

causes of his Excellency calling this Parliament will be declared to you, and it being necessary that a Speaker of the Legislative Assembly be first chosen, it is his Excellency's pleasure that you gentlemen of the Legislative Assembly repair to your own Chamber and there proceed to the election of one of your number to be your Speaker.

The Assembly then withdrew.

ADMINISTRATION OF OATH.

The PRESIDENT produced a commission constituting him and the other members of the Council therein named commissioners to administer the oath required by law to be taken by members of the Council.

Commission read by the Clerk.

MEMBER RESIGNED.

The PRESIDENT informed the House that he had received a letter from the Governor intimating that the Hon. J. C. Ellis had conveyed to his Excellency the resignation of his seat as a member of the Legislative Council.

NEW MINISTRY.

The Hon. W. H. SUTTOR said : I have to announce that the following gentlemen have taken office as members of the Government:—The Hon. G. H. Reid, Premier and Colonial Treasurer; the Hon. J. N. Brunker, Colonial Secretary; the Hon. G. B. Simpson, Q.C., Attorney-General; the Hon. J. H. Carruthers, Secretary for Lands; the Hon. J. H. Young, Secretary for Public Works; the Hon. A. J. Gould, Minister of Justice; the Hon. J. Garrard, Minister of Public Instruction; the Hon. S. Smith, Secretary for Mines and Agriculture; the Hon. J. Cook, Postmaster-General; and the Hon. W. H. Suttor, Vice-President of the Executive Council. In making this announcement, I may mention that the members of the other House who have accepted office will have to go back to their constituents for re-election, and I may express the hope that they will be returned. I trust that whatever the members of the new Government have to do in the discharge of their duties, the House will accord to every one of us that generous confidence and trust which they have hitherto accorded to her Majesty's ministers.

[The President.

ADJOURNMENT.

Motion (by the Hon. W. H. SUTTOR) agreed to :

That this House do now adjourn until 28th instant, at half-past 11 o'clock.

House adjourned at 12.15 p.m.

Legislative Assembly.

Tuesday, 7 August, 1894.

Opening of Parliament—Members Sworn—Election of Speaker—Adjournment—Presentation of the Speaker to the Governor—Assent to Bills—Standing Orders—Committee of Elections and Qualifications—Special Adjournment.

OPENING OF PARLIAMENT.

The House met at noon, pursuant to proclamation of his Excellency the Governor convening Parliament.

The CLERK read the proclamation.

The CLERK announced that he had received a list, certified by his Excellency the Governor, of the names of the members to serve in this Parliament, together with the respective writs on which they were so returned; and further certificates by his Excellency that in the case of the writ for the electoral district of Yass the election of the member returned for that district had been duly declared to be valid, notwithstanding a certain informality; and that in the cases of the members returned for the electoral districts of Sydney—King Division, East Maitland, St. George, The Manning, Singleton, Sherbrooke, Bathurst, and Hartley, in consequence of their elections having become void by reason of their acceptance of office in a new administration, writs had been issued for new elections in accordance with the provisions of the Constitution Act Amendment Act of 1884.

The USHER OF THE BLACK ROD, being admitted, delivered a message that "the commissioners request the immediate attendance of this honorable House in the Legislative Council Chamber to hear the commission for opening Parliament read."

The House went, and hon. members being returned,

The CLERK informed the House that his Excellency the Governor had been pleased to issue a commission, under the seal of the territory, authorising the Hon. Sir J. P.

Abbott and Mr. W. McMillan and Mr. C. A. Lee of the House therein named to administer the oath or affirmation of allegiance to the Queen required by law to be taken or made by members of the Assembly.

The CLERK read the commission.

MEMBERS SWORN.

One hundred and seventeen members took the oath and subscribed the roll.

ELECTION OF SPEAKER.

Mr. COPELAND (Armidale) [1:30]: Mr. Webb, I need not say that it affords me very great pleasure to accept the responsible position that I take in moving:

That Sir Joseph Palmer Abbott do now take the chair of this House as Speaker.

I am quite sure that there will be no dissentient voice with reference to this motion, because we fortunately have had an experience in two parliaments of the able manner in which Sir Joseph Palmer Abbott has conducted the business of the House. It must be admitted, on all sides, that no more important position could possibly be occupied than that of Speaker of an assembly of this character. With Mr. Speaker, to a very great extent, rests the carrying out of the business of the country in an amicable and satisfactory spirit, and the pushing on of the work to a considerable extent. Further than that, I think it must be admitted that it is exceedingly desirable that as Speaker we should have a gentleman well acquainted with the duties that he has to perform, and also one of such an impartial character that each side of the House may rest fully assured that his decisions will be given without any spirit of partisanship. With all these good qualities we know, from past experience, that we can, with confidence, re-elect Sir Joseph Palmer Abbott to the position which he has twice before very ably filled. It affords me very much pleasure to move this resolution, because, during the whole of the fourteen years that he has occupied a seat in this House I have always had the pleasure of sitting on the same side of the House with him, and of belonging to the same party, I may say, to which he has belonged, and I have no hesitation whatever in saying that no more capable gentleman could be found in this Assembly cut out by nature—for his very defects

in one sense are his recommendations—for the position to which we now seek to elevate him. Sir Joseph Palmer Abbott was never what might be termed a strong party man, and we, on our side of the House, frequently thought that this was a considerable defect in his character. Nevertheless it will be admitted that that is one of the strongest recommendations for a gentleman occupying the position of Speaker of this House. In addition to that, Sir Joseph Palmer Abbott has had some fourteen years' parliamentary experience, and has also occupied the responsible positions of Secretary for Mines and Secretary for Lands for some three and a half years, if I remember rightly, and latterly he has occupied the position of Speaker for some four years. Then, again, he has the special advantage of being a man trained to the law, and therefore quick at finding precedents; so that altogether I think the House may well feel pleasure in not having to seek for a candidate for the position, but in having one already at hand—one so capable of filling the position as the present candidate for the office undoubtedly is. If he will allow me to take the liberty of an old personal friend before I sit down just to give him one word of friendly advice, and I feel sure that he will accept it in the spirit in which I am going to give it—I should like to say this at the beginning of a new parliament—that occasionally there is, in my opinion, just the faintest sign of a rift in the lute when as Speaker he sometimes gives his reproofs. They, of course, are always deserved, but I have often thought that he might make himself very much more popular, and might, perhaps, save the feelings of some members if he would sell out the little supply of acerbity that he sometimes brings to bear in giving his reproofs, and would reinvest the proceeds received from the sale of that stock in a little more suavity. I know that most of us very frequently deserve reproof, and I think there are few men but what are prepared to receive it in a good and amicable spirit; but it all depends on the style in which it is given, and I know that sometimes a reproof administered in anything like a harsh manner may rankle in the breast of hon. members until it has a tendency to breed a rebellious spirit, and I am sure at the commencement of a parliament that will

probably have some three years to run my hon. friend will not take it amiss for me to give him this fatherly advice. I am sure that if he will follow it, he will be pronounced at the end of the present Parliament to be an absolutely perfect Speaker, and I will undertake, if the hon. member will continue to confer the honor upon me, to propose him for the same position for the next twenty years to come. I have great pleasure in making the motion.

Mr. V. PARKES (Canterbury) [1:35]: With great pleasure, Mr. Webb, I rise to second the nomination of Sir Joseph Palmer Abbott as the Speaker of this Assembly. I do not at all indorse the remarks of the hon. member for Armidale, because I think the experience of the last Parliament showed clearly that Sir Joseph Palmer Abbott, instead of using what might be termed dictatorial terms towards hon. members, used only that amount of assertive authority which was necessary to check the little indiscretions of hon. members. Hon. members who sat in the last Assembly must grant that Sir Joseph Palmer Abbott conducted its proceedings in such a dignified manner as to make the House illustrious. It would be useless for the Speaker to ask hon. members to keep order in such a manner as to imply that he does not intend that they should. It would be absolutely useless for the Speaker to command order in the Chamber if he does not mean that he should be obeyed, and does not speak in an authoritative tone. But, in addition to that, Sir Joseph Palmer Abbott at all times treated us with the greatest courtesy. I was sitting in Opposition in the last House, and on several occasions I had to be called to order by the Speaker, and I can assure hon. members that at all those times he acted with the greatest amount of courtesy to me. I have listened while other hon. members have been called to order, and I consider that Sir Joseph Palmer Abbott performed the functions of the chair in the ablest, most dignified, and most illustrious manner. I trust that without comment he will be re-elected to the position, for, after all, the position, if held with dignity, gives character to the House. The character of your Speaker establishes the character of your House, and in this worthy gentleman you have one who, as the hon. member for Armidale pointed out, is perfectly impartial. He is by nature

[*Mr. Copeland.*

of a complacent disposition, and not inclined to spleen. He is by nature a judicial man who can see clearly what is right and what is wrong, and I feel convinced that of hon. members specially endowed by nature to occupy this special position, there are none better in the Chamber than himself. I trust that he will be elected.

Mr. HAYNES (Wellington) [1:38]: I think the House will agree that if there is anything to be said in regard to the gentleman who is to be its Speaker, the time to speak is the time when he is nominated to the chair; and though I am one of those who support the nomination of Sir Joseph Abbott to the chair, I desire to draw his attention and the attention of the House to what I consider to be a grave indiscretion on his part in the last Parliament. I refer to the fact that that position of impartiality which a Speaker at all times should display was unfortunately departed from by the hon. member. We all recognise the fact that the Speaker is in a position of complete impartiality, not recognising either party or individual. I was glad to see that the Speaker in discussing a matter in the public prints quoted the historical circumstance that when one of the kings of England came to the House of Commons and asked the Speaker to point him out certain members who had offended his Majesty, the Speaker replied to this effect: "that he had no eyes to see, nor ears to hear, except as the House directed, and that, therefore, he declined to point out certain members to the king." I wish I were able to say that the Speaker of the late House, while indorsing that view and that line of action, had acted in a similar way. I will now draw attention to that which I believe was a grave indiscretion on his part. That was his reply to an hon. member of this House, who came to him and extracted from him a letter which was afterwards used in a public print as an advertising placard. Mr. Sheldon, evidently not understanding his duty—and I am certain no other hon. member would have made such a blunder—approached the Speaker and asked him for a letter—practically a political indorsement to his constituents. The hon. member for Wentworth, I believe, in a moment of error, was betrayed into an indiscretion which, I trust, will never be repeated. He gave Mr. Sheldon a letter, which showed either

indiscretion on the part of himself or misconduct on the part of the then hon. member for The Namoi; for no sooner had the letter been handed to Mr. Sheldon than that gentleman, then an hon. member of the House, published it in the press of the constituency in which he was about to seek the suffrages of the people.

AN HON. MEMBER: That may account for his going down!

MR. HAYNES: That is not for me to say. I only mention the fact that the letter was written before Parliament rose. It was published in the public prints, and circulated from one end of the constituency to the other. The position we found ourselves in was this: that there were two members in the Chamber at that time whom the then Speaker, in the observance of the strict duty of the Chair, was unable to recognise in regard to their individuality. For instance, there was Mr. Kirkpatrick, then the hon. member for Gunnedah, and Mr. Sheldon, then the hon. member for The Namoi, who was about to contest the Gunnedah constituency. I indorse much—in fact, all—that has been said by the hon. member who has proposed the motion. I recognise the qualifications of the hon. member for Wentworth, and I am indebted to him as much as to any man in the House for corrections in debate.

HON. MEMBERS: Hear, hear!

MR. HAYNES: I am glad to see that remark recognised, because it means I am more fit to cut my opponents to pieces. The position is this: that either the hon. member for Wentworth was, unfortunately, betrayed into what I may term a spontaneous act of indiscretion, or the gentleman to whom he entrusted the letter was guilty of gross misconduct in revealing and making public a private document. Had I failed to bring the matter before the House I should have neglected my duty, because as the letter is in the public prints of this colony, it is unique and without parallel, I believe, in the history of any British parliament.

MR. LEVIEN (Quirindi) [1.44]: If there is anything delightful in the world it is a speech from the hon. member for Wellington—Satan reproving sin. For consummate impudence I have never heard a speech like it before, and I hope, when the time comes, the hon. member for Wentworth will castigate him in a proper way.

MR. CRICK (West Macquarie) [1.45]: I think the best testimony which can be offered to the worth of the late Speaker—and the Speaker who will be elected by the present Parliament—is that the only one of all those who sat in the late Parliament to take exception to his election is the hon. member for Wellington.

MR. BLACK (Sydney—Gipps) [1.46]: When the last Parliament was called together, I, as a new member, listened with much attention to what was said on that occasion. I remember in particular the then hon. member for West Macquarie, finding fault with the then Speaker, because he considered he had not received as much consideration at his hands as he was entitled to. From my experience of the Parliament it seems to me that no man could have occupied the Speaker's chair with more credit to himself, and with more credit to the country, than did the hon. member for Wentworth. I say this knowing that, as a mortal man, he is subject to all the faults of human nature, and if there was any fault which that gentleman committed as Speaker of this House it was in this direction—that he allowed the gentleman who has just resumed his seat more latitude than he allowed to any other member of the House. I rise to express the hope that Sir Joseph Abbott who will again be elected Speaker will, if possible, be a little kinder to new members of the House, and that he will not in any respect give way to those who assume a dictatorial position in Parliament, for which there is no precedent, and which no act of their election entitles them to assume, that he will treat every member of the House as being the equal of his fellow-members. I feel that Sir Joseph Abbott is the man to fill this position. I am perfectly confident that there is no man in Parliament capable of filling it with so much honor to himself and with such credit to the House, and on that account I should not have risen to speak had it not been that I remembered the complaint made by the hon. member for West Macquarie on a former occasion, and it struck me that if the hon. member had no complaint to make on this occasion it was, perhaps, because he had received somewhat more than his due. As so many hon. members had assumed the position of candid friend to Sir Joseph Abbott I felt

that he would not in any way resent my adding myself to the number of those who have thought themselves entitled to offer him a little advice on this occasion.

Sir JOSEPH ABBOTT (Wentworth): It is gratifying to me after I have served in the chair for a period of four years to find that those who have been brought most directly into contact with me speak of me in the terms of eulogy employed by the hon. member for Armidale just now. During the time I have occupied the chair as Speaker of the House, now nearly four years, I can recall no instance in which I have been actuated by any feeling other than a desire to promote the best interests of Parliament. I have always endeavoured to bring to the chair that dignity and impartiality which should attach to Mr. Speaker as the representative of the Assembly after he has been appointed to that position, and I have nothing in the past with which to charge myself except, perhaps, the fact that like other men I have human infirmity. I do not claim that I am any better in this regard than are my fellow-men. I have always endeavoured in the past when in the chair to do my duty. It is satisfactory for me to know that in the House and in the country my conduct has met with general approval from those best able to form an opinion. I have nothing to say as to what I shall do in the future. I shall endeavour to do my duty between all parties in the House, recognising no party, because I have always felt that if Mr. Speaker were suspected for one moment of acting partially towards any members of the House or towards any party, his influence as Speaker would be destroyed. I am not conscious of having in the past exhibited any partiality towards either side of the House, and I hope I should vacate the chair before any charge of that kind could be made against me. If it be your will to choose me again as Speaker I will endeavour to discharge the duties of the very important office with I hope credit to myself and to the dignity of the House.

[Members of the House calling Sir Joseph Abbott to the chair, he was taken out of his place by Mr. Copeland and Mr. V. Parkes, and conducted to the chair.]

Then Mr. SPEAKER-ELECT, standing on the upper step, said,—I have again to return my thanks to hon. gentlemen for

[Mr. Black.

having chosen me for the third time to this great position. It is one of the highest positions in the land to which any man can be called, because he is called to occupy it by the whole people of the land through their representatives. As I said before, I feel grateful to hon. members for having spoken of me in the kindly terms in which my proposer and seconder have spoken. I feel perfectly satisfied that I shall give satisfaction to the new members as I hope I have given to the old ones in the past. I admit that perhaps I may at times—and who can help it?—exhibit a want of temper sitting here hour after hour; but I am not conscious of it, and I desire to treat all members alike. I take no cognisance of the position of an hon. member outside. Whatever may be his position, when he comes here he is on an equality with all other members. I again, hon. gentlemen, return thanks for the position in which you have placed me.

Mr. WISE (Sydney—Flinders) [1·51]: Mr. Speaker, it gives me great pleasure, on behalf of the gentlemen sitting on this side of the House, to offer you congratulations, not only upon the fact of your re-election for the third time to your high office, but also upon the unanimity with which your nomination has been accepted by the Chamber. The manner of your election is the best testimony to your deserts, and it must, I think, be satisfactory to you to think that though you have held the office now through three parliaments, and that during the last Parliament political feeling ran high, no one has been found to question either your ability or your impartiality. If I may say so, sir, you seem to me to have set yourself in the discharge of the duties of your high office the task of preserving the high traditions of that office handed down to us from the Parliament of the mother country. That is to say, you have regarded it as your first duty to preserve the privileges and the powers of this Assembly; and while you have always done your best to maintain the dignity of our debates, you have also insisted upon a strict adherence to the laws and customs of Parliament, because, I take it, you recognise that the forms of Parliament, though impatient men may sometimes condemn them, are both by their historic significance, and their practical value, the shrine of parlia-

mentary liberties. Recognising that, sir, you have, as your election proves, acquitted yourself in a manner that has secured your unanimous re-election to this high office; and I know that I am only expressing the general sentiment of the Assembly, when I wish you good health in the continuance of your arduous duties, and when I express the confidence that in your hands the character and dignity of the Assembly will always be safe.

Sir GEORGE DIBBS (Tamworth) [1-53]: I rise on behalf of the gentlemen who will sit on this side of the House as her Majesty's Opposition, for the purpose of expressing in their interest the warm congratulations which we feel on your election to the high office to which you, Mr. Speaker, have been called to-day. I need not say that the duties of a speaker can be lightened enormously if hon. members will make themselves first of all acquainted with the standing orders and sessional orders of the House, and will render at all times due obedience to the decisions of the Chair. For my own part, I believe, as one hon. gentleman has mentioned here to-day, that you are specially fitted by nature, by education, and by profession, for the high office to which you have been elected, and I am perfectly certain of this, that whatever may be said here to-day, no breath or charge of partiality can be made against your late occupancy of the chair, and the fact of your having the great honor conferred upon you to-day of being unanimously chosen to the post, is sufficient guarantee of the noble manner in which the work has been performed in the past. I assure you, on behalf of her Majesty's Opposition, that the utmost support will be given to the Chair, and I have no doubt that the whole of the members of the House will recognise the very difficult task which you are called upon to perform, and will assist you in your labours by that faithful obedience to your decisions without which there can be no parliamentary government.

ADJOURNMENT.

Mr. WISE (Sydney—Flinders) [1-56]: I am desired to acquaint the Chamber that his Excellency the Governor will be pleased to receive Mr. Speaker at Government House at 4 o'clock. I therefore move:

That the House do now adjourn until 4 p.m.

Mr. CRICK: What is it proposed to do after that? Do we meet again later?

Mr. WISE: I believe not.

Sir GEORGE DIBBS (Tamworth) [1-57]: Will the hon. and learned member give us some idea what is to be done with regard to further business? Some hon. members may not wish to stay in town, and it will be convenient to know when we shall meet again, and what the future arrangements will be?

Mr. EDDEN (Kahibab) [1-59]: When the House resumes at 4 o'clock, will it be competent for hon. members to give notice of motions?

Mr. SPEAKER: Certainly not—not until the 28th August, when the reasons for calling Parliament together have been declared.

Mr. WISE (Sydney—Flinders) [2]: I understand the present arrangement to be that on the House meeting at 4 o'clock a certain announcement will be made to the Chamber, and that then the House will be adjourned until Tuesday, 28th August.

Question resolved in the affirmative.

Mr. SPEAKER took the chair at 4 p.m.

PRESENTATION OF THE SPEAKER TO THE GOVERNOR.

Mr. SPEAKER: I have to inform hon. members that I proceeded to Government House, accompanied by hon. members, and presented myself to his Excellency the Governor as the Speaker chosen by the Legislative Assembly, and that his Excellency was pleased to express his approval. At the same time, I made a claim on behalf of the House to all the undoubted rights and privileges of the House, and prayed that the most favourable construction be put upon all its proceedings. I have again to thank hon. members for the position in which they have chosen to place me. I hope that when my term of office expires no hon. member will regret having been a party to that choice.

ASSENT TO BILLS.

Royal assent to the following bills reported:—

Parramatta Street-watering Bill.
Randwick and Coojee Tolls Abolition Bill.
Mining on Private Lands Bill (No. 2).
Camels and Dromedaries Impounding Bill.
Johnstone's Bay Storm-water Sewer Bill.

STANDING ORDERS.

Mr. SPEAKER: I have to inform the House that on the 11th June, 1894, I presented to his Excellency the Governor the standing orders adopted by this House on the 7th June, 1894, and his Excellency has been pleased to approve of the same. Perhaps the House will permit me at this time to bear my testimony to the great assistance received by me from Mr. Arnold, the Clerk Assistant of the House, in the preparation of those standing orders, and in the admirable index which that officer has prepared. I hope the standing orders will now be so plain that hon. members will not find any difficulty in making themselves acquainted with the rules of the House.

COMMITTEE OF ELECTIONS AND QUALIFICATIONS.

Mr. SPEAKER laid upon the table his warrant nominating Mr. Bavister, Mr. Crick, Mr. Gormly, Mr. Hayes, Mr. McMillan, Mr. Morton, Mr. V. Parkes, Mr. Wise, and Mr. Wright members of the Committee of Elections and Qualifications.

Mr. BLACK: I object!

Mr. SPEAKER: I would like to remind hon. members that whilst the Speaker is addressing the House no one else should speak.

Mr. BLACK: I thought it was the rule that if any objection is taken to any member nominated now is the time to do so.

Mr. SPEAKER: The hon. member must know that when the Speaker is addressing the House there should be no interruption. The hon. member can give notice of any objection; but this is not the time. I may inform the House that if these nominations are not disapproved of within the next three sitting days the warrant will become effective. Whatever time the House may adjourn to, it will be within the power of any hon. member to give notice of dissent against any of these appointments within three days after the House meets.

SPECIAL ADJOURNMENT.

Mr. WISE (Sydney—Flinders) [4.35]: I have to inform the House that since the dissolution of the last Parliament his Excellency's advisers have seen fit to tender

their resignation to his Excellency, and his Excellency has seen fit to accept it, and also to appoint the undermentioned gentlemen to the offices mentioned in connection with their respective names:—The Hon. George Houstoun Reid, Colonial Treasurer and Collector of Internal Revenue of New South Wales; the Hon. James Nixon Brunker, Colonial Secretary and Registrar of Records of New South Wales; the Hon. George Bowen Simpson, Q.C., M.L.C., Attorney-General of New South Wales; the Hon. Sydney Smith, Secretary for Mines and Agriculture; the Hon. Joseph Hector Carruthers, Secretary for Lands; the Hon. James Henry Young, Secretary for Public Works; the Hon. Albert John Gould, Minister of Justice; the Hon. Jacob Garrard, Minister of Public Instruction; and the Hon. Joseph Cook, Postmaster-General. Under the new Electoral Act it is not necessary to have these seats declared to be vacant, for the Governor has power to issue the writs of his own motion. I beg to move:

That the House do now adjourn until 12 o'clock noon, on Tuesday, 28th August, when his Excellency will be pleased to declare the reasons for calling Parliament together.

Question resolved in the affirmative.

House adjourned at 4.37 p.m.

Legislative Council.

Tuesday, 28 August, 1894.

Administration of Oath—The Governor's Speech—Assent to Bills—Personal Explanation—Ordnance Lands Transfer Bill (Formal)—Governor's Speech: Address in Reply.

The PRESIDENT took the chair.

ADMINISTRATION OF OATH.

The PRESIDENT produced a commission from his Excellency the Governor, empowering him to administer the oath to members.

THE GOVERNOR'S SPEECH.

His Excellency the Governor entered the Chamber and took the chair. A message was forwarded to the Legislative