Queensland

Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 4 OCTOBER 1892

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LEGISLATIVE COUNCIL.

Tuesday, 4 *October*, 1892.

Assent to Bills.—Millaquin Branch Railway Bill: First reading.—Indecent Advertisements Bill.—Justices Act Amendment Bill: Second reading.—Small Debts Court Act of 1867 Amendment Bill: Second reading.—Crown Lands Bill: Message from the Legislative Assembly.—Harbour Boards Bill: Committee.—Adjournment.

The PRESIDENT took the chair at 4 o'clock.

ASSENT TO BILLS.

The PRESIDENT announced the receipt of messages from the Governor, conveying His Excellency's assent, on behalf of Her Majesty, to the Courts of Conciliation Bill, Succession and Probate Duties Bill, Customs Duties Bill, and Totalisator Tax Bill.

MILLAQUIN BRANCH RAILWAY BILL.

The PRESIDENT announced the receipt of a message from the Legislative Assembly, inviting the concurrence of the Council in a Bill to authorise Robert Cran, of Millaquin Sugar Factory, near Bundaberg, in the colony of Queensland, to construct and maintain a branch line of railway connecting with the North Coast Railway.

FIRST READING.

On the motion of the SOLICITOR-GENERAL (Hon. T. J. Byrnes), the Bill was read a first time, and the second reading made an Order of the Day for to-morrow.

INDECENT ADVERTISEMENTS BILL.

The PRESIDENT announced the receipt of a message from the Legislative Assembly, intimating that the Assembly had agreed to this Bill with certain amendments, in which they requested the concurrence of the Legislative Council.

On the motion of the HON. W. F. TAYLOR, the consideration of the Legislative Assembly's amendments was made an Order of the Day for to-morrow.

JUSTICES ACT AMENDMENT BILL.

SECOND READING.

The SOLICITOR-GENERAL said: Hon. gentlemen,—This is a Bill of merely one clause, but the necessity for passing it is apparent. As the Justices Act stands at present, it merely provides for the recovery of the penalty, or compensation, or costs that may be awarded by decision of the justices in case the defendant is the unsuccessful party; but there is no corresponding section to enable the goods of the plaintiff to be levied upon in case any sum of money, or compensation, or costs are awarded against him. This Bill provides that any person against whom judgment is given by justices, whether the plaintiff or defendant, so long as he is the person ordered to pay the same, shall be liable to have his goods and chattels levied upon, so that the order of the court may be enforced. I may add that for the pointing out of the omission in the Justices Act, the Government are indebted to the Hon. Mr. Thynne. I have nothing more to add, and I therefore move that this Bill be now read a second time.

Question put and passed; and the committal of the Bill made an Order of the Day for to-morrow.

SMALL DEBTS COURT ACT OF 1867 AMENDMENT BILL.

SECOND READING.

The HON. A. J. THYNNE said: Hon. gentlemen,—I rise to move that this Bill be now read a second time, and in doing so I will shortly explain the objects of the measure. In the first place, it is proposed to give the Governor in Council power to proclaim any petty sessions district a metropolitan petty sessions district, in which the Governor in Council will have the power of extending the jurisdiction of the court from £30 to £100. In such a court, where the debt sued for is more than £30, the action will have to be tried before a police magistrate. Those two clauses—the 1st and the 2nd—are merely enabling clauses, which the Government may put in force if they think proper. It may be that in course of time an extension of jurisdiction up to £100 may prove to be advantageous. Those two clauses stand in the Bill by themselves. The 3rd and 4th clauses are really clauses affecting the pleading in court, or the right of setting off one claim against another. Lawyers consider that when you sue in the petty debts court you have not the legal right of setting off any counter-claim you have against the plaintiff. This clause gives that right, and also gives the right to recover the surplus if the defendant has a larger claim against the plaintiff than the plaintiff has against him. The 5th, 6th, and 7th clauses deal with a matter that has hampered very much the proceedings in small debts courts. In every case under the present Act where a summons is issued it is required that the plaintiff shall attend and prove his case on oath; so that every plaintiff who issues a summons, no matter what may be the amount, has to spend, perhaps, half a day or a day waiting at the police court for the opportunity to step into the witness-box and give a few formal answers which are required to enable a judgment to be entered for him. It is now proposed to give the court power to give judgment against the defendant if notice of defence is not filed. If the defendant does not intimate his intention of disputing the claim, proper service having been proved, then the magistrate may proceed to give judgment in favour of the plaintiff. Then there are provisions to prevent the abuse of the power. Before an execution is issued an affidavit must be filed proving that the debt is due, and provision is made for giving the court power to let the defendant in to defend under certain circumstances. Clause 5 assimilates the practice in the small debts court to the simple and efficacious practice in the District Court. There a large number of undefended cases are called on, and judgment signed, and the time of the court is not taken up more than a minute or two; but the plaintiff must prove by affidavit before execution that the debt is due. The 6th clause provides that if a defence has been filed and the plaintiff does not appear, he is nonsuited; and there is a similar provision in clause 7 with regard to cases where the defendant does not appear. The next set of clauses deal with the levying of execution upon goods and chattels of the defendant; and by clause 8 it is proposed to provide an exemption of the tools and implements of trade of the defendant to the extent of £10. There is a similar protection given in other processes; and it is well known that, in case of insolvency, protection is allowed up to £20. The 9th clause deals with what has often been a difficulty in connection with claims for rent. It limits the amount of rent which the landlord can claim under the circumstances to four weeks if the premises are let by the week, to two months when they are let by the month, and three months in any other case. Very often this right of recovery of rent is used as a means of giving more protection to defendants than they are really entitled to; and claims of rent are allowed to run on for the purpose of defeating *bonâ fide* creditors. The 10th clause makes an alteration in the law in

connection with interpleader cases. At the present time the decision of the magistrates in interpleader cases is final; and it is now proposed to leave the decision of magistrates in interpleader cases open to investigation by a higher court. It is now a matter of more importance than it was before that this should be done, because since the alteration in the law relating to bills of sale it is well that the higher court should be able to regulate the principles upon which interpleader cases in such matters should be decided. Under our present Small Debts Court Act the magistrates practically have no legal power to make rules of court. Although magistrates of the petty debts courts have always purported to exercise the right to make rules of court, they have a very limited power—merely that of regulating the date of service and the time of issuing summonses. This Bill proposes to give the Governor in Council power to establish one general set of rules of court for regulating the practice of the small debts courts and providing forms of proceedings, which, I think, will be a very great improvement. These are shortly the provisions of this Bill. It is one which, I think, will be found, if accepted, to be a very useful measure in connection with the recovery of small debts in this colony; and I therefore move that the Bill be now read a second time.

The HON. P. MACPHERSON said: Hon. gentlemen,—I shall support the Bill very heartily with the exception of the first two clauses, which allow of the extension of the jurisdiction of metropolitan police magistrates to the sum of £100. The tendency of modern legislation has been to circumscribe the jurisdiction of the court of petty sessions for the recovery of debts; and I think it would be more in consonance with the prevailing sentiment if the 1st clause of the Bill were so worded as to restrict the jurisdiction of that court. I think this amendment is quite uncalled for. It has not been called for, so far as I am aware, by any section of the public. It has not been called for, at all events, by the profession or by the exigencies of the case. We have lately amended the District Courts Act in such a way as to render the recovery of claims very inexpensive and easy indeed. In fact, I look forward to the time when the District Court will sit once a month and render any petty debts courts, in Brisbane at all events, unnecessary. I do not think this is a jurisdiction that any police magistrate will hanker after. Some of them, more especially the metropolitan police magistrates, have enough to do already, and they will not be anxious to sit as amateur District Court judges. I have already said that I have no objection whatever to the remainder of the Bill; on the contrary, I think it introduces some very valuable reforms into the practice of the petty debts court. The 3rd clause, providing for the allowance of a defendant's set-off or counter-claim, follows the District Court practice; and the 4th clause, enabling the defendant to recover the excess of the set-off, also follows the practice of that court. Clause 5 follows pretty substantially section 107 of the District Courts Act. Clause 9 effects a very substantial reform in reference to the amount of rent which a landlord can claim. If my memory serves me right, I think that under the Small Debts Court Act at present the landlord can claim the unconscionable amount of a year's rent—in fact, the same amount that he can recover in the Supreme Court; and it is only right that the practice of the petty debts court should be assimilated to that of the District Court, as is now proposed. The 10th clause effects a very salutary reform—that is, it enables a person to appeal from a decision on interpleader. It very often happens that intricate points of law are involved in interpleader cases, and it is only right that an appeal should be allowed. At present the decision of the magistrates is final. I have very much pleasure in supporting this Bill, as I always have in supporting any Bill which I believe tends to cheapen justice and make it more speedy and certain; and I will support it in committee with the exception of the two clauses I have indicated, which I believe to be unnecessary, and which I believe—at least, I hope—no Government will ever act upon.

The SOLICITOR-GENERAL said: Hon. gentlemen,—There are some very good things in this Bill; but in one or two respects there is in it the possibility of doing a very great deal of injury, and I shall certainly oppose those clauses which I think may tend to injurious results. I am quite with the introducer of the Bill in those clauses relating to pleading, and also in the clauses that relate to the hearing. In section 5 there is one matter that will have to be considered. It provides that the plaintiff need not attend if no notice of defence has been entered, and judgment may be given for him in his absence. Then there is a proviso that the court may let the defendant in to defend; but there is no provision by which the plaintiff is to get notice that the defendant has been let in to defend. The clause says that if the defendant is let in to defend the case is to be adjourned till the next court day; and there must be some proviso to the effect that the plaintiff shall be notified of the fact that the defendant has been let in to defend, so that he may have an opportunity of appearing. In other respects that part of the Bill contains some very useful provisions. I know that when I practised in courts of petty sessions it was a cause of great expense and inconvenience to have to be present to prove every case, though there might not be a shadow of a defence, or any pretence of defence, on the part of the defendant. With regard to clause 9, relating to the claim of the landlord in case of seizure of goods, I think we shall have to consider how far it clashes with the Distress, Replevin, and Ejectment Act. I agree with clause 10. I think there should be an appeal in interpleader cases to the District Court. I am quite with clause 11. There is no doubt that the power of making rules, though largely exercised hitherto by benches, has been illegally exercised. They have the right to make rules only with regard to a very few matters, and it is far better that the Governor in Council should have power to make a general code of rules for procedure in courts of petty sessions. On those points I am entirely in favour of the Bill; but I am strongly opposed to clauses 1 and 2, in which, I think, it is proposed to take an entirely retrograde step. The hon. gentleman who introduced the measure says that they give power to the Governor in Council to raise the jurisdiction in these particular cases. But what have we been doing hitherto? Our legislation, for a long time, has tended to make the District Court the people's court, and to bring it within their reach. The fees have been reduced to the lowest limit, the jurisdiction has been extended, and in course of time the sittings will be more numerous. That is all with the object of bringing that court within the reach of the people. It is now proposed to go one better—that is, to raise the jurisdiction of the small debts court to the amount of £100, the very opposite to what we have been doing hitherto. In Melbourne there are no small debts courts. There is a county court sitting practically throughout the year. There is a sitting every month, and the court sits three weeks out of the four. That court is presided over by a highly paid judge, and in that court people can recover small debts. There is a

scale of fees for amounts under £20, from £20 to £30, from £30 to £50, and £50 and over. In Sydney there is a similar court in which people can recover small debts. I believe this Bill is founded to some extent on the practice prevailing in South Australia; but there they have no District Court. Our policy has been to extend the usefulness of the District Court, so that in time we shall have a District Court judge permanently located in the capital. He will then be able to sit every month, and hear all the small debts cases. I do not think my friend, the Hon. Mr. Macpherson, or myself can be said to be very much interested in what jurisdiction is given to the small debts court, but we both know what goes on there; and I think it is our duty of as lawyers to give hon. gentlemen the benefit of our experience in order that they may fairly grasp the facts of the case. The exercise of the proposed jurisdiction in some cases would be very unsatisfactory, because you have a shifting bench—different justices sitting at different times; and it would be infinitely better to have all these cases tried, as far as possible, before a judge, at the least expense. That is what I propose, and, as far as I have any voice in Parliament, or in the Government, I shall always advocate that, but shall oppose increasing the jurisdiction of justices in civil cases. This Bill proposes to give extra power to police magistrates, but I do not think they will be thankful for this extra jurisdiction. In many cases, I may say, they are not particularly well fitted to exercise this increased jurisdiction—not so well, perhaps, as the justices who at present decide these cases, because the justices have local knowledge, which enables them to judge of the facts as jurymen, and the possession of that knowledge is very useful in determining the rights and wrongs of parties. That is another matter to which I wish to direct hon. members' attention. It may be said that these are only small matters up to £100, and why should not magistrates decide them; but to many people £100 is as much as £100,000 to others, and I do not see why they should be deprived of their right to a jury. Why should they have their case tried by a tribunal consisting of one man, when they would prefer to go before a jury? I certainly shall do my best to oppose these clauses which involve a departure from the policy which this House has endorsed as recently as last session—namely, that of increasing the jurisdiction of the District Courts. I think the jurisdiction of District Courts should be extended, so that there may be tribunals beyond blemish, and without suspicion, adjudicating not only upon large cases but also upon the very smallest cases. Justices are all very well in dealing with minor criminal offences of a small nature, and also with preliminary hearings in indictable offences; but the extended jurisdiction that is proposed is uncalled for. Neither the profession, the public, nor the magistrates have ever asked for it. I shall support the Bill generally; but shall oppose those two clauses to the utmost, reserving the right to make any suggestions in committee regarding the other clauses.

Question put and passed; and the committal of the Bill made an Order of the Day for Tuesday next.

CROWN LANDS BILL.

MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

The PRESIDENT announced the receipt of a message from the Legislative Assembly, intimating that the Assembly had agreed to the amendments made by the Legislative Council in this Bill.

HARBOUR BOARDS BILL.

COMMITTEE.

On the motion of the SOLICITOR-GENERAL, the President left the chair, and the House went into committee to consider the Bill.

Preamble postponed.

On clause 1—

The SOLICITOR-GENERAL said he might say at the outset that a great many clauses of the Bill, which was a very long one, were non-contentious; and they might allow them to go through at once, while postponing the debatable clauses for further consideration.

Clause put and passed.

Clauses 2 to 12, inclusive, passed as printed.

On clause 13—"Constitution of boards"—

The HON. E. B. FORREST said the 1st subsection seemed to require a clearer definition of the term "owners of vessels." It did not say what vessels, or where registered. The matter was also referred to in clause 30, where it spoke of "registered owners, or part owners, of ships." He took it that those vessels must be registered in Queensland; and at the proper time he would move that the words "registered in Queensland" be inserted after the word "vessels," in the 10th line of the clause. He saw that there might be great difficulty, seeing that as a matter of fact most vessels trading here were not registered here, but they ought to have a vote. He did not see how they were to be reached unless they were registered in some form.

The SOLICITOR-GENERAL said it might be as well to postpone the clause, because it might be better to have the matter well defined.

The HON. A. J. THYNNE said the matter would be dealt with in the special Acts that would be necessary. The definition in the clause did not propose to affect the constitution of boards formed under special Acts, because the conditions which might suit the constitution of a board for Brisbane might not suit that of a board for Townsville. In one case it might be better to include ships registered in Brisbane, while another Act might include all ships trading to the port.

The SOLICITOR-GENERAL said the idea of the Bill was to lay down some general principles for the control of harbours, and then pass a separate Bill for each particular case. They could not in the Bill before them try to control what Parliament might choose to put in special Acts hereafter. There was no doubt that one of the provisions of each special Act would deal with the constitution of the board. At the same time he thought it would be as well that the question should be cleared up in this Bill as to whether "owners of vessels" meant owners of vessels registered in Queensland. He would move that the clause be postponed.

Clause postponed.

Clauses 14 to 17, inclusive, passed as printed.

On clause 18—"Governor in Council may declare that mayor, etc., of newly constituted body shall be a member of board"—

The HON. E. B. FORREST said he thought that clause needed some amendment also. When a local authority was called upon to make an appointment, it had the privilege of appointing any of its members; but under certain circumstances the Governor in Council might, in like manner, declare that any mayor, chairman, or other chief presiding officer of a newly constituted authority should take the place of the mayor, chairman, or other officer of the authority ceasing to exist. In fact, the Governor in

Council was limited to the chief men, when, as a matter of fact, they often found that some member other than the chairman of a divisional board or municipality might be a more suitable man for a seat on the harbour board. If the authority had the right of appointing any of its members, why should not the Governor in Council have the same right?

The SOLICITOR-GENERAL said that the hon. gentleman's objection might be met by the omission of the words "chief presiding."

The HON. A. J. THYNNE said it seemed that the clause was intended to mean that where a mayor or chief presiding officer had been appointed by virtue of his office to be a member of the board, and the local authority had changed its constitution, he or his successor in office, under the amended constitution, should retain his position on the harbour board. It was only intended to meet cases of a change in the boundaries of a corporation or divisional board.

The SOLICITOR-GENERAL said the Hon. Mr. Forrest had pointed out that the local authority might appoint any of its members to the board, whereas the Governor in Council was limited to the mayor or other chief presiding officer; and to meet his view he moved that the words "chief presiding" be omitted.

The HON. E. B. FORREST said he would like the clause amended so that the Governor in Council might appoint the mayor, or chairman, or presiding officer, or any other member of the local authority to a harbour board. The Governor in Council should have as much scope as the local authority.

The HON. A. C. GREGORY said they must remember that the officers were all subordinates, and were not the class of persons who were likely to be placed in the position of members of harbour trusts. He understood the Hon. Mr. Forrest to contend that the Governor in Council should be able to appoint any member of the board, but not any officer. There was no such thing as a chief presiding officer in existence, and no doubt the expression had been taken from some other legislative enactment.

The HON. F. T. BRENTNALL: What about the president of a shire council?

The HON. A. C. GREGORY said he thought the most convenient alteration would be to take out the words "chief presiding officer," and insert the word "member."

The SOLICITOR-GENERAL said he thought the interjection of the Hon. Mr. Brentnall would show them that it was necessary to retain the words "chief presiding officer." He understood the Hon. Mr. Forrest to mean that there might be better men in the ranks, as it were, than in the chair; and he was inclined to go further, and allow any officer to be put on the board, because it had been decided by the Supreme Court that in the case of a joint water board a person might be a president without being a member at all. There might be a case in which an officer of a board was a distinguished engineer, and he might be a very desirable member of the harbour board. A case in point had recently occurred at Charters Towers. With the consent of the Committee, he would withdraw his amendment and move another.

Amendment, by leave, withdrawn.

The SOLICITOR-GENERAL moved that the words "or member" be inserted after the word "officer," in the 4th line of the clause.

The HON. A. C. GREGORY said he thought before that amendment was dealt with they should leave out the words "chief presiding officer," because there was no such individual under the existing law, and the words might raise a question as to what person was meant. The result of leaving in the words would be that, if the mayor of a municipality were absent for one single sitting, whoever occupied the chair in his absence would be capable of being made an officer of the board. That was the only case in which a presiding officer, other than a mayor or a chairman, could be appointed. It would simplify matters and make the Bill more in accord with other legislation if those words were omitted, and the words suggested by the Solicitor-General inserted in their place.

The HON. A. J. THYNNE said he thought they had all overlooked the circumstance that the word "association" was in the clause, and that there might be a representative on the harbour board from some institution which might be called by a name not indicated in the clause. He thought it was in contemplation that a harbour board might be constituted of people other than members of local authorities; and he thought that would be highly desirable.

The SOLICITOR-GENERAL said he thought the argument of the Hon. Mr. Thynne was conclusive as to the necessity for keeping the words in.

Amendment agreed to; and clause passed with a consequential amendment.

Clauses 19 to 26, inclusive, passed as printed.

On clause 27—"Duration of office of elective members"—

The HON. A. C. GREGORY said that as the clause stood all the elected members would go out of office together, and that had been found very inconvenient in connection with other public bodies. He thought it would be convenient to postpone the clause.

The SOLICITOR-GENERAL said he agreed with the hon. gentleman that it was desirable for a certain number of the old members to remain on the board, and he had no objection to the hon. gentleman's suggestion.

Clause postponed.

Clauses 28 and 29 passed as printed

On clause 30—"Provision for election by owners, or payers of dues, etc."—

The SOLICITOR-GENERAL said the clause was connected with the one which had to be considered afterwards; and he moved that it be postponed.

Clause postponed.

Clauses 31 to 35, inclusive, passed as printed.

On clause 36—"Members, when to come in and go out of office"—

The HON. A. C. GREGORY said the clause was one to which he referred on the second reading of the Bill as involving a difficulty in regard to the time at which an election really took place; and he thought it would be better to elaborate the clause a little in order to make the matter clear. In the case of elections under the Local Government Act some members were unanimously elected on the day of nomination, there being no opposing candidates, while others were elected subsequently on the polling day; and for that reason local authorities had been obliged to carefully avoid allowing any meeting to occur between the day of nomination and the day of the poll. The principle adopted in the shire council to which he belonged for some years was to know nothing of an election until the returning officer handed in his return of the election, and until then a newly-elected member could not take his seat. He thought something might be put into the clause to set the question at rest; and he would suggest that the clause be postponed.

The SOLICITOR-GENERAL said he had no objection to postponing the clause. He was with the hon. gentleman in regard to the difficulty pointed out. He was concerned in a case in the Supreme Court in which the question was raised as to when one man ceased to hold office and the other began to take office, and it was a matter for very serious consideration and discussion; and, now they were putting the Bill through, it was very easy by a few words to make it clear what was intended. He moved that the clause be postponed.

Clause postponed.

Clauses 37 to 79, inclusive, passed as printed.

On clause 80—"Board may define limits of wharf"—

The HON. E. B. FORREST said he took it that the limits and boundaries of a wharf were determined by the certificate of title, and he could not conceive anybody interfering with a boundary that had been defined in that way.

The SOLICITOR-GENERAL said there was no intention to interfere with what a man had on his title. In some cases, however, it would be absolutely necessary that the board should have power to define the limits of a wharf, not on the land side, but on the harbour side, otherwise people might run their wharves out to undue length and perhaps obstruct the fairway of navigation. Probably that would not happen in the Brisbane River; but in a place like Ross Creek, at Townsville, it would be necessary that the harbour boards should have effective control in such matters.

The HON. F. H. HART said he took it that the clause had no reference to existing wharves, but only those which would come under the jurisdiction of harbour boards in future. It was laid down in the 75th clause that, when a work made or constructed by a harbour board skirted a public navigable tidal water, the work should not deviate from the continuous lines thereof marked on the plans deposited at the office of the Marine Board. That was in accordance with the rule in force at the present time.

The SOLICITOR-GENERAL said that as far as any existing wharves were concerned, if they were extended to the limits to which they were entitled, no board would interfere. But if any wharf was an encroachment beyond the limits of what was properly assignable to the owner of the property, the law did not require any board to define limits or take action; that could be taken by the Government entirely apart from the harbour board. Probably the only application of the section would be to wharves constructed by harbour boards or with their sanction.

The HON. A. J. THYNNE said it might apply also in connection with the collection of dues.

The HON. A. C. GREGORY said there was another case, and that was where the boundaries of the wharf did not run at right angles to the frontage. Then arose the question as to the direction wharves should run. If they ran out diagonally they might overlap. Then, again, if the shore was either concave or convex, what would be done about the surplus space or the deficiency? The clause as it stood might be brought forward by anyone who thought he might gain by it, if there were a dispute, and who might require the harbour board to give a decision. At present he did not think there was any law or rule which had been established for determining where a wharf should be constructed. These matters would all require careful revision, and no doubt as long as the harbour boards exercised due discretion they might do good, even in defining the limits between private properties or between wharves built on private properties. The clause was so vague that it did not exactly say what was to be done, or what was not; and the only way of dealing with the matter was in the special Act constituting the harbour board in each particular case. In some instances there might be no necessity to make the wharves straight out, but in others it might be absolutely necessary. Matters that were to be dealt with by special Acts were so much mixed up in the Bill with what might be dealt with by the Governor in Council that it would have to be entirely recast to make it perfect, so that they would now have to pass it as a basis, and not as an operative Act of Parliament.

The SOLICITOR-GENERAL said clauses 79 and 80 were to be read together. The first protected all existing interests that might have been acquired in any portion of the harbour below high-water mark; and clause 80 dealt with cases where a harbour board had jurisdiction. In any case where they had jurisdiction they might proceed to settle disputes between persons at variance as to the limits of their wharves. That power might enable people to dispense with a great deal of litigation.

Clause put and passed.

The House resumed; the CHAIRMAN reported progress, and the Committee obtained leave to sit again to-morrow.

ADJOURNMENT.

The SOLICITOR-GENERAL said: Hon. gentlemen,—I move that this House do now adjourn.

Question put and passed.

The House adjourned at twenty-three minutes to 6 o'clock.