scarcely fair that they should lose their posts and their means of living through faults which are not their own, or only theirs to some small extent. It is to be hoped that they also will be otherwise provided for in the public service. They have in some re-

his side, or is the Government to get the best man they can for the place, whether in Australia, America, India, or Europe? A great deal depends on the way in which this question is answered. In view of the immense amount of money that is involved in the water-supply schemes now in progress in the colony, it would be a gross mistake to hire a cheap engineer to fill Mr. CHRISTOPHERSON'S place. Indeed, it should be borne in mind, in considering this gentleman's case, that he never was paid a salary in any degree corresponding with the work that

corresponding with the work that devolved upon him, or the responsibility that rested on him. An officer who had something like a million of money to spend should never have been expected to rest content with £600 or £700 a year, and his employers have little cause to complain if so poorly remunerated an official did commit some terrible fiascos. The failure is more their fault than his, and the utter inadequacy of his pay should be duly considered in adjudicating upon his case.

What Ministers have now to consider in connexion with the present unhappy condition of the Victorian water supply works, is how their state can be best mended? Our opinion is that the one thing wanted is a competent hydraulic engineer. If there is such a man in the colony, let him be employed by all means. If not, let one be imported from wherever such a man is to be found. In the emergency in which we now find ourselves, the question of salary is absolutely unworthy of consideration. If we can secure the services of a thoroughly competent engineer—a man with a reputation to lose or to sustain, and whose previous works are a guarantee of his ability—we will make a good bargain by paying two or three thousand a-year for his services. The lesson to be learned from our experience in water-

supply works is, that inferior engineering ability is immensely dear at any price, and we hope that in whatever new arrangements may be made, consequent on Mr. CHRISTOPHERSON'S removal, this lesson will be duly laid to heart.

The unwonted form and arrangement of our issue this morning arise from the extent of our description of the mayor's hall. The

carried on under difficulties. Nevertheless, the spectacle was perfect in its way, and Mr. Ames has made a deep impression on the hearts of more ladies than he is likely to know personally in this life. His Excellency the Governor, Viscountess Canterbury, and all the viceregal family were present. The ball closed, as it began, amid a scene of general enjoyment. Our columns elsewhere contain full particulars of the proceedings.

The appearance of the streets in the vicinity of the town-hall during the arrival of the guests for the fancy ball was a sight not often witnessed in Melbourne. It is no exaggeration to say that thousands upon thousands of people thronged the streets, tempted out by the novelty of the occasion. The night was beautifully fine and mild, and the moon shone brightly the whole time. Every spot which could command a view of the approaches to the hall was densely packed with eager sightseers, in many places the crowd being 15 or 20 deep. The carriages commenced to arrive shortly before 8 o'clock, and as the ladies descended their appearance was narrowly scanned, and marks of approval or disapprobation were freely bandied about amongst the crowd, according as their dresses found favour or not in the eyes of the spectators. The gentlemen also were objects of special attention, and many a shout of good-natured laughter greeted their appearance as some of them forced their way up to the hall. The crowd was very noisy, but appeared to enjoy the fun immensely. The arrangements of the police for the maintenance of order and the prevention of confusion were identical with those of Tuesday night, and were carried out in a manner which reflects great credit on the force. A strong body of constables—upwards of 65 in number—under the command of Superintendent Nicolson, assisted by Inspector Kabat, Sub-inspector Dobson, and later in the evening by Inspector Palmer, was in attendance. An extensive cordon was formed round the town-hall, and thus the bystanders were prevented from inconveniencing the guests as they arrived. Some 15 or 20 mounted constables were also in attendance, and did effective service in restraining the crowd from bursting bounds.

extreme length of the report has thrust our shipping and commercial intelligence over to the third page, where the column of special advertisements is also to be found.

The mayor's fancy ball, towards which the minds of a majority of our fellow-citizens have been turned for many weeks, was the event of last night. It was a high festival, indeed. All day the corporation flag floated from Prince Alfred's Tower (the Prince so named it, and so it should be called), as a token of what was to come, and the general expectation was well fulfilled, for the ball surpassed all previous fancy balls, save that the crowd was too great, and dancing was carried on under difficulties. Nevertheless, the

At times it was with the utmost difficulty that the excited, swaying mass of human beings in Swanston-street could be kept back, but, thanks to the firm but courteous demeanour of the police, order was preserved. So great was the pressure that more than one woman fainted, and had to be extricated from the crowd and assisted away. About 9 o'clock the carriage of His Excellency the Governor drove up, amidst the deafening cheers of the spectators. The Viceregal party was received by the aldermen and councillors of the city, and Lady Canterbury was escorted to the mayor's reception-room by the Hon. J. T. Smith, and the Hon. Miss Manners Sutton by Councillor Henty. They were there received by his worship the mayor, who, after

by Councilor Henry. They were there received by his worship the mayor, who, after welcoming them, escorted His Excellency and suite into the ballroom. As the evening drew on, the crowd, which at one time was estimated at 10,000 persons, gradually dispersed, and, in consequence, the departure of the guests was managed without confusion or accident.

The Hon. Mr. Bates, the Vice-President of the Board of Land and Works, yesterday announced that the successful tenderer for the extensions to the Melbourne wharfs, on the north side, between the Queen's Wharf and Spencer-street dock, was Mr. A. Cooper, the amount being £4,987 3s., and the timber to be used to be redgum.

The usual weekly meeting of the managing committee of the Benevolent Asylum was held yesterday, Mr. Wisewould in the chair, and Messrs. Marsden, Lancashire, Lynch, Zox, Hinds, O'Brien, Tankard, Phillips, and Ashley also present. The superintendent's report stated that John Blake, Richard Dagnell, and Thomas Burke had left during the week of their own accord, the fare of the last-named to Maldon being paid by the asylum. The state of the house was—men, 372; women, 161: total, 533. The medical officer reported the number under treatment to be—Men, 207; women, 109: total, 316. Mr. O'Brien, as chairman of a committee appointed to prepare a testimonial to Mr. Marsden, in recognition of his services in connexion with the bazaar in aid of the new wing, made some appropriate remarks, and handed to the recipient a handsomely engrossed address set in a frame. Mr. Marsden, while thanking the committee, paid a compliment to Mr. Tankard and the other members of committee, and to the ladies who assisted at the bazaar, to whose united efforts he attributed the success of the undertaking.

The Nisi Prius Court sat for only a few minutes yesterday, there being only two undefended cases to be disposed of—*Commercial Bank v. Hopan*, and *Commercial Bank v. Morrow*. They were both on bills of exchange, and in each instance verdicts were given for the plaintiffs.

A point of some importance, as affecting the powers of the County Court judge in his

contended that the judge of an inferior court could not by injunction restrain the judges of the higher courts in their common-law jurisdiction from hearing a cause; while, on the other hand, Mr. Spensley, on behalf of the plaintiff, argued that, under the 100th section of the County Court Act, the judge of that court was invested, up to a certain amount, with all the powers exercised by the Court of Equity above. Judge Pobjman, after some consideration, said it was unnecessary to decide the point, as it was quite clear, the action in the higher court being brought for £300, that he had no jurisdiction to that extent, but he very much doubted whether it was the intention of the act to enable him to interfere with an action brought before the Supreme Court at all. The bill was ultimately dismissed with costs.

In the County Court yesterday probates were granted to the wills of Charles Anthony Brabazon, and Phillip M'Loon, late of Richmond; and letters of administration to the goods of William Bock, late of Fitzroy.

Richard J. P. Sullivan was charged at the City Court yesterday with assaulting a boot-

maker named James Ferguson, living at No. 1 Barkly-street, Carlton. The evidence was very clear, and went to show that at about 8 o'clock on Wednesday evening two children, one a girl of 12 years, were left alone in the house of Mr. Allen, in Bazaar-place, Carlton, when Sullivan forced his way in, and lay down on the sofa. The children being frightened, went to Mr. Moss, a cigar manufacturer, living next door, and complained that a drunken man, whom they did not know, had forced his way into the house. Mr. Moss got the assistance of two or three apprentices of Mr. Ferguson, and they went into the house and asked Sullivan what he wanted in the house. Sullivan jumped up, and after asking them what that had to do with them, acted on a recommendation to walk out quietly. When he got outside, however, he made use of the most disgraceful language towards the lads, and behaved in such a disorderly manner that a crowd soon collected to listen to Sullivan's threats that he would "knock the (expletive) head off that

Equitable jurisdiction, was raised yesterday during the hearing of the case of *Smith v. Wilson*, in which it was sought to compel the defendant to furnish accounts of the transactions which had passed between him and the plaintiff. It appeared that proceedings had been instituted by Mr. Wilson against the plaintiff in the court above to recover £300 upon a mortgage executed by Smith to him, and the present plaintiff prayed that, in case he succeeded in his action, Mr. Wilson might be restrained by injunction from proceeding further with the suit in the Supreme Court. Mr. Quinlan, who appeared for the defendant, contended that the judge of an inferior court could not by injunction restrain the judge of

(adjective) snob," referring to the apprentice who had advised him to leave quietly. During the disturbance Mr. Ferguson, who had been away on business, arrived, and on asking "What's the row about?" was answered by Sullivan, who came up and repeated his observation about the shoemaker's (adjective) head, which he intended to knock off. Ferguson told him to go away, but Sullivan tried to get into the shop, and though Ferguson pushed him away at each attempt, he persisted in trying to get into the boot shop. At last he threatened to strike Ferguson if he pushed him from the door again, and Ferguson did push, and received a blow in the breast from Sullivan. A fight then ensued, in which both received blows, but Sullivan

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breast from Sullivan. A fight then ensued, in which both received blows, but Sullivan suffered most, and was on the ground under Ferguson, when a cabman pulled the latter off. A policeman had been sent for, and having arrived took Sullivan to the watchhouse, after a struggle to get him into the cab. Mr. Turner, for the defence, stated that a letter had been written to the prisoner asking him to call at No. 1 Bazaar-place, which was Allen's house, and that it seemed to be a trap to get him into a good thrashing. Mr. Turner did not, however, produce the letter, though he ostentatiously placed on the table in front of him several scraps of notepaper, which had apparently been written upon at some remote date, torn up, thrown in the fireplace, and afterwards collected and "restored." The Bench said that it was a most disgraceful thing that respectable people could not keep possession of their premises in peace and quietness without persons such as the prisoner committing assaults upon them. He would be fined 40s., with 40s. costs; or, in default, 14 days' imprisonment. After a delay of about an hour the money was procured and the fine paid.

Abraham Lyons, a tobacconist in Elizabeth-street, was summoned to the District Court yesterday on a charge of trading on Sunday, the 31st ult. A witness named Silk, who, it was stated, had bought some tobacco on that date, was subpoenaed by the police to give evidence; but on getting into the box he objected to going on unless his expenses were paid. As the police would not undertake to guarantee the payment of the man's expenses he refused to give evidence, and the Bench dismissed the case.

A respectable-looking man, said to be an ex-publican, named John Wilson, was observed in Bourke-street on Wednesday in a state of intoxication throwing orange peel about the pavement. When requested to desist he became abusive, and was locked up for insulting behaviour. On being searched, the sum of £95 was found upon him. Yesterday he was taken before the City magistrates, who informed him that when he went out drunk it would be quite sufficient for him to carry 5s. to pay the fine with. He was fined 5s.

To-morrow is the closing day for the mail

Saltwater River held on lease from Bright Brothers and Co., whereon the buildings were being erected; and the price given—namely, £1,500—might be considered favourable to the company, the situation being particularly suitable for economising labour and carriage. The contractors expected to hand over the new works during the month of August, and the manager would then be enabled to commence preserving operations with the most approved appliances, on a scale calculated to use up from 3,000 to 4,000 sheep a week, while the works were so arranged as to be capable of considerable extension, for a moderate outlay, at any future period. The remainder of the shares would be offered for sale after the work of preserving had commenced. The report and the balance-sheet, which was also submitted, were adopted, which concluded the business of the meeting.

The Dandenong, which sailed yesterday for Sydney, conveyed 60 packages for the Inter-colonial Exhibition. The exhibits included specimens of auriferous quartz from Messrs. Latham and Watson; pianos of local manufacture from Messrs. Wilkie, Kilner, and Co.; an interesting mineralogical collection from Professor Abel, of Ballarat; stained glass from Messrs. Fergusson, Urie, and Lyon; and a large quantity of agricultural implements, beer, spirits, oatmeal, and biscuits. The Victorian commissioners intend to make their last shipment by the City of Adelaide, as they have already exceeded the time allowed them by the Sydney authorities.

A correspondent suggests that on Saturday the employers of Melbourne should close their places at 6 o'clock, to enable their *employés* who may be invited to attend the concert at the Town-hall in the evening.

James Cassell, aged 24, living in Latrobe-street, a sawmaker, was admitted to the hospital yesterday, suffering from a fracture to the leg, caused by a steam grindstone splitting while grinding files, and part of the stone striking his leg.

A meeting of professors of music is convened by an advertisement in another column, to form a deputation to wait on the mayor to request that Mr. Horsley's cantata "Euterpe" may be substituted for the

to be despatched to England by the E. and O. Company's steamer Malta. Our usual summary of the month's news will be contained in our to-morrow's issue.

The first general meeting of the Australian Meat-preserving Company was held on Thursday, at Bank-chambers, Mr. C. Croaker, chairman of the company, presiding. The report stated that the directors had decided upon an extension of the meat-preserving works handed over by Mr. Hayes. They had accordingly called for tenders and entered into contracts for additional buildings and plant to the value of about £5,000. They have purchased the nine acres of land on the Saltwater River held on lease from Bright

"Stabat Mater" in the concert on Saturday night.

A slight delay was caused yesterday to the quarter-past 10 a.m. train from St. Kilda, in consequence of the regulator of the engine getting out of gear.

The elections for members for the three subdivisions of the Keilor District Board have resulted in the return, without opposition, of Messrs. William Taylor, John Grant, and George Dodd, the two former of whom were re-elected for the second time, having been members of the board ever since it was first organised in 1863.

The body of the boy Clancy, who was drowned in the Saltwater River on Saturday last whilst crossing near Solomon's Ford.



drowned in the Saltwater River on Saturday last whilst crossing near Solomon's Ford, along with a man named Morris, was recovered yesterday afternoon, and taken to the Braybrook Hotel. The body of the man, who is believed to have been a sailor, has not yet been recovered. He was stranger to the district, having only been in the employment of Mr. Derham a short time.

The Criminal Sessions at Geelong opened yesterday morning, before his Honour Judge Forbes, Mr. Armstrong acting as Crown prosecutor. Frederick Brown was arraigned on three counts for forgery. The first charge

when the ladder on which he was standing slipped from under him, and one of the hooks catching in the inside of the arm, above the elbow, held him suspended in this painful position. He was at once removed to the hospital.

was for forging a mortgage, and the names of Mr. Harvie, of Ballarat, as mortgagor; Mr. Higgins, of Geelong, solicitor, as attesting witness; and the endorsement of the registrar-general, Mr. Sunderland. The second charge was the forgery of the signature of Mr. G. H. Richardson to a bill of exchange; and the third charge was for forging the names of Charles Read and John Swan to a similar document. The prisoner pleaded "Guilty" to all the charges, and was sentenced to two years' hard labour on the first count, and one year each on the second and third. Margaret Carnow, a married woman, was charged with the theft of £20 from the Blue Posts Hotel. Mr. Martyr defended the prisoner, who was found "Guilty," and sentenced to six months' hard labour. James Cruikshank and John Cruikshank, father and son, were charged, one with stealing a quantity of horse feed, the property of Mr. Geo. Russell, of Shelford, in whose employ he was a coachman, and the father, an old man of 80, with receiving the same. The charge was not sustained, and the prisoners, who were defended by Mr. Molesworth, were discharged. Daniel Riedy pleaded "Guilty" to a charge of stealing from a dwelling at Stony Creek, and received a sentence of six months' hard labour. Severe Lebel, a French seaman, also pleaded "Guilty" to having stolen £15 and a ship's discharge from a shipmate while they were on the spree together, and was sentenced to nine months' imprisonment, with hard labour. George Cunningham pleaded "Guilty" to a charge of having stolen a

swag from his mate at the Barrabool-hills, where they were at work, and was sentenced to six months' hard labour. Rudolph Ryniker, a vigneron at Batesford, was arraigned on the charge of stealing a cow, the property of David Rogers. The prisoner was defended by Mr. Molesworth, and, after a short deliberation by the jury, a verdict of "Not guilty" was returned, and the prisoner was discharged.

An accident of a rather peculiar character occurred on Thursday, to a man in the employ of Mr. Webster, butcher, in Geelong. It appears he was in the act of hanging a sheep on to one of the hooks at the top of the shop, when the ladder on which he was standing