

**Record of the
Proceedings of the Queensland Parliament**

...
**Legislative Assembly
24th July 1861**

...
Extracted from the third party account as published in the
Courier 25th July 1861

The SPEAKER took the chair at ten minutes past three.

QUEENSLAND STEAM NAVIGATION COMPANY.

Mr. LILLEY presented a petition from Messrs. Pickering, Warry, Richards, and another, in favor of the incorporation of a company to be called the "Queensland Steam Navigation Company."

The petition was received.

CALABASHES.

Mr. WARRY, pursuant to notice, asked the Colonial Secretary—

"Whether it is his intention, in this or the next session of Parliament, to introduce a bill for the purpose of making illegal, printed pieces of paper called calabashes, which at present cause great inconvenience to the public, and particularly to the poor."

The COLONIAL SECRETARY replied, that the matter referred to should receive the careful consideration of the government during the recess. (Hear, hear, and laughter.)

COOLIE IMMIGRATION.

On the motion of Mr. HALY, the petition presented by him yesterday with reference to Coolie immigration, was ordered to be printed.

THE AUDITOR-GENERAL.

Mr. WARRY, pursuant to notice, moved—

"That, in the opinion of this house, it is undesirable that any person engaged on the permanent staff of the Audit and Revenue departments, or any other person entrusted with the collection or disbursement of the public monies, should be manager or director of any bank or public company, always provided that if this clause should become law, the said law shall not be considered retrospective."

He had not been present upon the debate upon an almost similar resolution on a previous occasion. He believed, however, that it partook largely of a personal character. He contended that the heads of departments should have no other employment than that for which they were paid by the government. If a man received £500 a year from government for performing the duties of a certain office, he should be compelled to devote all his energies to the duties of his office. The government had not been so ingenuous in this matter as they ought to have been. He was acquainted with one of the gentlemen at whom the resolution negatived by the house the other day was aimed, but he (Mr. W.) did not think that personal friendship for anybody should interfere with the expression of his opinion as a public man. He had occasion to consult with the gentleman to whom he referred who had told him that the government, after his acceptance of office, not only allowed him to be a director in public companies, but also permitted him to carry on business in the town of Ipswich. He (Mr. W.) contended that were this principle once admitted,

government officers would, in the way of trade or in the exercise of a profession, be enabled to commence an unfair competition with those professional or business men who did not hold government situations. With reference to a statement reported to have been made by the hon. member for Warwick (Mr. Gore), he would inform that hon. member that Mr. Holt when made a responsible minister, at once resigned his directorship of the bank. He trusted that this house would see the propriety of acceding to his resolution as all the persons outside to whom he had spoken had expressed their opinion that it embodied just and sound principles.

Mr. GORE stated that the hon. member had evidently been misinformed with regard to the statement attributed to him, or else it had been misreported. He had stated, on a former occasion, that he was fully alive to the impropriety of permitting responsible ministers to be bank directors. But that was not the question before the house; the question was, whether the head of a department might not fairly enter upon such duties as those referred to by the resolution, as long as he performed his duties under government to the satisfaction of the public at large.

Mr. R. CRIBB was proceeding at some length to argue that although it would be unfair to compel a responsible minister to forego private business, it would be perfectly legitimate to restrain a permanent head of a department from engaging in private commercial speculation, when a laugh which one of his observations elicited from the hon. member for Fortitude Valley, caused him to sit down, amid the laughter of the whole house, with the observation "that he would take his seat until the hon. member had done laughing."

The merriment caused by this announcement having subsided, Mr. Cribb rose to resume his speech, when

The COLONIAL SECRETARY rose to a point of order. The hon. member could not speak twice during the same debate. He had resumed his seat, and it was therefore but a fair assumption on the part of the house that he had concluded his speech.

The SPEAKER ruled that the hon. member (Mr. Cribb) having resumed his seat, could not speak again during the present debate. (Hear, hear, and loud laughter.)

Mr. LILLEY expressed his regret that his laughter had proved so disagreeable to the hon. member; at the same time he could not consent that that hon. gentleman should dictate to him when he should laugh or when he should restrain his merriment. He (Mr. L.) could notice the force of the argument used by the hon. member with respect to responsible ministers. The object of the resolution was ostensibly to elevate government officers above suspicion, but he had yet to learn that responsible ministers were less liable to suspicion than permanent heads of departments. He had objected to the resolution brought in by the hon. member (Mr. Forbes) the other day, upon principle, and for the same reason, he objected to the present resolution. The latter was even more objectionable than the government one, inasmuch as if the principle were a sound one there was no reason why it should not be made retrospective and apply to all existing servants of the crown. Again, he would ask the hon. Attorney-General if he would like to carry out the principle advocated by the mover of the resolution. (Mr. Warry), and give up all his private practice at the bar, for the sake of the office which he held in the ministry? (Hear, hear.) The house had already, he contended, expressed their dissent from the principle sought to be asserted by the resolution, and he could not see that any object could be gained by again bringing the matter forward.

Mr. FORBES expressed his inability to understand the resolution as worded. The latter portion of it contained the words "if this clause should become law." He could not conceive what clause was alluded to. He had brought forward his resolution the other evening in order to establish a principle. He failed to perceive that the present resolution was an improvement upon the one he had brought forward, which the house had refused to affirm.

The question was then put, and the resolution negatived without a division.

MESSAGE FROM LEGISLATIVE COUNCIL.

A message was received from the Legislative Council transmitting certain resolutions with

reference to the appointment of a responsible minister to transact the government business in that chamber. The Aliens Bill was also transmitted for the re-consideration of the Assembly, the Legislative Council insisting upon certain amendments which they had made in that measure.

NATIVE POLICE COMMITTEE.

The COLONIAL TREASURER, in moving the adoption of the report from the select committee appointed to enquire into the organization of the native police, and treatment of the aborigines, said that the committee had entered upon their investigations with a deep conviction of the vast importance of the subject, and a glance at the evidence would convince any one that, at any rate, want of industry could not be imputed to them. He was aware that the report would not meet the views of one or two hon. members in that house, and also of certain parties out of doors. He would endeavor to show that proper witnesses had been examined, that the evidence had been elicited in an impartial manner, and that the report had been framed in accordance with that evidence. The preamble of the report expressed regret that more than one witness capable of affording valuable information had been summoned, and had refused attendance. The house was aware that one witness had refused to attend. Three or four other witnesses had also refused to attend, he inferred, upon the same grounds. One of these was a Mr. Giles, whose testimony might have been of much value, but who alleged that important business prevented him from attending. Mr. Kent, the Police Magistrate, stated, however, that the gentleman alluded to had been, he believed, advised not to come. Another witness, Mrs. Lester, who was present when the house at Coochin-Coochin was surrounded by blacks, had also neglected to attend before the committee. In addition to the evidence would be found some reports from the missionaries, and a letter from Mr. Duncan, as well as one from Dr. Challinor, with reference to the treatment of the aborigines. All the procurable evidence bearing upon the matter had been collected. He found that this was the fourth report emanating from select committees which had been prepared upon this subject. The former enquiries had their origin, not in alleged murders committed by the police, but in the outrages committed by the blacks, and the necessity of putting the police upon a more efficient footing. All the committees appear to have come to one conclusion; and after the report before the house had been drawn up he had the opportunity of reading the report of the committee which sat some years back in Sydney, and he was struck with the similarity of that report to the one before the house. The committee in Sydney was not packed, as the one here was said to be, but was composed of all political parties, and the witnesses examined before that committee, were, with two exceptions, different from the witnesses examined before the present committee. The honorable member here proceeded to quote the first paragraphs of the report, setting forth the questions brought under the notice of the committee. The report then went on to state—

The whole weight of the evidence, with one or two exceptions, tends to prove—

“1. That any change in the organisation of this force by the substitution of white troopers for native, would destroy its efficiency. 2. That since its establishment and reconstruction under its present commandant, the destruction of property and loss of life on either side has considerably diminished. 3. That any attempt to disband the force suddenly, would, as on a previous occasion, lead to disastrous results.” With regard to the question of efficiency touched upon in the first paragraph, the report of the committee which sat in Sydney had come to the same conclusion. That committee also experienced a similar difficulty to the present committee, in procuring the attendance of witnesses. The honorable gentleman here quoted in support of his statement a portion of the report of a Select Committee appointed in Sydney in 1856. The report set forth that previous to the creation of the force murders were very frequent, and that since the introduction of the force such outrages were much fewer. The whole result of the investigation on that occasion was that the conclusion was arrived at that the native police force under proper management was admirably adapted to afford efficient protection to the lives and property of persons in the interior. The report of another committee in 1858 showed that a similar conclusion was arrived at, as did also the report of a committee of that house which sat last year. The present report recommended to dismissal of certain officers. Just previous to separation the force was in a high

state of efficiency, but since separation three of four officers had been appointed, none of whom had proved very efficient. The whole of the witnesses examined agreed upon the inexpediency of disbanding the force, with the exception of Messrs. O'Connell, Brown, Sheridan, and F. Walker. Mr. Mortimer was examined at great length, and his evidence was rather in favour of the continuance of the native police than otherwise. (The hon. member here proceeded to quote the portion of the report containing suggestions for the improvement of the internal organization of the existing native police.) The committee had investigated as fully as practicable the charges brought against certain of the officers of the force, and there was no doubt that on one or two occasions a great deal of unnecessary slaughter had been perpetrated. This appears to have been owing to the indiscretion of the officer in command, in the case which occurred upon the run of Messrs. Mortimer. A young officer unacquainted with the troopers had been sent with the men by the officer in command. The committee, it will be seen, have recommended the dismissal of Lieut. Murray, the officer in question, who had given the detachment upon that occasion to the charge of his junior. The principal question which the committee had to consider was how the blacks, who committed depredations, could be dealt with. There was only one law which they could understand. The officers had been occasionally guilty of indiscretions, but since the establishment of the Native Police Force depredations upon life and property in the unsettled portions of the colony had to a great extent decreased. He would now proceed to comment upon some of the evidence. The first witness examined was Mr. Frazer. The committee were told that he could give important evidence with regard to the occurrence upon the Messrs. Mortimers' run, but when he was brought up it was found he could not or would not give any material evidence with reference to that transaction. The next witness called was Dr. Challinor, who was examined with reference to the shooting of the blacks at Fassifern. The doctor had held a magisterial enquiry upon the dead bodies of the blacks supposed to have been shot on that occasion, and he likewise published a letter in the papers, addressed to the Attorney-General, impugning the evidence of some of the witnesses examined then. He said in that letter that he had received information from two independent sources impugning that testimony. He (the Colonial Treasurer) had wished to ask Dr. Challinor certain questions which the committee refused to allow him to ask. Other questions which had been put to this witness he declined to answer. On page 3 the following questions put to Dr. Challinor by himself (the Colonial Treasurer) would be found:—

"19. What was your reason for coming also to the assumption that some of the witnesses as to the death of these blacks did not give their evidence correctly on oath?—I may be allowed to state that that question enters into my conduct as coroner, and I dispute the right of the committee to enquire into my conduct as coroner. I am quite prepared to defend it before a committee prepared to do so; but I don't think it falls within the power of this committee to make these enquiries; I therefore decline to answer the question.

"20. You have stated in your letter to the Attorney-General that "the shooting of the said blacks is now distinctly and unequivocally traced to Lieutenant Wheeler and the detachment of the native police under his command, on the 24th day of December last"—(vide Appendix. Letter of Dr. Challinor to the Hon. the Attorney-General, January 29th, 1861)—I now ask you, how have you come to that conclusion?—From the depositions—the sworn depositions.

"22. I want to know how you came to the assumption that the whites on that occasion gave false testimony—you speak (vide Appendix) of your 'information being derived from two perfectly independent courses,' but that has nothing to do with the sworn evidence?—I think I have stated that I came to the conclusion from the sworn depositions which I forwarded to the Attorney-General; but, beyond that, I don't think that this committee has any power to ask me any questions on this subject."

It appeared upon further examination that these two "independent witnesses" alluded to, were two blackfellows, upon the strength of whose statements the evidence of Mr. and Mrs. Hardie had been impugned. Dr. Challinor also, in his evidence, attributed the depredations committed by the blacks to their having been deprived of their hunting ground. Nearly all the evidence of Dr. Challinor, however, it would be seen, was hearsay evidence. The next witness called was Mr. Jacob Lowe, a squatter of long standing in the Western districts, where the blacks were so troublesome before the native police force was organised, that numbers of the squatters were compelled to abandon their stations. One of these runs thus abandoned, Mr. Lowe had

taken up. His opinion, it would be seen, was that the depredations and losses inflicted by the blacks were incalculably more numerous before the organisation of the native police force. (The hon. gentleman here quoted at length from Mr. Lowe's evidence.) It would be seen that this gentleman was of opinion that the blacks were not driven by hunger to commit their depredations, but that these depredations were wanton outrages on property. He also expresses his belief that it would be very bad policy to disband the native police. The next witness called was Dr. Challinor, who was again examined. He expressed his opinion that if the blacks destroyed stock wantonly they should be punished. It appeared that just before the alleged shooting of blacks at Fassifern they had been very troublesome about that quarter. The testimony of both Mr. Compigne and Mr. Carden Collins proved this fact, the former gentleman having lost 1500 sheep during the year by their depredations. They also had speared a great number of cattle. Lieutenant Wheeler was sent for, and succeeded in tracking the blacks to the scrub, into which they plunged, throwing spears and waddies. The police were ordered to fire into the scrub, and some gins were killed. The police then proceeded to Fassifern. Mr. Hardie having sent for Lieutenant Wheeler, because the blacks had been destroying his cattle. At Fassifern one or two more of the blacks were killed, but how did not appear from the evidence. (The hon. gentlemen then proceeded to quote that portion of Dr. Challinor's evidence, in which he expressed an opinion that the evidence of a black fellow ought to be received in a court of justice, and taken by the jury for what it was worth). In a subsequent letter, the Dr. asked why the evidence of a black fellow should not be received as well as that of a Chinaman, but he (the Colonial Treasurer) would remind him that the Chinamen had some notion of religion and religious obligations, whilst the black fellow had none. They now got the Dr. into a scrub (laughter). On page 15, his answer in reply to questions of the hon. member (Mr. Fitzsimmons) would be seen:—

"64. Are you not aware that the blacks, when pursued, always take refuge in the scrub?—I have no doubt the scrub is one of their fastnesses.

"65. Do you think that in those closely interwoven scrubs European police would be effective?—I know that British soldiers have had the same difficulties to contend with, and have overcome them, and I cannot see why white troopers should not.

"66. Have you ever seen British soldiers in scrub—how do you come to that conclusion?—I know that British troops, when engaged with their barbarous enemies, have overcome difficulties of a similar description. Perhaps they would not be able to effect a capture so instantly.

"67. Would European police be able to follow the aboriginal blacks through those closely interwoven scrubs?—I do not think they would follow them so effectively.

"68 By the Chairman: In speaking of the British soldiers and their success in this kind of warfare, you must be aware of the great difficulties experienced in the Caffir war, and also in New Zealand, from the disadvantage they were placed at in fighting the natives on their own ground?—Yes; but the difficulties were chiefly overcome.

"69. At an enormous cost of life and treasure?—I believe the cost of life was much greater on the part of the natives, though the cost of treasure were heavier on the British government. With regard to the scrub, the trackers attached to the white police force might be armed, and they would be able to act to a certain extent as native police, though they would be fewer in number."

He (the Colonial Treasurer) quite denied the last-quoted assertion of the witness. In the contests referred to the loss of life on the side of the British had been immense. He contended, moreover, that black trackers with white troopers would not get over the difficulties of the case, as the white troopers would, as at present, be compelled to remain outside the scrub, and the trackers who went into the scrub would have the same opportunity of perpetrating slaughter as the police have now. Mr. Hardie and Lieutenant Wheeler were the next witnesses examined. The latter witness certainly proved that he had acted with indiscretion. Messrs. Compigne and Collins, however, both bore testimony to his efficiency as an officer, and stated that since Lieutenant Wheeler had been stationed in the district depredations had been much fewer than before. He had also been very successful in entirely suppressing the depredations of the blacks in the neighbourhood of Sandgate and the Bald Hills, which when he first arrived here were very numerous. The committee, however, must not be thought for one moment desirous of defending the conduct of

Lieutenant Wheeler in the Fassifern slaughter. That officer confessed in his evidence that he could not recognise the blacks killed as the actual perpetrators of any of the depredations complained of. He had taken the word of some shepherd who said he was certain that the blacks fired at belonged to the tribe which had committed the depredations. The committee would not for one moment defend what he did on that occasion, and he appeared to have acted very indiscreetly. The next witness to whose evidence he (the Colonial Treasurer) would refer was Captain Coley, an old resident of great experience. He gave the committee the startling fact that the whole of the Brisbane tribe had disappeared. These could not have fallen victims to the bullets of the troopers. Disease and the rum bottle had proved more effectual means of obliterating them from existence. If the same amount of energy brought to bear against the native police were employed in putting down the practice of supplying these unfortunate creatures with the vilest grog, the exertions of some of our philanthropists would be more to the purpose. This practice of giving them grog was just as much murder as any thing done by the native police. He could bear witness that the Sydney tribe had disappeared in just the same way. The drink caused the blacks to fight amongst themselves, and the combats fought under such circumstances were far from being as bloodless as the combats fought by blacks when sober. He had just heard that at present there was a large gathering of the blacks at Ipswich, who were fighting every night. If some hon. members so loud in their denunciation of cruelty to the blacks would look at home, it would be more to the purpose. This same witness gave it as his opinion that the white troopers and black trackers would not work well together, and that the force as constituted at present was a most efficient one. Captain Coley had alluded to some correspondence with the Sydney government, and from his own evidence it appeared that Dr. Challinor also had been in communication with Messrs. Parkes and Jones. (He (the Colonial Treasurer) had been for a considerable time anxious to know the author of the correspondence referred to, and was therefore much obliged for the information furnished by Dr. Challinor. He (the Colonial Treasurer) had also communicated with the Sydney government, for the simple reason that he knew the statements contained in the correspondence to which he alluded to be utterly false. He did not blame the hon. member for West Moreton, as no doubt that gentleman had acted on that occasion as he had on a recent one, from hearsay evidence. In the case of the Messrs. Mortimer, to which he (the Colonial Treasurer) had previously made allusion, those gentlemen wrote to the newspapers, complaining that the bodies of certain blackfellows shot on their runs had not been buried. The government at once sent to them to know why the complaint had not first been laid before the proper authorities. The evidence of the commandant of the force (Captain Morrisett), and that of Lieutenant Parkison, was taken by the committee, and the facts of the case, as he had before stated them to the house, elicited. Seeing that the whole blame of this transaction rested upon Lieutenant Murray, and that officer was proved guilty of constant intemperance, the committee had recommended his removal from the force. The next charge for investigation was that against Lieutt Bligh, for shooting a black fellow in the water. It appeared however that that officer had a warrant out against this blackfellow who would have succeeded in escaping had he not been fired at. A few persons took umbrage at Lieutenant Bligh's conduct, but the majority of the people of the district were so well satisfied with him that they subscribed a testimonial to him. Another charge against the native police, in which the hon. member for West Moreton had much interested himself had been made by Mr. Frederic Walker. As this gentleman was formerly commandant of the native police his charges should be received with caution. He had been discharged from his post as commandant, but after the Hornet Bank massacre, had been employed by some squatters to organize a sort of guerrilla force at their expense to wage warfare against the blacks. In establishing this corps he took away some of the native police, and upon being remonstrated with by the commandant assumed a very belligerent attitude. His conduct was reported to the Sydney government, and he was ordered to disband his troop. He had never since missed an opportunity of catching the native police tripping, and had threatened that he will do away with them altogether yet. The charge brought by Mr. Walker was mixed up with one brought by Mr. Dutton. These gentlemen complained that the blacks had been attacked unnecessarily, and driven away from their stations. Not long ago, however, a memorial was sent in to the government, signed, if he remembered rightly, by Messrs. Walker and Dutton, amongst

others, praying that a detachment of police should be stationed in the neighborhood. The charges he referred to arose, he believed, only from a quarrel amongst the officers of the force and the gentleman making the charges. Lieutenant Bligh had been ordered to look into the affair, and had denied *in toto* the statements of Mr. Walker. He wrote that all the squatters in the neighborhood were quite satisfied with the conduct of the police. Mr. Walker, on the contrary, wrote to say, that if the present state of things continued "a collision" would inevitably take place between the settlers and the police, which meant, he (the Colonial Treasurer) supposed, that Mr. Walker would summon his friends and make an attack upon the police. Mr. Dutton had made a charge that the quiet station blacks had been driven off by the native police. Lieut. Bligh attributes this charge also to a quarrel with one of the officers of the force, and from the report of Lieut. Patrick it would appear that such was the case. It appeared that, as in most quarrels, a lady was at the bottom of it. (Laughter.) (The honorable gentleman here quoted the report of Lieut. Patrick, from which it appeared, as far as we could gather, that Mr. Dutton had requested that officer to remove the native police from the station, as one of the young gins, employed on the station, was suffering from love sickness for certain of the troopers, and was in consequence "incapacitated from performing her ordinary duties.") In consequence of this matter, to which Lieutenant Patrick had so delicately alluded, a misunderstanding had arisen between that office and Mr. Dutton. Yet this man, who was so ready to bring charges against the native police, did not appear to reflect upon the lacerated feelings of the young lady who was the innocent cause of the strife, or the outraged sensibilities of her parents. (Laughter.) Far better had she descended to an early grave, watered by maternal tears, than have fallen a victim to the arts of this accomplished Lothario. (Laughter.) Mr. Walker had, he believed, written to the hon. member for West Moreton to bring the matter before the house, and it was not worth while now to take up any time with this subject. (The hon. member here proceeded to read the evidence of Mr. Mortimer, p. 101 to 103.) Mr. Mortimer said he did see four blacks killed at the time of the alleged slaughter on his run, and that he was pretty sure four more were killed at the same time. He also said that the squatter liked to see the police pass by the stations occasionally; it was a very wholesome sight. (After quoting the evidence of Mr. Mortimer as to the relative advantages of employing white men and black men for pursuit of marauders in scrubby country, the hon. member proceeded to refer to the management of police.) He was of opinion that the late commandant had not attended to his duties as he ought. That gentleman had now resigned, not as had been falsely rumoured, in consequence of the investigations of the committee, but owing to circumstances of an entirely private nature. To attend to his duties as he ought to, the commandant should be an unmarried man. The evidence of Messrs. O'Connell and Brown was unfavorable to the force, but the evidence of both these gentlemen was less valuable than it otherwise would be, owing to quarrels which they had had from time to time with the officers of the force. They were in favor of the abolition of the present force, and the substitution of a mixed force, composed of white troopers and black trackers. Mr. Brown, however, who was in favour of sweeping away the force at once, unwittingly bore the highest testimony to their efficiency and usefulness, when he asserted that the best thing that could be done with them would be ship them off to New Zealand to assist the British soldiers in the war. Captain O'Connell had, some years ago, when stationed at the Northward, endeavoured to have the police placed under his control, but had been unsuccessful. Since this time he had been continually coming into collision with the officers of the force, and was indignant because they did things without his orders. Mr. Sneyd, an old policeman, had expressed himself in favour of a force composed of white troopers, such as formerly existed. A portion of his evidence he (the Colonial Treasurer) was prepared to contradict. He knew that those troopers were of no earthly use against black fellows, and were principally employed, for the pursuit of bushrangers. In many cases, too, these same troopers were deterred from acting against the black fellows as they wished, lest an outcry should be raised against them, and they should be prosecuted for murder. (The hon. gentleman here alluded to the execution, at the time this force was in existence, of a number of prisoners of the crown for killing blacks who had been murdering white people upon the Namoi river.) He believed that the native police force, as at present constituted, required only to be properly officered to render it a most effective force. The hon. member concluded his speech by adverting to the question of the possibility of civilising or improving the condition of the

aboriginal population. He pointed out that attempts hitherto made to attain this object had proved futile, but Mr. Zillman had propounded a scheme which appeared feasible, and which perhaps it might be worth while to try. The suggestions of that gentleman would be seen by referring to his evidence. He proposed that a grant of land and a sum of money should be given by the government, and that attempts should be made to employ the labour of the aborigines in cotton growing or other industrial pursuits. Mr. Zillman, was not very sanguine of success with the adult blacks, but he thought that the youth might be partially civilized and educated in this manner. He (the Colonial Treasurer) disapproved of a recurrence to the old system of establishing officers called Protectors, as suggested by the hon. member for West Moreton. It had, when tried some years back, been productive of more mischief than benefit. These Protectors were continually coming into collision with the squatters against whom, deluded by false statements made to them, to which they were apt to give too ready a credence, they brought all sorts of unfounded charges. The hon. gentleman cited, in support of his assertion, a case which had come under his own notice in the New England district when Mr. Threlkeld was Protector there. That it was extremely difficult to eradicate from the minds of the black his love of a savage life, was evident from an anecdote told to the committee by Capt. Coley but not published in the evidence. A black child named Dancing Jimmy was taken to England by a gentleman, educated well, and became apparently highly civilised. After a time, however, he ran away to Paris, and being very agile, hired with Franconi's troupe, then performing in that city. But amid the civilisation of the most refined city of Europe he pined for the freedom of his native wilds, and finally made his way back to Australia. He was now out here as wild as any of the blacks that roam in the bush. He (the Colonial Secretary) would also draw the attention of the house to the evidence of Mr. Davis, on the 55th page, as it was of a peculiarly valuable character. This witness arrived in the colony when very young, and being of an enquiring turn of mind, his attention was directed at an early age to the manners and habits of the aborigines. (Laughter.) So keen was his thirst for this species of knowledge that, with a bold enthusiasm, he forsook the haunts of civilisation, and for many years resided amongst the blacks, by whom he was hospitably received. Luckily for him the blacks appeared to believe in the doctrine of transmigration, for they fancied that they recognised in him a great warrior of their tribe who had but recently died; or, to use his own more graphic language, they mistook him for the ghost of a blackfellow. According to this witness the blacks are cannibals, and have no religious ceremonies. He also thinks, in opposition to some of the other witnesses, that it would be unadvisable to attempt to do away with their meetings, corroborees, and borees. The witness had not a very high opinion of Dr. Lang, as appeared from the following answer to a question—Did not Dr. Lang get a great deal of information from you? Dr. Lang wrote as false a book as ever was. Dr. Lang did not get his information from me; he might have got it from other people. He only talked with me for about twenty minutes up at Mr. Griffin's station. He also says, when asked—From your knowledge of the blacks, do you not consider them a most deceitful, false, and cunning race of people? They are the most deceitful people I ever came across and I have been among all kinds of people. The father will beat the son, and the son the father; the mother the daughter, and the daughter the mother; the brother will lie in ambush to be avenged on, the brother if he can't manage him in fight—he will lie in ambush with a spear or a waddy. The parents have no rule over the children at all, and there are no more kings and queens amongst them than I am Prince Albert, that is all the talk of the whites. The honorable member proceeded to quote from a speech of the Dean of Melbourne, in support of the argument, that it was a fallacious notion to represent the blacks as being the rightful owners of the soil, and as having been dispossessed unjustly by the usurping white man. He believed that much harm had been done by missionaries and others inculcating these notions no doubt with the best intentions on their part. It was evident that the present war in New Zealand was partially attributable to the adoption of these notions by the natives there, and the bishop and clergy of that colony were not entirely free from the blame of having inculcated these notions. In fact, at the present time they were defending the course being pursued by the natives. The hon. member concluded his speech by quoting a recent leader in the *Times* upon the New Zealand war, in which the eventual disappearance of the aboriginal race before the advancing civilisation of the whiteman, as in other parts of the world, was foretold.

Mr. WATTS rose and said that after the long address from the Colonial Treasurer it was not necessary for him to detain the house by a lengthy speech. Having, however, been one of the members of the committee appointed to inquire into the native police force, he felt it his duty to address the house on one or two points. In the discharge of his duties as a committee-man, he felt it his duty to inquire whether the charges that had been brought against the force by writers in the public press were well founded or not, and hoped that the writers of these strictures would come forward and prove their statements. He was sorry to say, however, that some of these writers refused to come forward, and that others who did so, and gave evidence, had entirely failed to prove the statements made by them anonymously. He was also sorry to say further, that he believed that some of them never intended to do so. He hoped that the house would not refuse to adopt the report, and felt assured that had they seen the slaughters and depredations committed by the natives before the establishment of the force, they would be convinced that some such force was necessary. The honorable member then alluded to the atrocities committed by the aborigines upon the whites forming the establishment of Mr. Marks, at Colleroy, on the McIntyre, previous to the establishment of the native police force, as being of so diabolical a character as to make the blood run cold, and to prove that leaving the settlers to defend themselves, tended much more to the destruction of the blacks, than the maintenance of a native force. Before this was established, the settlers had to arm themselves to the teeth, and such men, seeing their children killed before them, could not be expected to refrain from using them indiscriminately. In the course of the inquiry, it was found that most of the writers of letters he alluded to were persons who had never been fifty miles into the interior, and who had never witnessed any of the atrocities committed by the blacks. He entirely agreed with the remarks made by the hon. member, Dr. Challinor, as to the indiscriminate slaughter of the blacks, which he admitted was highly reprehensible, but at the same time it must be borne in mind that as the matter was, the natives must be regarded in the same light as inhabitants of a country under martial law—and that the natives must be taught to feel the mastery of the whites. He believed that from the natives knowing no law, nor entertaining any fears but those of the carbine, there were no other means of ruling them, and that that means must be resorted to. Mr. Watts here related the circumstances by which Captain Dumaresq was surrounded when forming a station on the Macintyre to prove the cruelty and treachery of the blacks; and that they were addicted to cannibalism, and also mentioned some cases that had come within his own knowledge, of excessive cruelties committed by the half-civilised blacks on the Darling Downs. Certain charges had also been made of cruelty shewn by settlers towards the blacks, but the evidence adduced before the committee disproved the truth of such charges, with the exception of the Bundamba case. Such cruelties should be deprecated and put a stop to, and he would himself advocate that those who wantonly destroyed the spears and blankets of the blacks without any attack having been made upon them, or injury inflicted by the blacks, should, at the very least, be compelled to make restitution. He also believed that it was not necessary to punish with the severity those blacks who were merely guilty of spearing cattle, and thought that circulars should be issued to the officers to be content with simply driving away the blacks who had so offended. Though it was not stated in the report, he believed that great blame was attributable to the commandant for many of the proceedings of the law twelve or eighteen months, during six of which he had been entirely absent from duty. Another thing to which he felt it his duty to refer was the conduct of the Secretary of the native police force, who was also storekeeper. The statements made by him as to his own conduct were quite sufficient to justify him (Mr. Watts) in making severe comments when an increase was proposed to that gentleman's salary. In answer to questions 66 to 69 on the 141st page, Mr. McDonnell, after acknowledging that six months had been allowed to elapse without the customary supplies being dispatched, stated that he had not written to but spoken to Mr. Manning on the subject. Considering the position which he occupied, he (Mr. Watts) thought that Mr. McDonnell should have written to the Under-Secretary and not have rested contented with merely speaking to him. His evidence also with respect to the supply of ammunition displayed such gross negligence in the discharge of his duties that he trusted the government would administer so severe a reprimand as would prevent their recurrence, if not to dismiss him altogether. He wished to draw attention to the fact that at the present time a meeting of various

tribes was being held in the neighbourhood of Ipswich, whose sole object was that of fighting, and of whom many were dying daily. Strange it was that no steps should have been taken by the philanthropic advocates of the aborigines to put a stop to the proceedings now taking place within five miles of Ipswich. He was himself convinced that far greater numbers of these people died from the effects of grog-drinking and attacks from their own race, than from the attacks of the native police. Hundreds, no doubt, had been murdered in cold blood by giving them arsenic and strychnine in the food; and although this statement was denied, he still asserted it. The blacks were well acquainted with the nature of the latter poison, which bore the name among them of Mr. Mackenzie, application having in fact been made to him by some of the blacks for it to poison some of the Myall blacks with. The hon. gentleman then read the plan suggested by Mr. Zellman, as given in the following extract from his evidence—

“39. A suggestion has been thrown out that a number of these blacks should be collected and taken away to some island. Do you think such a thing could be done?—No, it is too illiberal a plan altogether. I think some liberal scheme should be adopted—some system of feeding and clothing the blacks, and making them work. Educating the children would, I think, be the means of raising them from their present degraded state.

“40. Suppose the blacks would not work?—Then they would not be fed.

“41. Then you would make a selection of those to be fed and clothed?—Yes; those who chose to work.

“42. And teach their children?—Yes; in my opinion, that is the only liberal plan. I don't think exporting them would answer at all. If I had the means, say £10,000, to start such an establishment—and if cotton can be grown with profit in this climate, which I believe it can—I would make it self-supporting in the course of five years.

“43. Then you think a sort of model industrial farm for cotton-growing, assisted partly by the government, and under the management of the mission, or of a company, would be a good experiment?—Yes; I think a company would answer the best.”

He thought this scheme more feasible than any that had yet been suggested. Its expense would not be great, and as perhaps great results might arise from it, it was their duty to do what good they could for this benighted race. He sincerely trusted that this recommendation would be carried out, and that the house would adopt the report made by the committee.

Mr. LILLEY proposed the adjournment of the debate till to-morrow (this day) to give hon. members who had not read the report the opportunity of examining it thoroughly. A short discussion ensued, which resulted in its being understood that hon. members who were prepared to speak should be allowed to do so before the adjournment took place.

Mr. COXEN would not detain the house long in the remarks he was about to make. The report showed, and the evidence warranted no other conclusion, that there was a great want of confidence in the efficiency of the present officers of the force, and also that the force was not properly officered. With respect to the fourth recommendation—that monthly returns of all proceedings, and the state of the troops, should be forwarded by each officer in command of a detachment to the commandant of the force, who would furnish a general abstract thereof to the Colonial Secretary, or the head of the Executive department under which he may be placed—he would suggest that these returns should be made in the form of a diary, as one great complaint against the officers was that weeks and months were frequently spent by them at the barracks in mere idleness. By this means a check would also be kept against them, and in the event of any charge being made against them, there would be some means of establishing their truth or falsity. The hon. member, after commenting on the evidence given by Mr. Babbit respecting the arrest of the black Gulliver, and his being subsequently allowed to escape, said that he knew of several cases in which blacks had been arrested and allowed to escape, and who were never again brought up. A great deal had been said of the difficulty of catching blacks in the scrub. He admitted the existence of this difficulty, both on the part of white men and blacks, but never knew an instance in which the native police had caught blacks in scrub, or elsewhere, and brought them to justice. He thought that some check should be placed upon the proceedings of the officers, and that a commissioner or inspector should be placed over them to keep a vigilant watch upon their conduct, as he was quite sure that a great deal of slaughter was committed

upon innocent parties. He believed that some force was desirable, not only for the protection of the white settlers, but also for the blacks themselves. Having been for a great number of years engaged in connection with the blacks, he could speak from experience with some degree of confidence upon the subject. Twenty-three years ago he was on the Namoi River, before any outrages were committed by the blacks, or the hanging of the men, which had been so pathetically alluded to, took place. Then there were no outrages committed by the blacks, until they were brought into collision with the whites, by some of them taking away their gins, and when their savage propensities being provoked, they gave way to great atrocities. It was the same with respect to what was known as the battle between the whites and blacks between the Big River and the Namoi, when warfare between the blacks and the stockmen was continued for seven years, after the blacks seeing forty or fifty of their gins and children confined in a stockyard and indiscriminately shot. After this time Mr. Mayne was sent, and he succeeded in quieting them by convincing them that they would not be ill-treated, or in any way punished, excepting for offences committed by them. The consequence was that murders by the blacks decreased, and the settlers were placed in the same state of security as before. He had read the evidence through carefully, and could come to no other conclusion than that the best way of keeping up the force in a state of efficiency, would be by keeping the officers in check. A great deal had been said upon the civilisation of the natives, and also of their being incapable of being taught permanently anything else than the vices of the white man. He believed the contrary, and would mention a case in point, which he could vouch for. In the year 1837 or 1838, he took a native boy to the Hunter, where he was placed at school with his brother's children, and showed such ability to acquire several branches of knowledge that he obtained several prizes. He continued there until the age of fourteen or fifteen, when he was taken to the station. Circumstances then occurred which caused both himself (Mr. Coxen) and his brother to be without a home, and the boy was thrown upon his own means to obtain a livelihood. He did so, and was engaged, as most lads of that age are, in looking after stock in a similar capacity, in which employment he continued for two or three years, when he entered his service. It was certainly true that he showed signs of drunkenness—a fault by no means peculiar to the blacks; but evinced no desire to go into the bush again to stop there. On leaving his service he entered the native force, not as a trooper, but in connection with the commissariat, and after some time was promoted to the position of sergeant, in which, after remaining for some time he died from disease near Brisbane. During this time he had saved some money, five pounds of which he left to Mr. Glennie, from whom he had received some kindness. This circumstance would show that the blacks had some of the finer feeling, although they might be at present but dormant. He (Mr. Coxen) did not agree with the proposition for the establishment of a missionary cotton company, because he was certain that it would prove a failure. The same thing had been tried in other places, and had proved a failure. It was impossible to educate the black children so long as they were allowed to associate with their parents or others of their tribe, in consequence of their superstitions and certain religious observances, of which they could not be divested, if allowed to associate with them. He flatly denied the statement made by some witnesses that the aborigines had a sense of a future state. In his younger days he took a great interest in the blacks in the Hunter and the Namoi, and learned from them that they had an indefinite idea of a future state, somewhat similar to the idea of hunting grounds believed in by the American Indians, and had had given him accounts of what they believed respecting them. It was also said that an impression existed among them that when a blackfellow died, he would jump up white man; but that such was not their belief he would shew in a few words. Long before the white man was seen by the blacks, they had the und wonda, or devil-devil, by which they understood a ghost; and he could easily understand that on their seeing the first white man they imagined him to be the ghost of a departed black. It was doubtless from this circumstance, that the impression of the blacks' belief in this respect originated. Mr. Watts had alluded to the murders on Captain Dumaresq's station on the Macintyre; but before these Captain Dumaresq had a character for severity, and that perhaps deservedly, for the murder of blacks in New England. He had lived many years among the blacks on the frontiers, and had never had occasion to speak an angry word to them. Before concluding he wished to allude to the observations made by the same gentleman, respecting several witnesses having refused to give

evidence, and also to a letter appearing in that morning's *Courier*, in which allusion was indirectly made to himself. The only reason why he had not given evidence was that he was not asked. He fully expected to be summoned, and would willingly have done so.

PARLIAMENTARY PRIVILEGE BILL.

The house then went into committee on the amendments of the Legislative Council in this bill, which were agreed to.

AUDIT BILL.

This bill was received by message from the Legislative Council with amendments, the consideration of which was set down for the following day.

MASTERS' AND SERVANTS' BILL.

The COLONIAL SECRETARY moved the third reading of the bill.

Mr. O'SULLIVAN moved, as an amendment, that the bill be recommitted with a view to amend the 21st clause.

Mr. BLAKENEY seconded the amendment.

The bill was then read a third time, and directed to be transmitted to the Legislative Council for their concurrence.

The house adjourned at six minutes to 10 o'clock, till 3 o'clock the next (this) day.

[The pressure of advertisements compels us to preclude from this issue a portion of the debate upon the Native Police Force, which was adjourned, on the motion of Mr. Macallister, till this day, but it will appear to-morrow; likewise the report of the Anniversary of the Presbyterian Church, and other items of local important.]

**Record of the
Proceedings of the Queensland Parliament**

...
**Legislative Assembly
24th July 1861**

...
Extracted from the third party account as published in the
Courier 26th July 1861

NATIVE POLICE FORCE.

[The subjoined speeches were necessarily omitted in our yesterday's report.]

Mr. GORE regretted exceedingly that Mr. Coxen had not been called upon by the committee. That gentleman had never occurred to him, or he would certainly have caused him to be summoned. He regretted very much the omission, as that gentleman would have given information which would have been very valuable as coming from one who had had much experience with the natives, was known to be very favorably inclined to them, and had not received much trouble from them. The northern districts showed the necessity of an efficient police force, the natives in that quarter, from the want of such force, having run into excesses. He thought that the sole difference on this subject was as to the continuation of the force. It was, however, proved by the evidence that the force would be a most efficient one if placed under proper regulations, though perhaps not at present so serviceable as it might be. The great difficulty which surrounded the question arose from false assumptions. One of these false assumptions was that the blacks were British subjects, and were amenable to and entitled to the protection of the law the same as white people. This was false, because any system of government necessarily implied a contract to which there must be two parties. Another assumption was that the whites and blacks were in a state of warfare, and if that assumption were true, it was necessary to establish the superiority of the white race by means of a military force. It appeared from the evidence of Mr. Davis that the blacks are a treacherous race, and that they were so, he (Mr. Gore) fully believed. In dealing with these people, the settlers in a new country had but two courses which could be adopted successfully. One was that pursued by Mr. Haly, but every man was not fitted by nature to carry out that plan. Another one, and the one he adopted, was not to permit the blacks to come to the head station, and always to keep them at arm's length. Were this system carried out he was convinced there would not be much occasion for the maintenance of a police force. It was not, however, carried out by all, and consequently those who did so were liable to be brought into collision with the blacks by being concerned in their neighbours' quarrels. He believed that a very correct and not over painted picture of the state of this country before the establishment of the force was given in the evidence of Mr. Wilson, in page 71 of the report. He (Mr Gore) has lived in the neighbourhood of the Darling Downs some fourteen or fifteen years ago, and could bear evidence to the state of the district there, and to the fact that within two months of the establishment of the force the outrages had much diminished. When he first went to the Darling Downs, he went civil to the blacks and told them he would not permit them on the head station, and he was so far successful that he received no annoyance from them beyond having one or two bullocks speared. He certainly was brought into collision with them, but that was not on his own account, and arose in the following manner. He had occasion to go to Sydney, and while there his brother allowed the blacks to enter into familiarity with the men. Among those blacks was one called Sergeant Dingy, a most forbidding looking fellow who was said to have committed a murder some time before on the Namoi. This man happening to go down with some of his men to the neighbouring station was recognised as the murderer and shown to the men on the station. A few days after this, the other blacks, who had fixed the crime upon the white men generally, wreaked their vengeance upon his

men, broke into their huts, murdered several, and robbed them indiscriminately. The hon. gentleman then read over a large portion of the evidence, upon which he commented, and concluded by expressing his belief that he had proved that the native police were efficient, and that any attempt to disband the force would lead to disastrous results. He also thought he had proved that no other force would be equally efficient. Were the force mixed white and black, the whites would have to cool their heels outside the scrub whilst the black troopers went inside, and the alleged outrages committed by the native police might still be committed. The present state of the country was far better than it was years ago. Twenty years since he remembered that when riding to Brisbane he dared not come except well armed. He admitted that many violent acts had been committed by the native police force, but when in a state of warfare, it was necessary, before the country could be reduced to a comparative state of civilisation, that they should act stringently. All the harm the native police could do had been done. Were the force to be disbanded now, they would find outrages abounding, and a universal outcry raised throughout the country for its re-establishment or for some other force equally effective; in addition to which the colony would have to recover its prestige, which would have been most seriously damaged. They should never alter a state of things, until they could find a more effective substitute.

Dr. CHALLINOR had found the arguments deduced in favor of the continuance of the native police force to be, the generally bad character of the aborigines, and the great difficulty of apprehending them by a white force. The crimes laid to their charge were murder, rape, perjury, robbery, lying, unnatural offences, wanton slaughter, and cannibalism; their aversion to civilisation, their partiality to sport, and romantic habits, and their objection to permanent employment. He would be sorry that it should go forth that the atrocities of black men were of deeper dye than the same crimes committed by Europeans, and yet that appeared to be the main inference drawn. If those crimes did not obtain amongst ourselves, wherefore the necessity of magistrates, and gaols, and police, and of statute and common law?—if not to prevent those crimes, except cannibalism. What greater murder had they committed than was committed by Richard the Third when the royal children were smothered in the Tower?—or than when the Swedish nobles were murdered by Christian II of Denmark? What greater atrocity had they committed than the murder of his relatives and friends by Palmer, or was exhibited in the murder by Mr Mackenzie with strychnine? Was the murder of Fanny Briggs greater? Was not the commission of an unnatural offence by a dignitary of the church as great a crime as on the part of the blacks? If they did commit such crimes it was at their corroborations; and it was from whites they had learned that detestable offence, as well as prostitution. (Oh, oh.) What greater atrocity was it for blacks to kill bullock for their fat, than for whites to kill bullocks in order to feast on their tongues? What greater mendacity had blacks committed than was committed in a recent case of perjury before the Court? No doubt cannibalism was a detestable crime, but it was not shown that the blacks eat white men at the present time. Was it not a much greater evil to roast a white woman in a bakehouse to hide the evidences of the crime, than to roast a person for the purpose of eating him? (laughter) and yet Greenacre did so. It was said the blacks abruptly left employment, but in the case of the whites what was the object of the Masters' and Servants' Act if not to deal with a similar offence? As to the blacks being fond of hunting, had they not the example of the British aristocracy? The members of both houses in the hunting season left, however important, the business pending, and went shooting; and they had even the example of royalty in Prince Albert who went to the Highlands deer stalking; and as to the combats of the blacks, had they not a parallel in England in the tournament of the middle ages, and the revival of tournaments by the Earl of Eglintoun. The native police force might be one way of securing tranquillity, but he asked if it was the right way? Besides, tranquillity was not the only question to be considered in a protective force, they must also consider justice. In allusion to the Fassifern affair he contended that Lieutenant Wheeler had fired on a number of blacks simply on the statement of a black named Murphy, that certain depredators were amongst them. Lieutenant Wheeler's statement was that they threw nullah nullahs at him and their spears, but the blacks stated that they were fired upon without warning; and he considered that as the testimony of the blacks was found to be correct in several particulars their version of the attack was correct. Two blacks were killed, who he asserted could not have been of the tribe that had committed the alleged depredations. Again the black who gave Lieutenant Wheeler the information was an abandoned character and his object was to carry off a gin. He did not hesitate to tell the select

committee that Lieut. Wheeler had been guilty of murder or manslaughter, and that the law would not be satisfied till he was put on his trial. He then proceeded to argue that Mr. Hardie, one of the squatters upon whose run the depredations had been committed, had committed perjury in the affair according to the evidence of constables Carson and Broderick; also that Mr. Hardie was accessory after the fact to the murder, and that he did all he could to prevent an investigation. It appeared to him the exonerating Lieut. Bligh in the Maryborough affair was directly opposed to the evidence of Mr. Sheridan, the only witness who could give evidence on the matter. He thought the aborigines were capable of improvement, although he believed that all efforts to teach them the gospel should be of a private character. At the same time he considered it the duty of the government to endeavor, so far as practicable, to find the men employment on cotton farms or otherwise. He then mentioned particulars of two cases of ill-treatment of blacks of which he had given evidence, and added, he had no false philanthropy for the blacks; indeed he had pursued an escaped black, and caused him to be secured. Having claimed the credit of setting a good example to the blacks, owing to his teetotal principles, he said the treatment of the blacks was a very important question, inasmuch as they were British subjects; and if a despatch on the subject had not come out from the Secretary for the Colonies, he expected one would shortly. In answer to a remark of a previous speaker, he said the greatest enemies he had to his cattle were white men; they did not scruple to slaughter his cattle for their own use. He moved that the report be read that day six months, not because he thought there ought not to be a protective force, but because there ought to be a better guarantee for the protection of the lives of the aborigines.

The SPEAKER put the amendment, but, as there was no seconder, said it fell to the ground.

Mr. FITZSIMMONS had hoped that the hon. gentleman who had just spoken would have made some recommendation either for the better management of the native police, or for doing away with them. If he had considered that Mr. Hardie or Lieutenant Wheeler had been guilty of or implicated in a murder, why did not the hon. gentleman issue his warrant for their apprehension? He (Mr. F.) considered that the hon. gentleman's evidence was strongly in favour of the native people. He had stated that several cases had come before him of murders, rapes, and other outrages by blacks, and yet he offered no recommendation as to how they were to be dealt with. He also distinctly stated that he had never been more than 60 miles beyond Ipswich. Truly like Sam Weller "his vision was limited." In the case of a black who had been ill-treated, he said he had gone 15 miles to enquire, and had ascertained that he had been driven off his fishing ground, the Molly Molly; but it appeared he had got his information from a demented Shepherd. On such strong testimony, he came forward and asked them to do away with the native police. Of course they all objected to an indiscriminate slaughter by the native police. He also thought they must agree with the recommendation of Mr. Lowe and Captain O'Connell that the native police should never be stationed permanently in the neighborhood of large towns.

Mr. MACALISTER moved the adjournment of the debate till next day.