

(No. 98.)



1878.

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TASMANIA.

HOUSE OF ASSEMBLY.

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DELORAINÉ BRIDGE:

CORRESPONDENCE.

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Laid upon the Table by the Minister of Lands, October 15, 1878, and ordered  
by the House to be printed.



*Deloraine, 19th January, 1877.*

SIR,

I HAVE the honor to forward an application received from the contractor for Deloraine Bridge, asking for an extension of time for completing the work. I think the application reasonable, as I am aware that the several causes of delay named by him have arisen, and must have tended to retard the progress of the work. The contractor has also applied to me to sanction an expenditure of Ten pounds for making an approach to the old bridge, so that the traffic may not be interrupted, as the wing wall, at the east end of the bridge, which he is just about to commence, will entirely cut off the approach to the old bridge. An early answer to this application will oblige.

I also desire to draw your attention to the fact that no provision has been made in the contract for lamps for the new bridge; the promoters therefore ask your sanction for an expenditure to provide three lamps, viz., one at each end and one in the centre of the bridge.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*The Hon. the Minister of Lands and Works.*

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REFERRED to Mr. Frith for his remarks. Reply desired by return post.

By order of Minister,

WILLIAM SMITH.

5. 2. '77.

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MEANDER BRIDGE, DELORAINE.

*Time.*—The contractor has had the causes of delay named, but not to the extent named; he might have used more exertion when he had material. Allow the contractor 8 weeks; after that inflict the penalty. [Approved.—C. O'R. 8 Feb. 1877.]

The temporary bridge claim is optional; who gave instructions for it? It has been a great convenience to the public, and the charge is reasonable.

*Lamps.*—No instructions were given for lamps,—I should not have thought them requisite; but if the Promoters think them necessary I will make a design for them, to be in keeping with the structure.

JOHN R. FRITH, *Overseer of Works.*  
6. 2. '77.

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THE application of contractor for sanction of an expenditure of Ten pounds, for making an approach to old bridge, is referred to the Promoters for their observations or recommendations thereon. It appears from the Memo. of Mr. Frith that the matter is optional.

C. O'REILLY.  
9 Feb. 1877.

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*Deloraine, 11th April, 1878.*

SIR,

I HAVE the honor to forward you an account due to Messrs. J. & G. Castley for lamps supplied for Deloraine Bridge, amounting to £1 10s., and to request that a cheque for the same may be forwarded to them.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*The Hon. the Minister of Lands and Works.*

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REFERRED to Overseer of Works for his Certificate.

J. F.  
20. 4. '78.

I KNOW of no authority for this expenditure.

J. F.  
25. 4. '78.

LOCAL PUBLIC WORKS ACT—DELORAINE BRIDGE.

Governor's Authority—  
Supervision and Contingencies— 6. 12. '75..... 150.  
22. 10. '77..... 100

£250

TASMANIA.

HER MAJESTY'S GOVERNMENT Br.

To J. & G. CASTLEY.

1878.	<i>Deloraine Bridge.</i>	£ s. d.
March 31.	Four 1-inch Lamps to order, 7s. 6d. ....	1 10 0

Amounting to One pound ten shillings.

(Signature of Claimant)—J. & G. CASTLEY.

R. H. MUNCE, *Chairman Promoters.*

Certified correct; Lamps delivered, and reasonable price.

JOHN R. FRITH, *Overseer of Works.*  
23. 4. '78.

RECEIVED from the Colonial Treasurer the sum of One pound ten shillings, being the amount of the above Account of Particulars.

(Signature of Recipient)—J. & G. CASTLEY.

*Lands and Works Office, Hobart Town, 30th April, 1878.*

SIR,

I SHALL be glad of some explanation on account of Messrs. J. & G. Castley for 4 lamps for Deloraine Bridge, as without this the claim will not pass audit.

The articles in question can scarcely be considered a part of the bridge, or a charge that can legitimately be made under the provisions of "The Local Public Works Act," and is certainly without precedent.

I am, &c.

NICHOLAS J. BROWN.

R. H. MUNCE, *Esquire, Deloraine.*

*Deloraine, 2nd May, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 30th April, asking for an explanation of Messrs. J. & G. Castley's account for lamps. All the explanation I can give is, that it was considered necessary to have lamps on the bridge; lamp pillars and lanterns were supplied by Mr. Wm. Peter, of Launceston Foundry, to the order of Mr. J. R. Frith, and the lamps would have been supplied with them but suitable ones could not be procured. Of course, the bridge could not be lighted without lamps, and the Promoters, considering it quite legitimate so to do, ordered them from Messrs. J. & G. Castley, whose account for same you have. I may add, that no unnecessary expense was incurred as the lamps are of the very commonest description.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*The Hon. the Minister of Lands and Works.*

REFERRED to Mr. Frith for information as to authority for purchase of the expensive lamp pillars and lanterns supplied for this bridge.

J. FINCHAM.  
8. 5 '78.

I AM surprised that Mr. Munce should say that I ordered the lamp-posts. By this letter it is made to appear that I ordered them on my own authority; whereas I met Mr. Munce on the bridge, he spoke about the lamps, and that the Promoters had been in communication with Mr. Peter about the lamps, but had not come to a decision about the form; he requested me, as I was going to Launceston, to see Mr. Peter and arrange for 4 posts, not to exceed £10 each. This I did at that price, fixed complete.

JOHN R. FRITH.  
12. 5. '78.

*Deloraine, 8th May, 1878.*

SIR,

I HAVE the honor to forward an account from Mr. Wm. Peter for £38 10s. for lamp-posts supplied for Deloraine Bridge to the order of Mr. J. R. Frith, and to request that a cheque for same may be forwarded.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*The Hon. the Minister of Lands and Works.*

REFERRED to Mr. Frith for explanation, no authority having been given for the purchase of these lamps.

JAMES FINCHAM, *Engineer-in-Chief.*  
10. 5. '78.

SEE my answer from the Leven last week.

J. R. F.  
23. 5. '78.

### TASMANIA.

THE GOVERNMENT OF TASMANIA *Dr.*

*To WILLIAM PETER.*

1877.		£	s.	d.
November 19.	To 4 Lamp Posts supplied to the Promoters of Deloraine Bridge, as per agreement ..	40	0	0
	Allowed, 4 Lamps supplied by the Promoters .....	1	10	0
		£38	10	0

Amounting to Thirty-eight pounds ten shillings.

(*Signature of Claimant*)—WILLIAM PETER.

Correct—JOHN R. FRITH, *Overseer Works.*

6. 5. '78.

R. H. MUNCE, *Chairman Promoters.*

RECEIVED from the Honorable the Colonial Treasurer the sum of Thirty-eight pounds ten shillings, being the amount of the above Account of Particulars.

WILLIAM PETER.

THERE is no authority for this expenditure, and I consider it a charge that should be borne by the Municipality rather than by the Government.

J. FINCHAM.  
30. 5. '78.

PROMOTERS to be informed that this claim cannot be recognised by the Government.

NICHOLAS J. BROWN.  
31. 5. '78.

*Lands and Works Office, Hobart Town, 7th June, 1878.*

SIR,

WITH reference to accounts forwarded to this office for lamps, Deloraine Bridge, £38 10s. and £1 10s., I beg to inform you that no application for these lamps was received at this office, nor was any authority given by this Department for the same; and as the expenditure in question is for the purpose of lighting the Township of Deloraine, and appears to me to be one that should be borne by the Deloraine Municipality, the claims referred to cannot be recognised by the Government.

I am, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

R. H. MUNCE, *Esq., Deloraine.*

*Deloraine, 13th June, 1878.*

SIR,

I AM in receipt of your letter of the 7th instant, informing me that the Government cannot recognise the claims for lamp-posts and lamps for Deloraine Bridge, on the ground that no application was made to your department for the same, and that they were not authorised. I am astonished at such a statement coming from the head of the Lands and Works Office, as the correspondence on the subject must, or at least should be, on the records of your office.

The application was made to your predecessor in office on the 19th of January, 1877, and was referred by him to Mr. Frith for his report. Mr. Frith's report, dated 6th February, 1877, being to the effect that he had not thought lamp-posts requisite, but "as the Promoters deemed them necessary he would prepare a design for them to be in keeping with the structure." That report was forwarded to me by the Minister of Lands as an answer to my application; and, in accordance with the report, Mr. Frith forwarded me a design for the same on the 19th of March, 1877, and finally arranged with Mr. Peter for the work shortly after the bridge was opened for traffic in May, 1877.

I shall be glad to learn as soon as possible whether, in face of the foregoing circumstances, the Government persist in refusing payment of the claims in question.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*The Hon. the Minister of Lands and Works.*

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*Lands and Works Office, Hobart Town, 29th June, 1878.*

SIR,

I AM in receipt of your letter of the 13th instant, *re* Expenditure incurred by Promoters for Lamps, Deloraine Bridge, wherein you express your astonishment at the statements contained in my communication of the 7th instant with reference to the accounts for these articles.

In reply, I desire to point out that the letter to my predecessor of 19th January, 1877, to which you refer as being the application for these lamps, treated also of two other matters in connection with the Deloraine Bridge, viz.: extension of time, and claim for temporary bridge; and when these items had been finally dealt with, the letter in question was filed with papers *re* this bridge, as no instructions had been given with respect to the lamps.

This letter was referred by this Department to Mr. Frith for his remarks, which were received under date 6th February, 1877, and upon same the following memo. was endorsed by my predecessor:—"The application of contractor for sanction of an expenditure of Ten pounds, for making an approach to old bridge, is referred to the Promoters for their observations or recommendations thereon. It appears from Mr. Frith's memo. that the matter is optional."

You will perceive from this memo. that there is no mention whatever as to lamps, the other two matters then under consideration having only been dealt with. The reference to lamps made by Mr. Frith in his memo. was to my predecessor as head of the Department, who, if he had wished to give any instructions thereon, would then have done so; and I am at a loss to understand how you could take this reference from Mr. Frith to the head of the Department (unnoticed by my predecessor) in communicating to you thereon as an authority to treat for the purchase of lamps, &c.

The remarks made by Mr. Frith to my predecessor are such as certainly, to my mind, do not convey the construction you have placed upon them. On the contrary, he there points out that he "had received no instructions, and should not have thought them requisite."

You will therefore see that it was through entire absence of any instructions on this matter which caused the letter in question to be overlooked, and led the Clerk, in preparing the previous communication for my signature, to state that no application had been received; and, under these circumstances, it was plainly the duty of the Promoters, should they have desired to incur the expense, to have again applied for the necessary authority for the same.

I beg, therefore, to inform you that the further enquiry which I have given to this matter has not led to any other conclusion than that contained in my communication of the 7th instant; and the claims in question cannot, under these circumstances, be entertained.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

R. H. MUNCE, *Esquire, Deloraine.*

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*Deloraine, 8th July, 1878.*

SIR,

I AM in receipt of your letter of the 29th June, "*Re Accounts for Lamp-posts and Lamps for Deloraine Bridge.*" You refer to Mr. Frith's report on this matter, and say—"I am at a loss to understand how you could take this reference from Mr. Frith to the head of the Department (unnoticed by my predecessor), in communicating to you thereon, as an authority to treat for the purchase of lamps, &c." I beg to point out that you are in error, inasmuch as the Promoters did not treat for the purchase of these lamp-posts: it was Mr. Frith who did so. You go on to say—"The remarks made by Mr. Frith to my predecessor are such as certainly, to my mind, do not convey the construction you have placed upon them: on the contrary, he there points out that he had received no instructions, and should not have thought them requisite." Now, I quite agree with you that I could not have drawn the conclusion I did from Mr. Frith's report, had it ended here; but I beg to point out that you have quoted just enough of the report to support your view of the case, and suppressed the concluding part which, I maintain, quite supports my case, and warrants the conclusion I drew from it. The report concludes with these words:—"But, if the Promoters deem them necessary, I will prepare a design for them, to be in keeping with the structure." You will observe Mr. Frith says plainly—"I will prepare a design for them." Now, Sir, I put it to you whether such a remark from an official to the head of his Department, passing unnoticed, as you term it, was not equivalent to an assent. If ever there was a case where silence could be said to give consent, it was this. I ask you, as head of the Department, whether, if such a report came to you from Mr. Frith, you would not consider it your duty to instruct him that such a course could not be sanctioned? Your predecessor, no doubt, saw no objection to the expenditure, consequently he allowed Mr. Frith to act up to the terms of his report. I trust, therefore, you will reconsider this matter, and pass the items in question.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*The Hon. the Minister of Lands and Works,  
Hobart Town.*

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*Lands and Works Office, Hobart Town, 18th July, 1878.*

SIR,

I AM in receipt of your letter of the 8th instant, in reply to my communication of the 29th ultimo, with reference to Accounts for Lamp-posts and Lamps for Deloraine Bridge.

The Promoters are already in possession of my views upon this subject; and, no information with which I was not previously acquainted having been disclosed in your letter under reply, I have the honor to inform you that the decision conveyed to you in my communication of the 29th ultimo is final, and the claims in question cannot be recognised.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

R. H. MUNCE, *Esq., Deloraine.*

## DELORAINÉ BRIDGE.

*In continuation of Paper, H.A., No. 98.*

[Laid upon the Table by the Minister of Lands, and ordered by the House to be printed, November 1, 1878.]

*Deloraine, 26th October, 1878.*

SIR,

I HAVE had forwarded to me by J. Henry, Esq., a printed form of the correspondence re lamp-posts and lamps for Deloraine Bridge; and on page 5 of the said correspondence I find a communication from Mr. J. R. Frith, dated 12th May, 1878, as follows:—"I am surprised that Mr. Munce should say that I ordered the lamp-posts. By this letter it is made to appear that I ordered them on my own authority; whereas I met Mr. Munce on the Bridge, he spoke about the lamps, and that the Promoters had been in communication with Mr. Peter about the lamps, but had not come to a decision about the form; he requested me, as I was going to Launceston, to see Mr. Peter and arrange for 4 posts, not to exceed £10 each. This I did at that price, fixed complete."

I must, in the first place, express my astonishment that I was not furnished with a copy of this statement from Mr. Frith, inasmuch as it contains a direct contradiction of the statements made in my communications on this subject, of which I have been in ignorance up to the present moment, and consequently have had no opportunity afforded me of replying to it. In the second place, as regards Mr. Frith's statement, I have no hesitation in stating that it is utterly untrue, and contrary to the facts of the case. Instead of my telling Mr. Frith "that the Promoters had been in communication with Mr. Peter about the lamps, but had come to no decision about the form, and requested him to arrange with Mr. Peter for 4 posts," the fact is that Mr. Frith asked me what the Promoters had done about the lamps. I told him that the Promoters had employed Mr. Higgs to prepare a design for a cast-iron pillar and lamp. That Mr. Higgs had done so; and that the Promoters had approved of the design, subject to the cost being reasonable, and that I was waiting for Mr. Higgs to furnish an estimate for the same. Mr. Frith then asked to see the design. I showed it to him, and he expressed his approval of it, and said if I would let him take the design he would arrange with Mr. Peter for them, as he knew he could get them done cheaper than Mr. Higgs could. I did so, and at once wrote to Mr. Higgs informing him of the arrangement, and telling him to take no further steps in the matter. You will thus see that Mr. Frith took the entire responsibility in the matter; and in order to show further that Mr. Frith was willing from the first to take the initiative in the matter, I enclose copy of correspondence with Mr. Frith on the subject; and I have to request that this letter and enclosures be added to the correspondence already printed, in order that the matter may be seen in a true light.

I have, &amp;c.

R. H. MUNCE, *Chairman Promoters.**The Hon. the Minister of Lands and Works.**Launceston, 19th March, 1877.*

DEAR SIR,

ENCLOSED design for a lamp-post for the bridge. I think it a suitable one. I can get the iron-work done for £5 7s. 6d. each. The lamps will be about £1 each. I should like to see 4 of them. You will oblige by early intimation if you will have them, and how many.

JOHN R. FRITH, *Superintendent Works.*R. H. MUNCE, *Esq.*

MEMO.

By this letter it will be seen that the movement for lamps, &c. originated with Mr. Frith; the above letter, with design, estimate, and recommendation to have 4 lamps having been furnished by Mr. Frith without any application from the Promoters to him.

R. H. MUNCE, *Chairman Promoters.*

*Deloraine, 27th March, 1878.*

DEAR SIR,

THE Promoters have inspected your design for lamp-post, and they think a fluted cast-iron pillar, something similar to the lamp-posts in town, would be more substantial and more suitable. Will you kindly let me know if these can be obtained, and what price? Would there be any difficulty in fixing them securely on the stone-work? The Promoters have decided, in accordance with your recommendation, on having 4 lamps, viz., two at each end.

I have, &c.

R. H. MUNCE, *Chairman Promoters.*

*Mr. J. R. FRITH, Launceston.*

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*Launceston, 18th April, 1878.*

DEAR SIR,

I HAVE been unable till to-day to get the price of the lamp-posts for the bridge of the description you wished. I now enclose you a note from Mr. Peter of the foundry. If you decide on this pattern, same as those in Launceston streets, please communicate with Mr. Peter direct, as I shall be in Hobart Town the next fortnight. I have explained all the particulars to him. Excuse me giving my opinion against yours on this matter. I think if you adopt the cast fluted pattern you will be disappointed when they are fixed. They will be out of character with the bridge, will look bare and lanky, and no stronger than the wrought-iron design. This design, with scroll-work of 1 inch square wrought iron will be unbreakable and handsome, and only about £1 more cost. I will arrange with a party to make and glaze the lamp itself; and if you let me know your decision, I will see them properly made. Should you have any communication to make during the next fortnight, address to me at the Public Works Office, Hobart Town.

I am, &c.

JOHN R. FRITH.

R. H. MUNCE, *Esq.*

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MEMO.

WILL the Hon. the Minister of Lands please to observe that the tenor of this letter is sufficient to disprove Mr. Frith's statement of 12th May, 1878,—“That I told him the Promoters had been in communication with Mr. Peter about lamp-posts.” The above letter shows that Mr. Frith himself had been in communication with Mr. Peter on the subject.

R. H. MUNCE, *Chairman Promoters.*

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