

do so. Officers in the Supreme Court, so he was informed, made £50 to £100 a year in fees for work done in the performance of their duties. It should take very little to furnish the information asked for; and such information would certainly satisfy a lot of people as to what had been transpiring in the past.

Question put and passed.

THE MINISTER FOR JUSTICE laid on the table the return the hon. member had moved for.

#### RETURN—PIPES MANUFACTURE, COST.

MR. C. H. RASON (Guildford) moved—

That a return showing in detail the cost of manufacture of cast-iron pipes by the Government be laid upon the table of this House.

He did not propose to make any lengthy speech in regard to this motion, having already had an assurance from the Government that the return, if moved for, would be provided; so he was content with moving the motion he had just read.

Question put and passed.

#### ADJOURNMENT.

The list of business for the day being disposed of, the House adjourned at 5:33 o'clock, until the next day.

## Legislative Assembly,

Wednesday, 2nd August, 1905.

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THE SPEAKER took the Chair at 3:30 o'clock p.m.

#### PRAYERS.

#### MOTIONS AND QUESTIONS RELATING TO RETURNS, WHEN FORMAL.

DR. ELLIS having given notice of a question relating to figures,

MR. SPEAKER said: In connection with the question just asked by the hon. member, I find myself in some difficulty in carrying out the Standing Order relating to questions that may necessitate a return being prepared, and should therefore be the subject of motion.

DR. ELLIS: The answer simply means a line of figures in each case.

MR. SPEAKER: In using my discretion in that direction recently, I find that some of the questions which looked simple on the Notice Paper required an extensive return; and in order to get over the difficulty and allow of speedy returns being obtained, I have arranged with the Leader of the House that motions for papers and returns, if unopposed by the Government, may be treated as formal and placed as such on the Notice Paper before the Orders of the Day. Formal motions are moved without debate. Motions which it is desired shall be dealt with in this manner are to be indorsed "Formal," and the Leader of the House agreeing, they will be given preference in the day's business. The information will thus be obtained almost as quickly as if questions had been asked. In view of the fact that some of the answers, ap-

parently to simple questions, have meant research and the expenditure of money to obtain the information, I find myself compelled to adhere to the strict letter of the Standing Order. The arrangement made will allow motions to be passed speedily, so that the papers may be laid on the table without undue delay.

#### CHARGE AGAINST A MEMBER, COMMITTEE'S REPORT.

THE PREMIER brought up the report of the Committee of Privilege appointed to inquire into the allegations made against Mr. Diamond, the member for South Fremantle, in connection with the report of the Royal Commission on Ocean Freights and Marine Insurance.

Report received, and read by the Clerk.

THE PREMIER: I beg to move that the report be printed; and in doing so I think that as this accusation has had a wide circulation, the report should as far as possible be distributed in such a fashion as to entirely protect Mr. Diamond from any future references to this particular publication. I had very much pleasure personally in having the privilege of signing a report of a nature so thoroughly satisfactory, not to Mr. Diamond only, but to this House as a whole.

Question passed.

#### BILL—LEGISLATIVE COUNCIL REFERENDUM.

THE PREMIER (Hon. H. Daglish) moved for leave to introduce a Bill for "An Act to provide for a reference to the electors qualified to vote at elections of members of the Legislative Assembly, of the questions: 1, Whether electors are in favour of a single-chambered legislature; and 2, Whether electors are in favour of household suffrage in the election of members of the Legislative Council."

Question put, and a division taken with the following result:—

Ayes	...	...	23
Noes	...	...	20
			—
Majority for	...	...	3

#### Ayes.

Mr. Angwin  
Mr. Bath  
Mr. Bolton  
Mr. Daglish  
Mr. Ellis  
Mr. Hastie  
Mr. Heitmann  
Mr. Henshaw  
Mr. Holman  
Mr. Moran  
Mr. Johnson  
Mr. Keyser  
Mr. Lynch  
Mr. Moran  
Mr. Needham  
Mr. Nelson  
Mr. Scaddan  
Mr. Taylor  
Mr. Troy  
Mr. Watts  
Mr. A. J. Wilson  
Mr. F. F. Wilson  
Mr. F. Gill (Teller).

#### Noes.

Mr. Brown  
Mr. Burges  
Mr. Butcher  
Mr. Carson  
Mr. Cowcher  
Mr. Diamond  
Mr. Foulkes  
Mr. Gregory  
Mr. Hardwick  
Mr. Hayward  
Mr. Hicks  
Mr. Lanyon  
Mr. McLarty  
Mr. N. J. Moore  
Mr. S. F. Moore  
Mr. Piesse  
Mr. Quinlan  
Mr. Mason  
Mr. Frank Wilson  
Mr. Gordon (Teller).

Question thus passed; leave given.  
Bill introduced and read a first time.

#### BILLS—FIRST READING.

PERTH MINT ACT AMENDMENT, introduced by the Premier.

MINES REGULATION, introduced by the Minister for Justice and Labour.

WORKMEN'S WAGES ACT AMENDMENT, introduced by the Minister for Justice and Labour.

MAXIMUM EIGHT HOURS DAY, introduced by Mr. A. J. Wilson.

#### MOTION—MINISTERS TO BE ELECTED BY ASSEMBLY.

MR. W. NELSON (Hannans) moved—

That this House is of opinion that Ministers should be elected by this House.

He said: I respectfully submit that the present system of party government is breaking down, right through this Empire, and particularly throughout Australia. So long as almost every self-governing community had two distinct and more or less homogeneous parties, party government worked fairly well; for a Government with a majority behind it could in those circumstances carry on the affairs of the country, enjoy a certain amount of stability, and do the business of the nation as that business ought to be done. But in hardly any country in the world to-day do we find in existence only two political parties. Society is becoming more and more complex; the functions of government are becoming more and more extended; with the result that we have great variety of political opinion and finer shades of party

differentiation. And we are finding by bitter experience that a kind of Government quite suitable for past conditions is utterly unsuited to present circumstances. Take our own Federal Parliament as an example. Since the retirement of Mr. Barton we have had no less than four separate Governments—the first Deakin Government, the Watson Government, the Reid Government, and what I may call the No. 2 Deakin Government. These Governments have had each an average life of only about eight months, and not one of them has been able to do any solid work for the country, for the simple reason that they have been devoting nearly all their energies to preserving their existence and repelling the attacks of their enemies. We have had no end of speeches, numerous alliances and counter-alliances, several coalitions, constant intrigues, and a vast quantity of political froth, but absolutely no real work done. In the States things have not been much better. Since 1901, Western Australia has had five Ministries—the first Leake Ministry, the Morgans Ministry, the second Leake Ministry, the James Ministry, and the present Dalglish Ministry; and during the last month or two we have had so much uncertainty and so much political turmoil, that many people declare, and I believe with a considerable show of reason, that the prosperity of the country is in consequence seriously retarded. There can be no question that the root of these evils is the fact that we still cling tenaciously to a form of government which presupposes the existence of two parties, in spite of the fact that the two parties no longer exist. In my opinion there are only two ways of remedying the evil. One would be to restore the two parties, and the other to adopt some modification of governmental procedure in harmony with the new position. I need hardly say we cannot restore the old condition of two parties. It will be remembered that Mr. James a little more than a year ago appealed to this country in favour of two parties; and the country replied to that appeal by returning three parties to this House. [MR. BURGESS: Opposed to him?] That is a purely subordinate matter, and does not affect the issue before the House. Mr. Deakin,

some time before, made an appeal on practically the same issue, and the result was that the Commonwealth, with callous obstinacy, persisted in returning three parties almost equal in numerical strength. There is no means known whereby the country can be divided into two parties, if the country itself persists in dividing itself into three parties, or four parties, or fifty parties.

MR. MORAN: Has the world ever seen two closely combined parties? I know of no case.

MR. NELSON: I do not say that the world has ever seen two absolutely homogeneous parties; but that does not alter the fact that, broadly speaking, we have a greater number of parties to-day, and a greater variety of political opinion, and a greater complexity of political thought, and that out of this greater complexity there have arisen new conditions which are trying severely the old parliamentary system. The only remedy, in my opinion, is to change the form of government, as I have already indicated, in harmony with the new conditions; and that can best be done, I submit, by the adoption of the principle of elective Ministries. The distinguishing characteristic of an elected Ministry may be stated in a few words. The system has been long in successful operation in Switzerland, one of the best-governed countries in the world, and one which has already provided Australia with an expedient, the referendum, that has proved on many occasions, and particularly in connection with the establishment of the Commonwealth, to be of great political utility. The three chief features of the Swiss Ministry are—firstly that it is elected by Parliament for a fixed period of three years, and secondly that it has no power to force a dissolution.

MR. MORAN: That is very important.

MR. NELSON: I can quite understand why the member for West Perth appreciates the importance of that clause.

MR. MORAN: The member for Hannans also has a kind of liking for it.

MR. NELSON: I would rather desire a dissolution than otherwise; because, in spite of the fact that I was returned by nearly a two to one majority, I think a ten to one majority would suit me better. I am afraid the member for West Perth is fully alive to the fact that he was

only returned by fifteen votes, that he does not represent a majority of his constituents, and that he does not desire to have that undesirable set of circumstances rendered still more undesirable.

MR. MORAN: The member for West Perth may be an opponent of yours next time, if you do not be careful.

MR. NELSON: I should like the member for West Perth to suppress his Hibernian exuberance and listen, when he has the opportunity, to a little political wisdom. As I was saying before the somewhat unmannerly interjections with which the member for West Perth interrupted the flow of my speech—

MR. MORAN: The "reading" of your speech.

MR. NELSON: I may say that I am confining myself very largely to my notes on account of the fact that a very interesting ceremony is to take place in a very short time. If I were to let myself loose on this subject, I might occupy the attention of the House for something like two or three hours; so in order to practise that brevity for which I have acquired some notoriety, I am confining myself somewhat carefully to my notes. The third feature in connection with the Swiss Federal Ministry is that it is not a party Government, but merely an executive committee for the management of the business of the nation. The system works admirably. Switzerland has good laws, and they are well administered; but, above all, there is stability of government. The unseemly party fights which frequently disgrace Australian Parliaments are utterly absent from the Parliament of Switzerland; and that is not because the members of the Swiss Parliament are of one political opinion. On the contrary, there are three parties in that Parliament, some of them very hostile to each other. In fact, the Catholics and anti-Catholics are strongly represented, and are very hostile to the aims of each other. Yet despite this, there is no unseemly wrangling; there is much eloquent and useful debate, and also there is a great deal of wise legislative and administrative work. I have no hesitation in saying that this is almost solely due to the fact that the Government is a non-party Government; and that is due to the fact that Ministers are elected for the whole life of a Parliament.

Men do not waste time in debating the policy of the Government, for in a sense the Government has no policy, save the wise policy of getting on with the business of the country. There is no constant scheming to remove Ministers. The Ministers are irremovable. There are no premature dissolutions calculated to frighten timid members. There are no threats of going to the country, and there are no ministerial reconstructions. Parliament legislates; the Ministers administer the affairs of the country; and a Minister no more thinks of giving up his office because Parliament carries, or refuses to carry, a political measure, than a Judge refuses to administer a law because the law may not agree with his opinion.

MR. GREGORY: Whose quotation is that?

MR. NELSON: It is a quotation from a writer to whose ability I can testify. It is a quotation from the member for Hannans. Members may possibly remember a story of how an Irishman went on one occasion to try to secure a situation. The master told him that it was absolutely necessary that he should have a good character, and the Irishman went and wrote out a most eulogistic character of himself and took it to the employer, who said "Splendid! admirable! most excellent!" But when he came to the end he said "You have written this yourself." "But who, sir," said Michael, "should know my own character better than I do?" Who should be able to express a more qualified opinion of the writings of the member for Hannans than the member for Hannans himself? What I was about to say—[MR. MORAN "Read"]—was that the wise, stable government enjoyed by Switzerland is not due to the superior virtues of the Swiss people. We have no reason to believe that they possess the qualities of wise citizenship in a higher degree of development than the people of, say, Australia. It is due, in my opinion, solely to the fact that they have adopted a wise system of government which prevents scrambling for office by removing the causes that lead to the scrambling for office, and which ensures a continuity of administration and stability of government by providing the conditions on which these blessings must ultimately and necessarily rest. I have no hesitation,

therefore, in saying that the same wise system, if adopted in this House, would produce the same desirable results. I may here point out that Switzerland sets us an example in more ways than one, and, above all, in the matter of economic administration. The President of the Swiss Republic receives a salary of £550 per annum, while the Ministers receive £480 each.

MR. MORAN: That is equal to at least £1,000 here.

MR. NELSON: Not quite. I may again remind my hon. friend that I am referring to the Swiss Federal Parliament, representing a greater population than that of Australia. And when we remember that persons holding highly lucrative positions, carrying with them much larger salaries than those they would get as Ministers, accept office as Ministers, I think it is highly creditable to the patriotism of the Swiss people that they can find men of the highest honour and ability willing to sacrifice these lucrative positions in order to be privileged to perform the duties of governing the country. I feel sure that, in view of what has happened in this House during the last few weeks, I will be pardoned for asking hon. members to seriously consider the motion. The time has come when this House should seriously determine whether or not it be possible, without adopting any visionary scheme and without departing from the spirit of our parliamentary system, to adopt some modification of the parliamentary machine calculated to prevent the waste of time involved in constant conflicts between the "ins" and the "outs," and to secure that continuity of administration and stability of government so necessary to the welfare and prosperity of the country. It has been well said that the system of government now in vogue consists of one half of the House trying to govern the country, while the other half of the House is trying to prevent them from doing so. We have too much talk, we do too little work. I am very far from thinking that great public questions should not be fully and thoroughly discussed in this House. On the contrary, I know of no more useful function performed by Parliament than that of wise discussion. Parliamentary debate,

with all its defects, has at least this merit: it stimulates interest in public affairs, it educates public opinion, and it impels the people to take an interest in what is after all their own business. I sometimes think that there is a sort of struggle for existence between ideas, comparable to the struggle for existence that takes place throughout the plant and animal kingdom; and that full and fair debate is the means by which weak and worthless ideas are eliminated, and wise and fruitful ideas are made to triumph. There was philosophy as well as eloquence in Milton's mighty words:—

Let truth and falsehood grapple. Whoever knew truth to be worsted in fair and open encounter?

In proposing elective members, therefore, I am doing so not because I seek to limit or discourage wise controversy, but precisely because I desire to enhance the quality and increase the utility of parliamentary discussion. At the present time, as every hon. member knows, great questions are not discussed on their merits. Our great end is not as it ought to be, to discover what is true in order to do what is right. The great end on the Government side of the House is to defend the Government in power, and on the other side of the House to attack and discredit it. On the Government side of the House members frequently justify what they believe to be wrong in order to keep the Government in office, and on the Opposition side of the House members frequently attack what they believe to be right in order to, if possible, weaken the Government in the eyes of Parliament and the country. It seems to me, therefore, that if we could devise some system of government whereby ministerial office would be independent of party discussion or party votes, the whole tone of Parliament would be raised, and parliamentary controversy would have imparted to it a dignity, a sincerity, and a value it does not now possess. Let me say right here that I do not think the principle of elective Ministers involves any fundamental constitutional departure from the present system. As a matter of fact, Parliament now elects the Ministry, though it does so in a round-about way. The Premier for the time being is Premier by virtue of the fact that he has the confidence of a majority of this House; and

he can only continue to enjoy that confidence by selecting as his colleagues a team likely to be acceptable to that majority. That being so, the Ministers are, indirectly at any rate, elected by this House. The most serious departure from the constitutional practice of Great Britain and her self-governing colonies involved in my proposal is the fact that Ministers, once elected, could not be dismissed for political reasons. And why should they? Why should a good Minister for Works, say, be replaced by a bad one, merely because the House does not agree with him in a matter of political opinion having absolutely no bearing on his work and value as an administrator? Why should we insist that a Minister should hold a particular political faith any more than a Speaker should do so? If an honest and fair-minded man can perform the duties of a Speaker, independently of his political convictions, how comes it that a Treasurer or a Minister for Lands or a Minister for Works cannot perform the duties of his department, irrespective of the brand of his political faith? In selecting a Speaker, this House, regardless of political considerations, selects the person most likely to discharge the duties of that position worthily and well; and in selecting a Minister the House should act on the same sound principle. And, indeed, the House would in all probability do so were it not for the fact that ministerial office, under the present practice, is dependent on a party vote. At the present time, for example, the Leader of the Opposition—and I do not blame him—is constantly on the watch, constantly trying to invent some political reason for putting the present Ministry out and getting one of his own choice in. He is driven to constantly scheme to defeat the Government, and the Government are driven to constantly scheme to prevent defeat. If elective Ministries, with fixed periods of office, were adopted, both the Government and the Opposition would devote themselves less to the game of politics and more to the business of the nation. At the present time politics are a gamble, and I desire to make them a serious business. I am quite aware that formidable arguments have been urged against the system of elective Ministries. One of the most

formidable of these was urged at the Federal Convention by Mr. Carruthers, the present Premier of New South Wales, in reply to Sir Richard Baker, who had moved a motion in favour of the plan I am at present advocating. It was contended by Mr. Carruthers that a Ministry elected by Parliament would be composed of men from different parts of the House, holding conflicting opinions, and possibly even personally hostile to each other; and that such a Ministry could not act effectually and harmoniously. Now this objection, however strong it might be against a party Cabinet, has little or no force against a non-party one. No doubt a party Government selected for party reasons to do party work must, in order not to become a farce, be composed of men holding the same political convictions. But a non-party Cabinet, existing primarily for administrative work, would be none the worse, and even all the better, for being composed of persons of different political ideas, so long as they were capable and honourable men, zealously devoted to the interests of the nation. Let me explain briefly how this system obtains in the national council of Switzerland. The Ministers are elected by the Assembly, and each individual Minister is responsible for the administration of his particular department.

MR. MORAN: To Parliament?

MR. NELSON: To Parliament, for the administration of his particular department. They meet together and decide by majority.

MR. MORAN: The Cabinet?

MR. NELSON: The Cabinet, the Government, the Ministers; they do not call it a Cabinet.

MR. MORAN: That at once destroys Ministerial responsibility.

MR. NELSON: I will explain if the member will listen. They do not call it a Cabinet, and I need not inform the hon. member that the word "Cabinet" was originally a term of reproach, as the word "caucus" is to-day. The Ministers meet together and agree to recommend to the House the adoption of certain measures. Sometimes they are unanimous on these, but it is quite a common thing to have two Ministers, one rising after the other, stating opposite opinions. Yet that does not interfere in the

slightest degree with the administrative work of the country, nor do the people of Switzerland regard it as we would regard it, because we have been so long accustomed to the party system, as something to be wondered at or objected to. I say farther that the Ministries are essentially administrative Ministries. They consist of a number of men appointed by the Parliament to do the executive work of the nation. These members can speak, although they cannot vote in Parliament. They can speak in support of measures, they can exercise their influence; but so long as they continue to do their work well and administer the law well as it is, the mere fact that they do not agree with the majority of the House with regard to some political Bill suggested does not in the slightest degree bring on them a vote of censure or interfere with the good government of the country. I hope I have made that plain. For example, even in this House, were we to put the hon. member for York and the member for Mt. Margaret, it may be, in a political Cabinet, I believe we would have ructions; I believe we would have trouble; yet it very frequently happens that we have members from both sides of the House sitting on a select committee, and in spite of differences of opinion they conduct the business of the committee successfully and well. In fact, I am of opinion that some of the most successful work performed in the House is performed by these committees.

**THE MINISTER FOR LANDS:** That is on a specific subject?

**MR. NELSON:** Every subject is a specific subject if you look at it in a specific light. The interruption of the Minister for Lands is utterly beside the point, and has no bearing. What I say is that our select committees prove that a great amount of work transacted by the House is at any rate of a non-party nature; and for my part I hold that all administrative work is of a non-party nature. Nearly all the work done by the Minister for Lands, the Minister for Mines, and the Minister for Justice is of a non-party nature; and I want to know why, if we have good men carrying out laws as they ought to be carried out, with honour and capacity, we should hound those men from office because on some point not bearing on their office they disagree with

a majority of the members of the House. I say we should differentiate more than we do between the purely legislative and the administrative functions of government. I find, for example, as I have already stated, that select committees appointed by this House generally perform good work, despite the fact that they are invariably composed of men chosen from all parts of the House; and there is no reason why Cabinet should not confine itself to administration and leave legislation to Parliament. It may not be wise—I do not think it would be—to adopt the system of the United States of America of entirely separating the executive from the legislative functions of government, to insist upon the executive being composed of men outside the Legislature. But surely there should be more specialisation than at present obtains. Surely the work of administration should be performed by men appointed to the position not by virtue of their fitness to make laws or make speeches, which is a special kind of ability, but by virtue of their fitness to administer the laws already made; by virtue of their possessing the character and the capacity to manage, to organise, and to administer the affairs of the country. Just in proportion as political considerations cease to influence the appointment of Ministers, and just in proportion as they are appointed for their fitness to do the special work of their departments, in like proportion will it become a matter of profound indifference whether Ministers agree with each other politically or not, and whether they agree politically or not with a majority in this House. I would like also to point out here, in conclusion, that in my opinion elective Ministries could be adopted without any alteration of the Constitution. [MR. BURGESS: How?] I will explain that. Theoretically, of course, the Governor appoints an Executive to advise him. The theory of the Constitution is that the King, and here his representative the Governor, selects a number of men to advise him. As a matter of fact, we all know that the Governor does not do anything of the kind. The Premier really under present circumstances selects the Ministers.

**MR. MORAN:** But the Premier is selected by the Governor.

MR. NELSON: I cannot imagine anything more foolish than that a member of this House, with some knowledge of the forms of the House and some knowledge of constitutional practice, should imagine for one moment that the Governor selects the Ministers of this House. He selects the Premier because, as a matter of fact, the Premier is entitled to form a Government solely by virtue of the fact that he has the confidence of a majority of this House; and if the Premier performs his task in a manner which creates dissatisfaction and is hostile to the wishes of a majority of the House, the result inevitably is that the Premier is defeated, and some other man selected by this House is sent for by the Governor.

MR. H. BROWN: That position obtains at the present time.

MR. MORAN: Mr. Crick's case, in New South Wales.

MR. NELSON: I repeat, and I think every person ought to know it, that the root principle of the government under which we live, of the Constitution to which we are pledged, is that the people shall elect Parliament and that Parliament shall select the Ministers, and that the Governor is purely a nominal force. All the power he has, all the dignity he has, all the functions he exercises, are exercised in accordance with the will of the people as expressed by the Parliament elected by the people. I submit, therefore, that theoretically the Governor appoints an executive to advise him, but what takes place is that the Ministry nominally selected by the Governor is really indirectly selected by this House, and can only continue to carry on the work of the country so long as it has the confidence of a majority of the House. If a majority of this House, for example, should recommend that certain persons should carry on the Ministerial offices of this State, I have no doubt whatever that the Governor would be just as willing to carry out our recommendation under these circumstances as he is now willing to carry out the recommendation of the Premier, who acts in harmony with precisely the same principle. I say, therefore, there is no constitutional obstacle. I see no reason whatever why the motion I have moved should not be accepted by this House, and I see no

reason why the Government—whichever Government may be in power—should not take some practical steps to embody that motion in law, in order that we may have a real Parliament of wise men legislating in the best interests of this country, instead of a Parliament of office-seekers governed very largely by personal hatred and personal dislike, rather than by a sincere and noble desire to promote the lasting welfare of the people. I have the greatest pleasure in moving the motion standing in my name.

MR. E. P. HENSHAW (Collie): I second the motion.

On motion by MR. RASON, debate adjourned.

BILL—ELECTRIC LIGHTING ACT  
AMENDMENT.  
IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

ADDRESS-IN-REPLY, PRESENTATION.

At 4.42, MR. SPEAKER and hon. members proceeded to Government House to present to His Excellency the Governor the Address in Reply to the opening Speech; and having returned to the Legislative Chamber,

MR. SPEAKER read the following reply from his Excellency:—

MR. SPEAKER AND GENTLEMEN OF THE  
LEGISLATIVE ASSEMBLY,—

I thank you for your Address in reply to the Speech with which I opened Parliament, and for your expression of loyalty to our Most Gracious Sovereign.

FRED. G. D. BEDFORD, Governor.  
Government House,  
Perth, 2nd August, 1905.

ADJOURNMENT.

The House adjourned at twelve minutes to 6 o'clock, until the next day.