

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 13 NOVEMBER 1885

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LEGISLATIVE ASSEMBLY.

Friday, 13 November, 1885.

Motion for Adjournment.—Travelling Expenses of His Honour Judge Cooper.—Ministerial Statement.—Appropriation Bill.—Message from the Legislative Council.

The SPEAKER took the chair at half-past 3 o'clock.

MOTION FOR ADJOURNMENT.

Mr. HAMILTON said : Mr. Speaker,—I beg to move the adjournment of the House for the following reason. Nearly two months ago, in reply to a communication from the Cooktown Railway League, I sent the following wire :—

“Minister for Works informs me tenders will not be called for constructing second section because present termination of that section finishes at place where no station can be made. He therefore proposes passing plans of third section when plans arrive in Brisbane. He expects them next week. After passing said plans he proposes adding portion of third section to second section and when permanent survey of this continuation is made to call for tenders for it. He will not promise that tenders will be called for it this session.”

Upon the strength of this telegram the mayor of Cooktown sent the following statement by wire to the Premier :—

“Mr. Hamilton wires that Minister Works refuses to call for tenders for second section of railway this session.”

The Premier wired in reply to the mayor the following telegram :—

“There is no foundation for Mr. Hamilton's remarks.” The Premier thus falsely accused me to my constituents of having made untrue statements. I shall now convict him, on the testimony of his

own colleague the Minister for Works, of being himself the individual who was guilty of making untrue statements. To do so I shall quote the following extract from a speech made by me last week, when the Minister for Works told the Committee he had just discovered that the third section of the Cooktown Railway led to Palmerville, and not to Maytown. I am then reported in *Hansard* to have said :—

“The Minister for Works had previously stated that tenders would not be issued for the construction of the second section, because it terminated at an unfit site for a station; that, in consequence, tenders would not be issued for the construction of the second section until plans of the third section were passed and a permanent survey of it made, after which a tender for the construction of the combined second and third section would be issued. He would like to know from the hon. Minister for Works if that was not what he said?”

“The MINISTER FOR WORKS: Yes.

“Mr. HAMILTON said that under those circumstances calling for tenders for the second and third sections would have prevented railway construction for six months. He had the authority of the Minister for Works to state that delay to that extent of time would have been caused through having to wait until the permanent survey of the third section was concluded, before the tender for the combined second and third section would be called for. Now, however, there was nothing to delay the Minister for Works in calling for tenders for the construction of the second section.”

I have thus shown, on the testimony of the Minister for Works, that the Premier's wire to the mayor of Cooktown—that there was no foundation for my remarks—was absolutely untrue.

The PREMIER said : Mr. Speaker,—I do not feel called upon to answer the hon. member further than to say that there is no foundation whatever for the statement that the Government do not intend to call tenders for the second section.

Mr. HAMILTON : That is not the statement. My statement was that the Minister for Works would not promise that tenders for the second section would be called before the end of this session.

The PREMIER : I have not the telegram sent by the mayor of Cooktown before me; but I know that the statement said by him to have been made by the hon. member was not correct, and that there was no foundation whatever for it. I do not know what particular magic there is in calling for tenders before the end of the session. Tenders are called, not because Parliament happens to be sitting, but because the plans are ready and it is desirable that the work should proceed. If this is the point the hon. member wishes to make—that the Minister for Works would not promise that tenders should be called before Parliament was prorogued—that may be technically true; but, according to the common-sense meaning conveyed by the telegram sent by the mayor of Cooktown, the statement was entirely without foundation.

Mr. HAMILTON, in reply, said : Having seen a report of this matter in a Cooktown paper, I called at the Colonial Secretary's Office to get copies of the telegrams I have read. The Premier refused to give them to me, the only information I could get being that a telegram had been received by him from the mayor and answered by him. I then wired to Cooktown for copies. I have read to the House the copies of those telegrams. Those telegrams show that what I stated to the mayor of Cooktown was that the Minister for Works would not promise to call for tenders for the second section this session. He actually stated subsequently that he could not promise to issue them for six months, because he intended to combine the

second and third sections. The Premier said, with reference to the telegram sent by the mayor of Cooktown to him, that my telegram—that the Minister for Works said he would not promise that tenders for the second section would not be called this session—was not true; but I have shown on the testimony of his own colleague, the Minister for Works, that the Premier's statement is absolutely false.

Question put and negatived.

TRAVELLING EXPENSES OF HIS HONOUR JUDGE COOPER.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said: Mr. Speaker,—As a matter of explanation, I should like to say a few words. There appears in this morning's *Courier* a letter from His Honour Mr. Justice Cooper, challenging the accuracy of statements made with regard to the expenditure in regard to the travelling expenses of the Judge of the Northern Supreme Court. I could have wished that His Honour had, on discovering that the statement had been made, telegraphed to me, in the same way that he did the other day when he read the report containing a telegram read by the hon. member for Kennedy; and it would have given me extreme pleasure to have corrected any inadvertent inaccuracy. The statement I made to the House, when asked about the travelling expenses of His Honour Mr. Justice Cooper, was that the amount for the year was £742 9s. 1d.; and the mistake arose from the fact that the vouchers connected with the travelling expenses of the judge do not come to the Crown Law Office in the same way that vouchers come in for every other expenditure. The only knowledge that the Crown Law Office has of the amounts expended by the judges is from the reports sent from the Treasury stating that certain lump sums have been paid on account of cheques drawn by the judges. The only figures I have were supplied to the Crown Law Department by the Treasury Department, and they show that cheques were paid as follows on account of Mr. Justice Cooper's travelling expenses:—13th October, 1884, £205 14s. 11d.; 28th November, £64 7s. 6d.; 31st December, £255 17s. 8d.; 19th May, 1885, £66 9s.; 10th June, £96 14s. 6d.; 30th June, £53 5s. 6d.; making a total, within nine months, of £742 9s. 1d. The error—I regret that an error should have been made in this matter—was this: That although these amounts, as reported from the Treasury, appear to have been amounts spent in one financial year, from October, 1884, to June, 1885, as a matter of fact I now find that the first item properly belongs to the expenditure of the Judge of the Northern Supreme Court for the financial year 1883-4. It is in consequence of there being a difference between the ordinary year and the financial year that that mistake was made. So that the amount spent by his Honour Mr. Justice Cooper during the financial year 1884-5 was not £742 9s. 1d. but £536 14s. 2d. According to His Honour's own figures, however, which correspond with the items supplied to me by the Treasury and that I now hold in my hand, the amount expended by His Honour for travelling expenses during the ordinary year, 1884, was £621 12s. 7d., or, in other words, about £29 less than the total amount voted for the travelling expenses of the whole of the judges for the year 1884-5. There was no intention whatever on my part to mislead the House, or state anything contrary to fact. I cannot imagine why the learned judge should have supposed that there was any desire on my part to say anything detrimental to him. And as to defending him, I can appeal to the House, whether, when the question of his expenses was before the House last year, I did not

make the best defence I possibly could make. If my attention had been drawn to the error at the time it was discovered by the judge, a correction of it in the House would have been promptly and amply made.

The HON. SIR T. McILWRAITH: Is this a Ministerial statement, Mr. Speaker? Because if it is, it is the most extraordinary Ministerial statement I have heard. The hon. gentleman has taken a great deal of time and delayed important business to let us know that Judge Cooper was right all along and that he has been wrong. That is the amount of what he said.

MINISTERIAL STATEMENT—APPROPRIATION BILL.

The PREMIER said: Mr. Speaker,—Before the Orders of the Day are called, I wish to submit a proposition to the House. I intimated last evening that it was possible that I would, to-day, move for the appointment of a joint committee of both Houses to consider the present position of public business. On further consideration, I think it desirable to take that course. I am not in a position to say what will probably be the result; but I think we should not rush lightly into the serious trouble likely to ensue from the dislocation of the Public Service by the refusal to grant Supply, without doing all we can to bring about a different state of things. I do not think it desirable to propose a conference upon the subject of amendments in the Appropriation Bill, because our rights with respect to that Bill are so manifest, and the proposal of a conference might appear to throw some doubt upon them. It is a subject entirely free from doubt to every member of this House. I do not, therefore, propose to take that course. But, under the circumstances, I think it desirable that there should be a meeting between the two Houses in the form of a joint committee. I therefore ask leave to move without notice, and I trust it will not be opposed—

That the Legislative Council be invited to join this House in the appointment of a joint select committee to consider the present condition of public business, in consequence of no supplies having been granted to Her Majesty for the service of the current financial year.

2. That this House propose that the number of members to serve on such committee be ten, and that six members do form a quorum thereof.

3. That such committee have leave to sit during any suspension of the sittings of either House, notwithstanding that the House may not have adjourned.

4. That the following members of this House be appointed to serve on such committee—namely, Mr. Griffith, Mr. Dickson, Mr. Jordan, Mr. Foxton, and Mr. Hill.

5. That this proposal be communicated to the Legislative Council by message in the usual form.

I think if that message is sent to the Legislative Council and a joint committee is appointed—as I presume it will be—at any rate we ought to be able, in the course of this evening, to ascertain how the present position of affairs is going to end. There are various endings which might happen, and which I need not point out now. I think we are bound in this House, while maintaining our rights, to endeavour to prevent any injury to the Public Service. I ask leave to move the motion I have read without notice.

The SPEAKER: Does the House consent to the motion being put without notice?

The HON. SIR T. McILWRAITH: Hear, hear!

Question put.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—I have no objection whatever to offer to the method proposed by the hon. gentleman for trying to bring about an amendment of the state of things existing between the Legislative

Assembly and the Legislative Council. I admit I cannot at all understand the distinction drawn by the Premier between the effect of asking for a conference and asking for a joint committee of the Houses. I cannot understand the distinction drawn—at all events, whether there is a distinction or not it does not touch the point—but I believe we ought to take steps, whether by joint committee or by conference, to come to an understanding on this all-important subject.

Question put and passed.

The SPEAKER: I shall resume the chair at half-past 4 o'clock.

The House resumed at twenty minutes to 5.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER said: I have to report to the House the following message from the Legislative Council:—

“Legislative Council Chamber,
“Brisbane, 13th November, 1885.

“MR. SPEAKER,

“The Legislative Council, having under consideration the message of the Legislative Assembly of this day's date, requesting the appointment of a joint committee of both Houses to consider the present condition of public business in consequence of no Supplies having been granted to Her Majesty for the service of the current financial year, beg now to intimate that they concur in all the propositions contained in the said message, and that they have appointed the following members to serve thereon, namely:—The Hon. F. T. Gregory, the Hon. F. H. Hart, the Hon. A. C. Gregory, the Hon. A. J. Thynne, and the Hon. W. Forrest.

“They further beg to name Legislative Council Committee-room No. 1 as the place, and 5 p.m. this day as the time, of meeting.

“A. H. PALMER,

“President.”

I will resume the chair at a later hour.

The SPEAKER resumed the chair at eight minutes past 8 o'clock.

The PREMIER said: Mr. Speaker,—I have to inform the House that the Joint Committee of both Houses, appointed to-day, have met, and have discussed the position of public affairs at some length. They have not yet arrived at any report to be submitted to Parliament, but they have made considerable progress in that direction; and I confidently anticipate that when the House meets again we may bring up a report indicating a way in which the present difficulty may be solved. I beg to move that this House do now adjourn.

Question put and passed.

The House adjourned at nine minutes past 8 o'clock.