

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 6 SEPTEMBER 1878

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hampton line. The object of this petition was pretty well known to the House, and as considerable irregularity had taken place by a copy of the petition being presented to the House by the honourable member for West Moreton, he might be allowed to read the remarks of the committee in asking him to present the petition :—

“With regard to Mr. Foote’s action, we can only express our surprise that he should have made such a mistake. Seeing that, in the debate upon granting an increase of salary to Mr. Nisbet, Mr. Foote made some remarks tending to the same end as our movement, it seemed desirable to the public meeting to thank him for them, and to request his support when the matter came before the House.

“That he might see what we were doing and the grounds of our action, we sent him copies of Mr. Nisbet’s report upon Port Curtis, of Mr. Richardson’s lecture, and of our petition, but there was no suggestion in our letter that he should present the petition: In fact, we expressly said, that what we sent was a copy of the petition which was now being circulated for signature.”

Petition received and read.

ORDER OF BUSINESS.

The PREMIER moved that the limit of this day’s sitting be withdrawn. The object, he explained, was to dispense with the Sessional Order, which required that the sitting on Friday should close at 1 o’clock. It was thought desirable to do this in order that there might be an afternoon sitting to receive the Appropriation Bill, should it pass, and be sent up to the Legislative Council in the usual manner.

Question put and passed.

ROADS, BURKE DISTRICT.

On the motion of Mr. O’SULLIVAN, the House resolved itself into a Committee of the Whole, and passed the following resolution :—

That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of 1878, the sum of £2,000 for the purpose of repairing roads and culverts in the Burke district, as follows, viz :—Hughenden towards Townsville, Hughenden towards Diamantina and Cloncurry, Cloncurry to Normanston, thence to Georgetown, and from Georgetown to Thornborough.

The resolution was reported to the House, and the report was received and adopted in due form, at a later hour of the day.

ROADS, STANLEY ELECTORATE.

On the motion of Mr. O’SULLIVAN, the House went into committee, and the following resolution was adopted :—

That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary

LEGISLATIVE ASSEMBLY.

Friday, 6 September, 1878.

Petitions.—Order of Business.—Roads, Burke District.—Roads, Stanley Electorate.—Supply.—Ways and Means.—Roads in the Extended Stanley Electorate.—Appropriation Bill No. 2.—Votes and Proceedings.—Adjournment.

The SPEAKER took the chair at half-past ten o’clock.

PETITIONS.

The MINISTER FOR WORKS presented a petition from storekeepers, miners, farmers, and others in the township of Gympie with reference to the terminus of the railway line.

Petition received.

Mr. PALMER begged to present a petition signed by 410 of the residents of the Port Curtis Electorate, praying that a line of railway from Gladstone towards the Rock-

Estimates, the sum of £3,000, to be expended on the roads in the extended Stanley electorate.

The House having resumed, the resolution was reported, and Mr. O'SULLIVAN moved that the report be received at a later hour.

The SPEAKER: It has not been the practice of the House to receive the report on the same day on which the resolution has been arrived at; but as this is the last day of the session, and as the limit of the hour for sitting has been extended, it may be a question whether the afternoon sitting should not be considered an independent sitting. Since there is no objection, I will put the motion of the honourable member for Burke; but I think it necessary to draw attention to the fact that there is an apparent irregularity, so that it cannot be quoted as a precedent for receiving reports on future occasions on the same day the resolutions have been arrived at.

Question put and passed..

SUPPLY.

On the motion of the COLONIAL TREASURER (Mr. Dickson), the House went into Committee of Supply.

The PREMIER, in moving £1,600 for reserves for aborigines, said this amount was placed on the Supplementary Estimates in response to a request by the commission appointed by the Government to superintend the administration of money voted by the House for these reserves. Bishop Hale was chairman of the commission, which consisted of Mr. Drew, Mr. Graham, and Father MacNab. A commencement had been made, and the commission were of opinion that if any real good was to be done they must have the command of some money, and they had requested him to bring this sum under the notice of the House for the purpose of being applied to these reserves. £500 had already been voted for this year, but it was considered insufficient for the purposes, and the commission believed that the sum now asked for would be of considerable use. It was intended to be expended on the reserves at Bribie, Mackay, Townsville, and other places. The people of Townsville had already done a good deal in this direction voluntarily, and it was believed that if some little assistance were given, persons would be found to take an interest in the matter, and something would be done to improve the condition of the aborigines there. At Mackay some good had been done, and the labour of the aborigines had been made valuable to sugar-growers and others. With regard to the salary of the Secretary to the Commission, it was the opinion of the Commission that unless some person was appointed to have the dispensing

of this money, there would be waste, and the whole expenditure would be unsatisfactory. He had submitted this amount to the committee in the belief that although all efforts of this kind must be looked upon as mere makeshifts, they were bound to do something to endeavour to ameliorate the condition of the aborigines; and he hoped the amount, which was not large, when it was considered that there was a large number of aborigines still in the colony, especially in the North, would be voted.

Mr. McILWRAITH said this was a question which could very well be left over for the new Parliament to decide upon. There was matter for a good night's debate on the subject the Premier had brought before them, and he thought the House in its present state was not in a position to deal with it. If it were considered desirable to vote this money, the question should have been brought before the House long ago. He did not intend to go into the merits of the case, but would merely vote against the item.

Mr. McLEAN said he was of the same opinion as the leader of the Opposition, that it was rather too much to expect this sum to be voted by a dying Parliament. It was the nucleus of a new and distinct department; and although the sum now asked for was only £1,600, it would probably develop into something very considerable. He thought, from the success that had attended the establishment at Mackay, without a paid secretary, they could do very well without such an officer; and that it would be well for the Premier to withdraw the vote, and let the new Parliament deal with it.

Mr. PALMER said he quite agreed with the remarks of the last speaker. He looked upon this as a sort of job—creating a new department at the end of the session. He had no doubt the secretary to the commission was already picked out, and ready for the work. He had no great faith in Bishop Hale in regard to the matter, for he had very little knowledge of our aborigines, and he was no authority on which to vote money for this purpose. He might have more faith in the proposal if the Government did what they had now in their power to do to assist the blacks; that was to give them good blankets, and not the rubbish that was now given to them. They were now given the veriest rubbish on the face of the earth in the shape of blankets. He should vote against the item.

Question put and negatived.

The PREMIER moved £1,303, Lunatic Asylum, Sandy Gallop.

Mr. PALMER thought the committee should have some information on this item for the establishment of a new asylum. They ought to be told how many patients were there, how many were likely to be

there, and what was Dr. Smith's opinion as to the number that could be removed there from Woogaroo. He believed there were very few patients at Woogaroo fit to be transferred there.

The PREMIER said the number of patients there at the present time was about thirty, and there was accommodation for fifty or sixty. Dr. Smith believed the place would be of considerable use for this purpose. Of course this was not what was originally contemplated as an adjunct to the Woogaroo Asylum, but it had proved very useful and had relieved the pressure on the Woogaroo Asylum.

Mr. PALMER: Did Dr. Smith say there were anything like sixty patients at Woogaroo fit to be removed there?

The PREMIER: Yes, he thinks so, and that it may be of great benefit.

Mr. McLEAN asked was this the same institution that they had voted £312 for under the name of the Ipswich Benevolent Asylum?

The PREMIER said it was originally intended for a benevolent asylum, but it had never been used as such in consequence of a resolution of the House, moved by Mr. Pettigrew, affirming that it should not be used for that purpose.

Mr. PALMER suggested to the Premier to alter the name of "Sandy Gallop." It was a very unfit name for a lunatic asylum, suggesting bad ideas on the subject.

The PREMIER said that was the name of the locality at the present time, and he quite agreed with the honourable member that it would be better to have a new one.

Mr. PALMER thought the Premier had better christen it at once. He might call it the Ipswich asylum, the Douglas home, or anything else.

Item put and passed.

On the motion of the PREMIER, the following item was agreed to:—School of Arts—Charters Towers, special grant—£500.

The PREMIER moved, £550 for miscellaneous services.

Mr. IVORY said he thought the Minister for Works could give some information respecting the item of £250 for the Ipswich Pastoral and Agricultural Society. He should like to know how this sum came to be on the Supplementary Estimates.

The PREMIER said there had been some controversy between his honourable friend the Minister for Works, when Colonial Secretary, and the representatives of this society, as to the amount they should get. An interpretation was put on the words of the Minister for Works, which was not justified by the facts of the case. He (the Premier) subsequently saw the representatives of the society, and, on condition that they withdrew their imputation on the ver-

city of his honourable friend, and dropped the controversy, he consented to place this sum on the Estimates for the consideration of the House. He did so on the ground that the society had expended in improvements a considerable amount of money in excess of what they previously received—about £1,200.

Mr. J. SCOTT said it appeared to him that this sum ought to have appeared on the Supplementary Estimates for 1877-8, and not on those for this year. It appeared that this society would get £450 this year, while no other society received more than £200.

Mr. McLEAN thought the committee was entitled to some explanation respecting the item of £200 to meet the defalcations of E. Campbell. What position did he occupy?

The PREMIER said Campbell was Mining Registrar and acting C.P.S. at Thornborough; he was appointed about a year ago, not during his (the Premier's) tenure of office, and unfortunately the Under Colonial Secretary did not take the proper steps to secure the bond which was usually given in such cases. Campbell had been convicted of embezzlement, and the result was that the Government were bound to find the money appropriated by him.

Mr. PALMER said the Premier made an insinuation against the late Under-Colonial Secretary which was quite unjustifiable. Was it the duty of the Under-Colonial Secretary to see that security was given by a mining registrar, or the duty of the Mines department? He would not submit to such an insinuation against that officer, who, he was sure, would make no mistake of that kind; on the contrary, as honourable members knew, he did a little too much in the way of duty.

The PREMIER said Campbell was acting C.P.S., and it would have been his (the Premier's) duty, if he had been in office to see that he gave proper security.

Mr. J. SCOTT asked, was security given and allowed to lapse, or was none at all given? He thought the accusation against the late Under Colonial Secretary should not be allowed to pass. If he did his duty and exacted security, he (Mr. Scott) did not see why it should be brought against him as a charge now.

The PREMIER said he had nothing to do with the appointment, and proper steps were not taken in the department—whether the Mines department or the Colonial Secretary's department, or both—to secure the customary bond, and the result was the Government had been called upon to pay this amount.

Mr. TYREL said he could state that some considerable time ago he received a circular from a guarantee society asking him to give a reference with regard to Campbell,

and he reported favourably, as far as he knew; but whether the matter was completed or not, he did not know.

Mr. J. SCOTT asked, was the bond executed originally and allowed to lapse, the sureties not being called upon to pay the money?

The PREMIER said his information was that a bond was not originally given.

The COLONIAL TREASURER said he might state that he was informed by the Auditor-General that the guarantee was never completed. He was not aware that application was ever made for a bond. However, although this had resulted in an immediate loss of £200 to the country, it would have this good effect: That the Auditor-General's officers in making their periodical examination of accounts in the different offices, would see that a guarantee bond was in force in all cases where officers had charge of public funds, so that nothing of this sort was likely to occur again.

Mr. PALMER said the Premier made an imputation against the late Under Colonial Secretary; if he had made a distinct charge it would have been much better. He (Mr. Palmer) could say that that gentleman was the last man in the world to neglect his duty—in fact, he rather overdid it; and he (Mr. Palmer) did not know what that officer could have had to do with getting a bond for the Mining Registrar, J. E. Campbell. These insinuations should not be made, especially in the absence of a gentleman who had left the service.

Mr. IVORY asked whether the committee of the Ipswich Pastoral and Agricultural Society had removed the imputation as to the veracity of the Minister for Works?

The PREMIER said he would not go into that question at all. The item was placed on the Supplementary Estimates, simply because the society had expended about £1,200 in improvements, and in virtue of that, and in view of the whole position of affairs in connection with the case, he thought it was desirable to place the sum on the Estimates.

Mr. IVORY said if the Premier had based the payment of this money on that ground before, he (Mr. Ivory) could have understood him, and there would have been nothing said about it; but he (Mr. Ivory) understood that that this amount was to be given on condition that the imputation of the committee against the veracity of the Minister for Works was removed. He hoped the committee had done so, and that the Minister for Works had also withdrawn his imputation against the veracity of the committee.

The PREMIER said he knew there was a somewhat sharp interchange of correspondence between his honourable friend and the committee of the Association.

Mr. PALMER said this was a nice piece of work. The Minister for Works said the society should not have the money, and now they had the Premier putting it on the Estimates to make things smooth. He would also point that Campbell's name was J. E. and not E. Campbell. He would make inquiries at the offices of the Queensland Insurance Company if they gave this man a guarantee. The honourable member for Carnarvon had been applied to in reference to a guarantee, and he believed it would be found that Campbell got it, but it had never been paid up.

Item put and passed.

The ATTORNEY-GENERAL (Mr. Griffith) in moving £590 5s. 7d., under "Supreme Court," said it consisted of two items—£490 5s. 7d., additional salary at the rate of £500 per annum to the Acting Chief Justice; and £100 for clerical assistance to Crown Solicitor, Bowen. The latter item had been accidentally omitted from the Estimates-in-Chief. The salary paid to the Crown Solicitor was £200, which was quite inadequate to compensate him for the work he had to do, which included an enormous amount of copying for which he had to obtain clerical assistance, and he must have to pay nearly this amount for that work.

Item put and passed.

The ATTORNEY-GENERAL, in moving £80, gratuity to Mrs. Pears, late matron, Diamantina Orphanage, said Mrs. Pears had been in charge of this institution for twelve years; she was not under the Civil Service Act; and retired on the first of this month. A request was made that this amount should be placed on the Estimates in order to place her in the same position that she would have been in if she had been under the Civil Service Act. She had resigned in consequence of family matters, and as she had done good service, and conducted the institution admirably, he thought it was not too much to ask this gratuity for her. It would not be a bad precedent or an ungraceful act on the part of the Legislature.

Mr. O'SULLIVAN said he never rose to offer any objection to a vote of this kind, but he thought the House would be stultifying itself if it voted this amount, after refusing a gratuity of £200 to Mr. Hutchinson, who had been thirty-five years in the service, and had always proved himself a very able officer. He thought if a gratuity was granted in one case it should be granted in the other. At the same time he did not rise to oppose the vote, but simply to point out the inconsistency, and to prove that those who had friends in the House could get votes of this kind without any difficulty, while those who were without friends were refused similar votes.

Mr. PALMER said there was no inconsistency whatever, because Mr. Hutchinson

got a retiring pension. To his own knowledge, the matron of the Diamantina Orphanage had done her duty well. He would take the opportunity of asking the Attorney-General what the intentions of the Government were with regard to the removal of the Supreme Court from Bowen to Townsville. Townsville was the proper place for the Northern court, especially as Bowen was about played out. They were told last year, when the new gaol at Townsville was finished, the Government would take the matter into consideration. He wanted to know what, if any, decision had been come to.

The ATTORNEY-GENERAL said the petition for the removal of the court came down too late to enable anything to be done during the present session. Nothing could be done without an Act of the Legislature, because by the Supreme Court Act of 1874 it was decided that the Northern Court should be held at Bowen. No doubt, Townsville had some advantages over Bowen as the place for the Supreme Court; but it was of no use discussing the matter now, and he was not prepared to say whether the Government would take any action in its next session. His own opinion, which he had never hesitated to express, was, that the Northern Supreme Court was a mistake from every point of view, and that it would be far better to have district registrars at Townsville, Bowen, and Cooktown, with a Circuit Court from Brisbane. It was a disadvantage in many respects to have the same judge always sitting in the same place. He believed that many people in the North were of the same opinion.

Mr. BEOR said he was sorry the honourable member for Port Curtis should have thought it necessary to have raised this question, and he certainly did not agree with him as to the disposition of the Northern people to have the court transferred from Bowen to Townsville.

The CHAIRMAN pointed out that the discussion was irregular—the honourable member for Port Curtis having simply asked a question in order to obtain certain information.

Mr. McILWRAITH said that this was true, but the honourable member for Port Curtis had raised a somewhat delicate question, and the honourable member most interested ought to have an opportunity of replying.

Mr. BEOR, with the consent of the committee, continued to say that of the four principal towns of the North—Bowen, Mackay, Townsville, and Cooktown—only two of them were north of Bowen, so that even then it was only two against two—Bowen and Mackay against Townsville and Cooktown. He had very little doubt, indeed, that if the people of Mackay were consulted on the subject they would very much prefer to have the court retained at Bowen. He thought it very unfortunate

that there should be these struggles for supremacy between the Northern towns over what was so small a matter; and he believed it was only a very small portion of the population of Townsville who desired the removal of the court to that town. They all knew how very easy it was for one energetic person to get up a petition, and he did not take it as any indication of the opinion of the people from whose district it had emanated. It must also be remembered that Mackay and Bowen were both towns of considerable standing, although the population of Townsville and Cooktown might be greater, and possessed a large and permanent industry which would ultimately become of great importance to the colony. It was also a well-known fact that Bowen was the most agreeable and healthy of the four Northern towns, and in a matter of this sort some consideration should be shown to the officers of the court, who would certainly prefer to live in Bowen than in the town to which it was proposed the court should be removed. He hoped that grave and serious consideration would be given to the matter before any attempt was made to remove the court from Bowen to Townsville.

Mr. MACROSSAN said that, although this was a very inconvenient time to raise a discussion on the subject, he felt bound to say that he could not agree with the opinion of any of the honourable members who had spoken upon it. He did not believe, with the honourable member for Port Curtis, that Bowen was played out; and as to the statement of the Attorney-General, he could not understand how the honourable gentleman had arrived at it. A numerous signed petition was sent from the North, praying for the removal of the court, and the Attorney-General interpreted it to mean that the people did not think there should be a Supreme Court in the North at all. It was certainly a strange way the people took to express an opinion of that kind. The honourable member for Bowen was also mistaken. A majority of the people in Townsville and Charters Towers were in favour of having the Supreme Court located in Townsville. But it was no use discussing the matter further now, as it would no doubt be raised and finally settled next session.

The ATTORNEY-GENERAL said he did not say that the majority of the people in the North were opposed to having a Supreme Court there; but that, in his opinion, a separate Supreme Court there was a mistake, and that a great number of the people of the North were of that opinion. He should like to know the honourable member's own opinion on that subject.

Mr. PALMER said he must enter his protest against the dictum laid down by the honourable member for Bowen, that the convenience of the judge and the officers of

the court should be considered in a question of this kind. No doubt the judge would prefer to reside at Bowen, or at Brisbane, Sydney, or Hobart Town, rather than at Townsville; but it was the convenience of the public which alone must be considered.

Mr. O'SULLIVAN, in reply to the honourable member for Port Curtis, said he failed to see what a retiring pension had to do with the question he had raised. What he had remarked upon was, that one person received a gratuity, and the other did not. He did not intend to oppose the motion, but merely to show the discrepancy which existed between the two cases.

Mr. PALMER said the officer referred to by the honourable member for Burke had got all he was entitled to, and perhaps a little more.

Question put and passed.

The COLONIAL TREASURER moved that £1,145 be granted to the Colonial Treasurer's department.

Question put and passed.

The MINISTER FOR LANDS moved that £30 be granted as increase to salary of overseer and head gardener, Botanic Gardens. This had been put down in accordance with a promise made while the Estimates-in-Chief were passing through committee.

Question put and passed.

The MINISTER FOR LANDS moved that £4,466 5s. be granted for miscellaneous services in the Lands department. With regard to the item of £500 for survey of boundary between Queensland and New South Wales, he might inform the committee that some years ago a correspondence passed between the Survey departments of the two colonies on this subject, but was afterwards allowed to drop. The question had lately been revived, and in consequence of a communication from the Surveyor-General of New South Wales, this sum had been placed on the Estimates; but the arrangements would not be finally made until the vote had been accepted by the committee. A portion of the boundary line had been fixed some time ago by Mr. Roberts; but there was a distance of 500 miles, from the Macintyre and Severn to the border of South Australia, which still required to be defined. The larger portion of the expense of this survey would fall upon the Government of New South Wales, who would find the instruments and furnish the astronomical data for the purpose. The duty of this colony would be to send a surveyor and party, for which no additional vote would be asked. This sum of £500 was wanted simply for transport and expenses connected therewith. He was informed by the acting Surveyor-General

that a larger sum would not be wanted, and that the work would be done in eighteen months.

Mr. PALMER said the honourable gentleman had told them a great deal about a matter to which he supposed there could be no objection; but he had carefully avoided saying a word about those enormous law costs, for which no less than £3,573 was asked, in addition to a sum of £1,400 already granted. When was this thing going to stop? Was it the total cost, or only a small beginning?

The MINISTER FOR LANDS said he had fully intended touching on this matter, but had quite forgotten it for the moment. In two of the appeals the Government had been unsuccessful, and in one successful. There was an additional sum of £300 due to their solicitors in London, and the total cost would, he believed, amount to between £6,000 and £7,000. There was one action in which the Crown had been unsuccessful—the Queen *v.* Smith—no particulars of which had been received, the defendant not having yet taxed the costs and made a demand for them; but the total amount to be paid by the Government would be less than £7,000. He had full particulars with him, if honourable members cared to hear them read. As to the proceedings themselves, he thought they were perfectly justifiable, founded, as they were, on the opinions of three separate Attorneys-General, and confirmed by the unanimous decision of the Supreme Court. That judgment had been reversed in two cases, and upheld in one, and the fruits of the latter would go somewhat towards indemnifying the Crown for a portion of the costs they had incurred in the two unsuccessful actions. He would not say a word against the decisions of the Privy Council.

Mr. MACROSSAN asked how much of this money had been paid to officials of the Crown in Queensland?

Mr. IVORY hoped the Minister for Lands would, at the same time, state when there was to be an end of these actions, and whether there were any further actions of the kind going on. He believed the Attorney-General had issued writs in some instances of a very similar character. He should also like to know what had become of those unfortunate selectors who, under the action of the Government, gave up their selections—who, as it had now been proved, were wrongfully dispossessed of them. Were there no means by which those men could recover their rights?

The MINISTER FOR LANDS said that no future proceedings would be taken in contradiction to the decision of the Privy Council, although in all cases of fraud the Government would act as the occasion required. As to the finality of these cases, it did not rest with the Government, but

with the other side, who had been successful, and had not yet called upon the Government to pay their taxed costs. As to the sums paid to Crown officers in Queensland, that was a subject on which he could hardly give detailed information, because the costs paid to the Crown Solicitor included many payments which did not go to the officers of the Crown at all. There was himself, for instance, who, while neither a member of the House nor of the Government, acted as counsel, and Judge Blake, who was also one of the counsel for the Crown. The amounts paid to the Crown Solicitor, and distributed among the persons retained by him were as follows:—In the action *Regina v. Davenport*, No. 376, £453 6s. 3d.; *Regina v. Davenport*, No. 381, £302 18s. 11d.; *Regina v. Davenport*, No. 379, £27 5s. 11d.; *Regina v. Tooth*, No. 373, £423 9s. 8d.; *Regina v. Tooth*, No. 374, £272 14s. 7d.; *Regina v. Tooth*, No. 375, £189 13s. 6d. These were the particulars so far as they could be ascertained at present.

Question put and passed.

On the motion of the MINISTER FOR LANDS, a vote of £150 was granted as a gratuity to the widow of the late Warden Clarke.

On the motion of the MINISTER FOR WORKS a vote of £46 13s. 4d. was granted for balance of salary of clerk in Colonial Architect's office.

The MINISTER FOR WORKS moved that a sum of £1,600 be granted for hydraulic boring machine. He had placed this sum on the Supplementary Estimates according to the promise made by him to the honourable member for Mitchell. He had applied to Mr. Coghlan, manager of the Australian Diamond Rock Drill Company, and had now in his hand an estimate of the cost of what Mr. Coghlan called a No. 1 large-sized diamond rock drill. It was capable of boring a core of two inches in diameter, and its cost complete to bore to a depth of 1,200 feet would be £1,200. To bore to a depth of 1,500 feet, a further sum of £375 would be required for additional rods, &c., and the cost of the machine would be altogether £1,575. He had also got an estimate of the cost of working. The labour required would amount to about £18 per week, including everything. In the event of the House agreeing to the vote, an experienced engineer would be sent with the machine to instruct the men how to work it, the Government, of course, paying his salary. He believed it would be money well laid out, to buy one of those boring machines to sink for water, particularly in the waterless plains of the Western interior. It was just possible that by sinking to great depths they would get artesian wells which would be of immense benefit to the country. He had also had a consultation with the Minister for

Mines on the subject of buying one of the machines for the Northern goldfields, especially on the Hodgkinson where the water-supply was bad and caused fever. If the House should express the opinion that a sum should be placed on the Estimates for another boring machine, one would no doubt be procured for the North by the Government.

Mr. MACROSSAN said he felt rather surprised at seeing a sum down for only one boring machine. He was under the impression that the miners of the North had first put the Government in motion in regard to the matter; but they were to be passed over, and only one machine was to be bought, which was to be employed on the Western plains. He did not object to a boring machine being obtained to bore for water there; but the persons who had put the Government first in motion should not be overlooked. The Minister for Mines had been communicated with by the miners of Charters Towers, Hodgkinson, and Gympie in reference to the purchase of diamond rock drills.

Mr. PALMER said that if he voted for a machine of this sort, it would only be to save the public money by boring for water in dry parts of the colony; in boring for water, indications of minerals might also be shown. But he would never consent that the Government should spend the public money to enable private companies to bore for gold or other minerals; that was a matter for private speculation. He did not know exactly what the honourable member for Kennedy meant by saying that the miners of the North had first moved in the matter. The Government had been talking for eighteen months about trying one of these machines; but whoever began the agitation first, it had nothing to do with the question. The Government were not justified in spending money for the advantage of private individuals; and this expenditure could only be justified on the broad principle that it was for the public benefit to secure water in waterless districts. He confessed that he had doubts as to the success of the machine in the hands of the Government.

Mr. MACROSSAN said it was a mistake to suppose that he wished the Government to purchase drills for the purpose of boring for gold for private companies. His idea was that the machine should be worked by the Government, and that they should receive ample remuneration for doing so. It was not within the capacity of many miners or mining companies in the colony to go to the expense of buying one of these drills, but they could easily pay for the working of one of them. It would be an entirely public matter if the Government were to purchase one of these machines and work it on the plan he suggested for the consideration of the Minister for Mines—

namely, that so much per foot should be charged for using it; the Government would thus be amply repaid for any expense they might be put to, and would perhaps be the means of conferring a public benefit, by discovering new leads or runs of gold. It would not be altogether a matter of private benefit to make such discoveries, but would be a matter of great public benefit. In fact, the principle had already been admitted by the giving of rewards for the discovery of new goldfields.

The MINISTER FOR LANDS said there were, no doubt, two ways of looking at the matter. One way was that they should not compete with private enterprise. Another was, that it might be looked upon as a sort of assistance to their plan of employing geological surveyors. They kept surveyors and their staffs to ascertain the strata of the country for discovering minerals, and the diamond rock drill might be looked upon as a sort of accessory to that plan. It might also be usefully employed on some of the goldfields for the finding of supplies of water. For these two purposes it seemed to him that the Government had a right field in which to purchase and work the drill; but he did not think that they would be justified in obtaining it for settled goldfields, where private enterprise was about to introduce similar machines. He was told that private enterprise was already negotiating for the introduction of diamond rock drills to several goldfields—that, in fact, purchases had been made—and it would not be right of the Government to compete with these people. If they did, they would have great complaints from them. He was informed that these machines would be introduced to several goldfields soon by private persons. Their cost was not so great after all, in comparison with the machinery that some mining communities already had. It was a mere bagatelle, and was not the cost of machinery on ordinary shafts; but when they came to a place like the Hodgkinson—to Kingsborough, where the water-supply was insufficient and bad, he thought that the Government would be justified in employing one of the machines there in one of the directions named.

Question put and passed.

On the motion of the MINISTER FOR WORKS, the following votes were passed:—£1,000 for roads and bridges East and West Moreton; and £9,700 for roads and bridges, Darling Downs.

The MINISTER FOR WORKS moved that a sum of £5,550 be granted for roads and bridges, Wide Bay and Burnett.

Mr. IVORY said he did not wish to oppose the vote, because he had previously voted for some of the items that were included in it. At the same time, he wished to show the inconsistency of the Government in regard to some of the items. They seemed

to have changed their tactics altogether. A little while ago, they were going to protect the Treasury; they were going to die on the floor of the House in their attempts to do so; and the Colonial Treasurer on one occasion declared that he would resist, even if he was left in a minority of one, which actually did happen, by the same token. In connection with one of the items now proposed, the Colonial Treasurer said,—

“That perhaps it would save time if he were to say at once that the Government intended to oppose this motion, together with those numbered 7, 8, and 10 on the paper, and they did so on account of the claims upon the revenue being greater than was anticipated from the Consolidated Revenue at the present time. The honourable the Minister for Works, it would be seen, had made full provision for the roads of the colony, so far as the revenue of the Government would permit; and however much additional expenditure might be required on roads, Government must look to the ability of the House to provide for those requirements. It was only fair that those gentlemen who had notices on the paper for similar votes should know that he intended to resist their motions, and even if they were carried against Government—as it was quite possible they might be, on account of Thursday evening being an evening set apart for claims upon the Treasury—a mutual reciprocity being established amongst honourable members in enforcing those claims upon the Treasury—still, if they were enforced this evening, it would be his duty to resist them, both now and in committee.”

On another occasion when he (Mr. Ivory) moved for £2,000 for roads in his district, the Colonial Treasurer said:—

“As long as he occupied the position of Colonial Treasurer, he should not cease to resist them, even if left in a minority of one. He felt it his duty to take up this position irrespective of which side of the House the motions emanated from.”

They found, now, on the Supplementary Estimates one of those considerable items about which the Government had made such a dust; and it had been placed there after being negatived by the House by a direct vote. If the Minister for Works was prepared to go on with the item, he (Mr. Ivory) would not resist; but he had considered it only right that the inconsistency of the Government should be exposed.

Mr. McILWRAITH said the House had already decided that the item—Maryborough and Gympie, and Gympie and Tewantin, £2,000—should not be granted, and it could not, therefore, be now put. He would take the Chairman's ruling upon the point.

Mr. PALMER said the same point had already been decided by the Speaker; the item could not be put.

Mr. MURPHY did not think the question was decided in the way it appeared in the

Supplementary Estimates. If he recollected rightly, the motion rejected was for roads around Gympie.

Mr. McILWRAITH said that the motion negatived was for £2,000 "for the purpose of making the roads between Maryborough and Gympie, and Gympie and Tewantin fit for traffic." It was exactly in the same words, as the honourable member might have seen had he referred to the records of the House.

Mr. MURPHY said he had not recollected that motion.

Mr. IVORY said it would have been better if the Ministry had also put on the Supplementary Estimates the £1,000 asked for by the honourable member for Gympie for roads around Gympie. He had not the slightest doubt that its omission was due to a passage-of-arms between the Minister for Works and the honourable member for Gympie.

The MINISTER FOR WORKS said there had been no such passage-of-arms—there had been no quarrel between him and the honourable member for Gympie.

Mr. PALMER would repeat that the question could not be put, having been already decided upon in the negative during this session.

The ATTORNEY-GENERAL said no question could possibly arise. All that the committee knew was that a recommendation had come down from His Excellency the Governor, to grant a certain sum of money for a certain purpose. All that had been previously decided was, that the House declined to present an Address to the Governor, asking for a similar sum for a similar purpose. The House had never said that the sum should not be voted. They were not now being asked to again consider the question of addressing the Governor.

Mr. PALMER said the fifty-sixth Standing Order provided—

"No question or amendment shall be proposed which is the same in substance as any question which during the same session has been resolved in the affirmative or negative."

All the *nisi prius* pleading of the Attorney-General could not get over that Standing Order.

The ATTORNEY-GENERAL said the honourable member accused him of *nisi prius* pleading; but there was no one so much in the habit of using specious arguments as the honourable member himself.

Mr. J. SCOTT said there was nothing to prevent the Government putting the item on the Estimates; but it was the duty of honourable members to see that a sum of money which, it had been determined should not be placed on the Estimates, was not carried. A vote came down in the same way last year, and it was decided that it could not be put.

Mr. McILWRAITH said, no doubt the Attorney-General was right in saying that the only conclusion previously arrived at was that the House would not go into committee to consider the advisability of voting £2,000 for these roads; but that meant in effect that the House had made up their mind not to grant the amount. The decision of the House was, in effect, that the £2,000 should not be granted for these roads; and in accordance with the 56th Standing Order, the question could not be put, being exactly the same in substance as that negatived on the 18th July.

Mr. IVORY said he was always under the impression that the Governor represented the Government; and that the items on the Estimates were put down on the recommendation of His Excellency's responsible advisers, who had frequently declared during the present session that they would resist to the bitter end private motions for grants of money, owing to the deplorable condition of the Treasury. After all, the declamatory performances of the Colonial Treasurer and Minister for Works, they found that upon the advice of His Excellency's Ministers, an item which had been opposed by them and rejected by the House appeared on the Supplementary Estimates.

The CHAIRMAN ruled that the question before the committee was not really the same as was before the House on the 18th of July, when it refused to go into committee.

Mr. PALMER said he should move that the ruling of the Chairman be disagreed to.

The PREMIER said the usual proceeding in such a case was for the Chairman to report the point of order to the Speaker. He, therefore, moved that the Chairman leave the chair, report the point of order to the Speaker, and ask leave to sit again.

Question put and passed; and the CHAIRMAN reported the point of order to the Speaker and obtained leave to sit again.

The SPEAKER said the Chairman had reported to him that a certain point of order had been raised, and that his ruling on it had been disputed. Exception had been taken to the item of £2,000 for roads from Maryborough to Gympie and Gympie to Tewantin, on the ground that the same vote had been submitted to the House on the 18th July last, on the motion of the honourable member for Wide Bay, and been then negatived. The Chairman of Committees had given his ruling that the two motions were not similar, and that, therefore, the question might be put.

Mr. PALMER said the 56th Standing Order was most distinct. It said "No question or amendment shall be proposed which is the same in substance as any question which, during the same session, has been resolved in the affirmative or

negative." He maintained that this vote was in exactly the same words, and identically the same as the motion of the honourable member for Wide Bay, which was refused by a large majority.

Mr. McILWRAITH said it had been contended that the former decision was only that the House should not go into committee for the purpose of considering the question. Their contention was, however, that the decision referred to virtually settled the question that £2,000 should not be granted. That view was opposed on the very narrow ground that it was only decided that the House should not go into committee; yet, in defiance of that conclusion, they found now that they actually were in committee considering the question. On all grounds, he considered the position he had taken up was a perfectly right one.

The ATTORNEY-GENERAL submitted that the Chairman was clearly right. The question before the House on the former occasion was, that the House should go into committee to consider of an address to the Governor, and the House declined to order that to be considered; therefore, no other motion in the same terms could afterwards be put. But the House was now in Committee of Supply; and it was clear that the fact of a resolution having been negatived in the House during the session did not prohibit a similar thing being introduced in a Bill, and submitted to the committee. It was a rule in committee, that without a recommittal, the same question could not be put, and the same principle applied to the House. But the fact that the House had declined to address the Crown on the subject did not preclude the Crown from recommending that the sum be granted. There was no inconsistency in the fact of the Crown recommending the vote after the House had declined to present an Address.

AN HONOURABLE MEMBER: *Nisi prius*.

The ATTORNEY-GENERAL said the honourable gentleman might talk about *Nisi prius* as long as he liked: Sound arguments would not be weakened by calling names. Honourable members on the Opposition side of the House seemed to think that all arguments from the other side must be fallacious and disingenuous. He had never given the House any opinion but what he considered to be in accordance with law and the practice of Parliament. Calling bad names did no good—

Mr. PALMER: You don't call *Nisi prius* a bad name?

The ATTORNEY-GENERAL said it was intended as such. *Nisi prius* arguments, he believed, ought not to be used in such a case. In debate it was right to use such arguments as would convince your opponents. No precedent could be shown for

the House refusing to consider the recommendation of the Crown in Committee of Supply. It had been said that something of the same kind occurred last year; but in that case the same committee was asked to consider the same thing twice. He submitted that in this case the two questions were quite distinct, and consequently the point could not be raised. Supposing the committee agreed to grant the sum, the action would not be inconsistent with the resolution of the House on a previous occasion declining to consider the question of addressing the Governor. He considered the ruling of the Chairman was correct; if it were not so, it was a strange thing that such a point of order had never been raised before.

Mr. IVORY said, as usual, the Attorney-General was trying some of his smart tricks. He always thought, when he got up, that he was addressing a court, and that his quirks, and quibbles, and little bits of technicalities would have the same effect upon honourable members as they had upon those who were ruled by legal maxims. But honourable members were inclined to be more guided by common sense than by the kinks of character which the Attorney-General seemed to possess. It must be evident to every member of the House that the real question had been decided; and he (Mr. Ivory) would appeal to every honest, sensible, and straightforward man, if it was not considered at the time that the question had been shelved for the session. It was very extraordinary that the Government should be so anxious to cram such an irregularity down the throats of honourable members when they found, on looking over the division for going into committee, that the following honourable members voted against it: Messrs. Garrick, Griffith, Douglas, Dickson, and Miles. They had indeed turned tail upon themselves this time.

The MINISTER FOR LANDS said, without considering any technical matters in connection with the question, there was, he thought, a very serious constitutional question to be considered. The House had refused to go into committee to consider of an address to the Crown on a certain matter; and now that the Crown of itself sent down an estimate, this committee refused to consider it. The position taken up was, therefore, that, because this House had refused to go into committee to present an address to the Governor, the Governor was therefore prevented from, by message, asking the House for the vote. Important cases might arise where certain services required to be performed, and certain sums of money to be voted for the performance of those services, and because the House had refused to go into committee, the Crown would be prevented from asking for Supply. If the objection which had been raised

were upheld, it might lead to very serious constitutional difficulties.

Mr. J. SCOTT said it appeared to him the matter lay in a narrow compass. On the 18th July the House resolved that they should not go into committee to consider a question about £2,000 for certain roads, and they were now asked, in defiance of that decision, to go into committee. There could be no doubt or difficulty about the question whatever. It was not a question of form, simply, but a question of substance. The Standing Order did not say "an amendment in the same form," but a "question which is the same in substance." The Minister for Lands had said that the Crown had recommended the vote, and a serious constitutional question was to be considered. But it was not the Crown but simply the Government that had asked for the vote, and he (Mr. J. Scott) held that it was an insult to the House for the Government to bring forward such a motion after themselves voting against it.

Mr. McILWRAITH said there was one practical test by which it could be seen whether the motion was the same in substance as that decided on the 18th July last. Honourable members could read the speeches which were made on the motion for going into committee. Several members, including the Colonial Treasurer and the Minister for Works, argued against the merits of the question, urging that the Government could not afford to provide the £2,000. Every member spoke to that question and to that question alone, and there was nothing said about the advisability of going into committee. Although the decision was virtually that they should not go into committee, the real question decided was that Government should not spend the £2,000 upon these roads.

The ATTORNEY-GENERAL submitted, another point, which was strictly technical. If a motion that a Bill be now read a second time were negatived, it would be quite competent to move at another time that it be now read a second time. On the motion that the Speaker do now leave the chair to consider some matter of detail in connection with Committee of Supply being negatived, it was competent to move then and at once before the next Order of the Day that the House resolve itself into a Committee of Supply this day fortnight. The refusal to go into a Committee of Supply one day was no reason why the same question should not be considered at a later period of the session. Applying the same principle to this case, the fact of this motion having been negatived on the 18th July was no reason why a motion should not have been made that it be considered "this day fortnight."

Mr. McILWRAITH said the Attorney-General wished the House to believe that if a motion to go into committee were negatived, and an honourable member

moved the next day that the House at its next or second sitting, from that date, should go into committee, the question would be a perfectly different one, and the House could entertain it. Such a proposition was too absurd to submit.

The PREMIER submitted that the contention of the honourable gentleman was right. Important motions, perhaps affecting the whole Government of the colony, might be brought forward early in the session and be negatived, in which case were they to be debarred from placing sums upon the estimates necessary for the good Government of the country? If such were the case, most serious practical difficulties might arise.

Mr. McILWRAITH: That is an argument against the Standing Order.

Mr. MACROSSAN said the very worst argument brought forward had been used by the honourable gentleman who had just sat down. The question was simply this: Were these motions the same in substance or were they not? He thought they were, and without taking up much time he would read what "Cushing" said upon the rule, and the opinion he gave might, perhaps, decide some honourable members. After quoting several applications of the rule, he said:—

"The general rule being, as he had already stated, that no question can be a second time moved, upon which the judgment of the House has already been expressed, it follows, not only that no resolution or Bill can be introduced, which proposes to do what the House has declared shall not be done, but also that no two resolutions, nor any two Bills, contradictory to each other, can be passed in the same session."

He maintained that if the question were entertained, it would be in direct contradiction to the Standing Order.

The SPEAKER said the question which had been raised was an exceedingly nice one, and he did not know that it had been raised before. With reference to the remarks of the Attorney-General, his opinion was, that a resolution that a question be considered by the House at its next sitting could not again be proposed after a decision had once been given by the House, even although the next sitting were at a different time. There could be no doubt either as to the custom of the House with regard to cases of that kind. There was, however, a technical difference between the resolution proposed to the House and the resolution proposed to the committee. In the former case the motion was that an address be presented to the Governor; in the other case the committee were not asked to present an address, but to consider estimates sent down by the Governor. On that ground he was of opinion that there was a technical difference between the resolution of the House and the question submitted to the

Committee of Supply. He was therefore of opinion that the ruling of the Chairman was correct.

Mr. PALMER submitted that they had not gone into technicalities, and thought the honourable the Speaker had omitted all reference to substance.

The committee resumed, and the CHAIRMAN put the question that the sum of £5,550 be granted.

Mr. McILWRAITH said the Government had only been justified by a technicality in bringing forward the estimate. He wished to know whether they intended to withdraw the item now, as there was not the slightest chance of its passing through, and the session finishing in anything like the time proposed.

The PREMIER said, if there was to be a determined opposition, the Government could not go on with the vote. If the honourable member moved the omission of the item, he presumed it would be negatived. He should not demand a division.

Mr. WALSH was understood to say, if the Government had brought forward the motion, and were not prepared to carry it through, they should withdraw it.

The PREMIER said the honourable leader of the Opposition had intimated his intention to resist the vote, and he ought, therefore, to move the reduction. He (the Premier) should not demand a division upon it; but he thought the honourable gentleman who had objected to it ought to move the reduction.

Mr. McILWRAITH said the honourable gentleman might leave the conduct of business on the Opposition side of the House to him. The Colonial Treasurer, in bringing the case before the House, told them he did not believe in the merits of the case, and now, without any explanation from the Government, they were asked to vote the sum. He would not move the reduction.

Mr. PALMER said the Colonial Secretary should take into consideration that he and all the Ministry voted against the sum, and he should withdraw it.

The PREMIER said the matter did not much signify, but it might be done in the usual form. Many other votes which had been discussed, the Government could not justify; but they had been obliged to pass them, simply through the emergencies of the position. It was only right that honourable members who had reduced them to that position should take the responsibility upon themselves.

Mr. WALSH said the emergencies of the position really meant that the honourable gentleman wished to retain office. If he were sincere in his determination, and found he could not secure a majority, he had his alternative. When this identical motion was brought forward on the 18th July, the Colonial Treasurer opposed it tooth-and-nail, and induced other honour-

able members to oppose it. Now, without giving any reason to justify the House in rescinding its decision, the Government wished honourable members to undo what they had done. If the money was not wanted and could not be spared on the 18th July, it was not wanted and could not be spared at this moment. The Minister for Works would, no doubt, address the committee, and plunge himself still further into a mass of inconsistency. He (Mr. Walsh) could almost tell what he was going to say. It would probably be something to this effect: "The committee must understand that the Premier is deeply interested in being returned to the House again. He has to propitiate a large number of people who would benefit by this vote. He made a most serious mistake when he opposed it. He has become fully aware of that from the number of letters he has received from constituents, and by the threat of the honourable member for Wide Bay himself, who was, too evidently, so dissatisfied that he left the House rather than support such a Minister for Works." Something of that sort of argument he would use. It was absurd to suppose that money not required on the 18th July was necessary now, and the practice of Parliament had evidently been violated to enable the Premier to put himself on a better footing with his constituents. The Minister for Works would, no doubt, try to extricate himself; but it would be at the cost of his own character for consistency.

The MINISTER FOR WORKS said, considering the temper of the House, it was no use to continue wrangling, and he would, therefore, withdraw the item, and moved that £3,550 only be granted.

Question put and passed.

The MINISTER FOR WORKS moved that a further sum of £3,000 be granted for roads in the Central Division.

Question put and passed.

The MINISTER FOR WORKS moved that a further sum of £6,000 be granted for roads in the Northern Division.

Question put and passed.

The MINISTER FOR WORKS moved that a sum of £1,000 be granted for water-supply Roma and Mitchell.

Question put and passed.

The MINISTER FOR WORKS moved that a further sum of £8,170 be granted for public buildings.

Question put and passed.

The COLONIAL TREASURER moved that a sum of £250 be granted for water-rates, Rockhampton. In consequence of the decision of the committee last night, the item for water-rates, Brisbane, had been withdrawn.

Mr. BEATTIE said he considered such a course was very unfair, and he felt very dissatisfied. Why did not the Government nail their colours to the mast and stop, if necessary, another week? What was fair for one, was fair for another, and so long as the corporation paid interest on £30,000 it was perfectly justified in charging for water supplied to Government offices. The honourable member for the Warrego was not able to settle the vexed questions of interest on the loan to the Waterworks Board, though care was taken afterwards to make provision for the payment of interest. If the Government had come to recognise the fact that it was necessary that all the Government offices in Brisbane should be supplied free, let them carry out the same principle in all the towns of the colony.

Mr. PALMER said there was a distinction. In Rockhampton the water-rate was under the control of the corporation, who borrowed the money and paid the interest. The Brisbane Board of Waterworks had not paid the interest on £65,000, and were £30,000 or £40,000 in arrears at this minute. He had heard, since he had spoken in the House the other night, that the proposal to pay the water-rate came from the Government themselves. He had never heard of such a thing in his life; it was actually throwing away public money. The Colonial Treasurer did quite right to withdraw the item, for he would certainly never have carried it. He hoped the Government would insist upon a proper settlement, and make the corporation pay up their real indebtedness. There was the old agreement, and it should be adhered to.

Question put and passed.

The MINISTER FOR WORKS moved that a sum of £300 be granted as a gratuity to S. Lowe.

Question put and passed.

The MINISTER FOR WORKS moved that the sum of £1,232 be granted from Loan Fund to defray expenses in connection with the Agent-General's department.

Mr. WALSH said this was a most extraordinary proceeding on the part of the Government. Honourable members had not had the document upon which this vote appeared in their hands until just now, and no reason had been given for the expenditure. The Attorney-General informed him that they had been distributed the other day, but he (Mr. Walsh) had not seen a copy until just now.

Question put and passed.

On the motion of the MINISTER FOR WORKS, £3,800 was granted for salaries, and forage, and travelling allowances, in connection with the Bundaberg and Mount Perry, Townsville and Charters Towers, and Northern railways.

On the motion of the COLONIAL TREASURER, the CHAIRMAN left the chair, and reported that the committee had come to certain resolutions.

The resolutions were then read at length by the CLERK.

WAYS AND MEANS.

On the motion of the COLONIAL TREASURER, the House resolved itself into a Committee of Ways and Means.

The COLONIAL TREASURER, in moving that there be granted for the service of the year 1878-9 a further sum of £473,086 19s. 6d., said this estimate carried with it one-half of the Estimates-in-Chief for 1878-9, less the sum of £100,000 previously granted by Appropriation Act No. 1.

Mr. MCILWRAITH said he understood that this amount was the exact half of the Estimates-in-Chief and the Supplementary Estimates, with the exception of a few items, which would require to be expended directly, and less £100,000 previously granted.

The COLONIAL TREASURER said the resolution was for one-half of the Estimates-in-Chief for 1878-9, without the Supplementary Estimates, and less £100,000 previously granted. He had two other resolutions to propose, one to carry the Supplementary Estimates for 1877-8, which he would ask the House to assent to in full, being expenditure for last year, and the other to carry one-half the Supplementary Estimates for 1878-9, plus certain gratuities, which had to be paid in full.

Question put and passed.

The COLONIAL TREASURER moved that a further sum of £103,512 12s. 5d. being the full amount of the Supplementary Estimates for the year 1877-8, be granted.

Question put and passed.

The COLONIAL TREASURER moved that there be granted for the services of the year 1878-9, a further sum of £34,978 11s. 8d. He said this sum represented one-half the Supplementary Estimates for 1878-9, in addition to which there were certain special votes, which he should enumerate. For the gaol at Townsville there was £300 provided for nine months, and he had taken three months' supply, leaving the balance to be expended during the next six months of the year. The other items which would have to be expended at once, and appeared in full were:—Special grant Dalby Hospital, £700; special grant School of Arts, £500; Ipswich Pastoral and Agricultural Society, £250; gratuity to Mrs. Pears, £80; gratuities to the widows of the late John Murray and Daniel Tregarthen, total £200; compensation to John Quin, for timber seized, £200; gratuity to W. M. Boyce for loss of salary, £100; law costs; gratuity to the widow of the late Warden Clarke, £150; hydraulic

boring machine, £1,600; and gratuity to Mr. Lowe, late traffic manager, £300.

Mr. O'SULLIVAN asked if the sum of £93, refund to Patrick Macnamara, of Warwick, was included in this resolution, and would be paid in full?

The COLONIAL TREASURER: Yes.

Question put and passed.

The CHAIRMAN reported the resolutions to the House. The resolutions were adopted on the motion of the COLONIAL TREASURER, and a Bill was ordered to be introduced founded upon them.

ROADS IN THE EXTENDED STANLEY ELECTORATE.

The CHAIRMAN brought up the report of the Committee, recommending £3,000 for roads in the Extended Stanley Electorate.

Mr. O'SULLIVAN, in moving that the report be adopted, said it had been very unfortunate for the districts of Stanley and Burke that both their members were sick, and were consequently behind time in bringing forward these resolutions—too late, in fact, to get them inserted in the Appropriation Act. He did not wish to throw any obstacles in the way of business, but as he (Mr. O'Sullivan) was somewhat the better recovered of the two members, he was anxious, on account of the honourable member for Stanley, to know that this resolution would have the same fair play given to it as his own. Their constituents would be just as well satisfied with a promise by the Government that the amount would be spent, as if they had been regularly included in the Appropriation Act. Several years ago a resolution of the House was repudiated by Mr. R. G. W. Herbert, the then Colonial Secretary; but the Attorney-General had informed him that that resolution had not gone so far as the present. He hoped the Government would give the guarantee he asked for to himself, and the honourable member for Stanley.

The PREMIER said both votes would be treated in the same way as if they had been included in the Appropriation Bill.

Question put and passed.

APPROPRIATION BILL No. 2.

The COLONIAL TREASURER presented Appropriation Bill No. 2, and on his motion it was read a first and second time; and the House went into committee to consider it in detail.

Mr. McILWRAITH wished to have the Attorney-General's opinion on the following point:—Supposing there was enough money in the Treasury at the end of January to pay salaries for that month, would it be legal for the Government to pay them?

The ATTORNEY-GENERAL said he was of opinion that by this Bill Supply was granted 1878—4 Y

to the 31st December, and no longer, and that, no matter what money might be in the Treasury after that date, it could not be legally used in payment of salaries.

The Bill having passed through committee, the CHAIRMAN reported it to the House without amendments. The Bill was then read a third time, passed, and ordered to be transmitted to the Legislative Council for their consent by message in the usual form.

VOTES AND PROCEEDINGS.

Mr. McILWRAITH said honourable members would recollect that the Votes and Proceedings for last year were not received by them until April last. As the ensuing recess would be a very short one, it was of very great importance that the Votes and Proceedings should get into their hands much earlier, and the Government should take steps to have the printing and binding done so that honourable members might have them in November. He should like to hear, either from the Speaker or the Ministry, whether the volumes were likely to be sent out earlier than last year.

The SPEAKER said the printing and binding of the Votes and Proceedings had been delayed sometimes through a press of work in the Government Printing Office. They would be pushed on this year, and would probably be issued by the end of December.

Mr. McILWRAITH said Ministers would see that to carry on the business of next session properly they must have the Votes and Proceedings much earlier than last year. He believed that last year they were delayed through the officers of the House not having sufficient clerical assistance.

The PREMIER said the preparation of the Votes and Proceedings depended upon the indices. He understood that there was no back work at present, and that there would be no difficulty as regards the indices in making the necessary preparation for the printing of the Votes and Proceedings. So far as the Government Printing Office was concerned, there would be every facility for their preparation as soon as possible. He was speaking without having had the opportunity of consulting with the Government Printer; but he fancied there would be no difficulty in producing this year's volumes before the end of December. Sometimes there was a considerable delay in consequence of the binding of the volumes; but if the printing matter could be perfected in time, the binding would be of secondary consideration. He could not answer for the Votes and Proceedings being bound by the end of the year; but he would do his best in the matter.

ADJOURNMENT.

The PREMIER said that His Excellency the Governor would prorogue Parliament at noon on Tuesday next. He, therefore,

begged to move that the House do now adjourn until Tuesday next, at half-past eleven o'clock.

Question put and passed.

The House adjourned at thirty-five minutes past four o'clock.