

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 11 MAY 1865

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LEGISLATIVE ASSEMBLY.

Thursday, 11 May.

Insolvent Magistrates.—Steam Communication.—Petition from the Warrego.—Pastoral Assessments.—Bench of Magistrates, Toowoomba.—Power to withdraw a Motion.

INSOLVENT MAGISTRATES.

Mr. GROOM rose and moved the adjournment of the House. He said he was induced to take that step in consequence of the peculiar answer he had received from the Colonial Secretary to his question with reference to insolvent magistrates. He (Mr. Groom) considered that the Executive should not wait to be informed of the insolvency of any magistrate before striking him off the Commission of the Peace; that course of action ought necessarily to follow the announcement of such insolvency in the *Government Gazette*. He had been requested to put the question by some of the constituents of the honorable gentleman who had answered it so abruptly. It was a very important matter, and one in reference to which it behoved them to have a very clear understanding. Several cases had come under his notice in which insolvents retained their names on the roll of magistrates, and that he considered to be a very bad state of things. In one case in which a writ had been issued against a magistrate for £700, that individual had sheltered himself under the plea of insolvency. Were the Government aware of that fact? There could be no doubt as to the great importance of securing the administration of justice without spot or blemish, and the wisdom of preventing insolvents sitting on the bench must be apparent. Under those circumstances, he considered that a better explanation was due to the House than that just given by the honorable member at the head of the Government.

The COLONIAL SECRETARY said that there should be no misunderstanding as to the terms of the answer which he had made to the question of the honorable member. It did not intend to imply that the Government acted only upon chance information in depriving a gentleman of the Commission of the Peace. Instructions had been given to the Clerk of the Executive Council to the effect that as soon as he saw among the list of insolvents in the *Government Gazette* the names of any gentlemen holding the Commission of the Peace, he should forthwith submit the same to the Executive Council, who would at once remove the names from the Commission of the Peace. He could further state that among the gentlemen holding the commission who had become insolvent, one or more had resigned, and others had not acted as magistrates, although their names had been retained on the roll. In some cases where the insolvents had previously obtained their certificates no action had been taken, because the regulation of the Council, being a new

one, did not apply to them. However, he could inform honorable gentlemen that there was no mistake as to the intention of the Government strictly to carry out the regulation providing for the removal of insolvents from the Commission of the Peace in a public manner.

Mr. GROOM said he was quite satisfied with the lucid explanation of the honorable gentleman, and would withdraw his motion for the adjournment of the House.

STEAM COMMUNICATION.

The COLONIAL SECRETARY moved,—“(1.) That the Legislative Council be invited to join this House in the constitution of a Select Committee, to inquire into, and report upon, the several existing and proposed lines of steam communication, in the maintenance of which this colony is interested. (2.) That the number of members to serve on such joint committee be eight; and that the number of members to form a quorum be four. (3.) That the following members of this House be appointed to serve on such committee, viz.:—Mr. Mackenzie, Mr. Douglas, Mr. Dalrymple, and the mover. (4.) That the proposal for such joint committee be communicated to the Legislative Council by message in the usual form.” The honorable member stated that in introducing the motion for the appointment of a joint committee of the two Houses to inquire into, and report upon the various lines of steam communication, it was not his intention to address the House at any great length. He considered that was the best course he could adopt, as it would be necessary for the Government to re-open the question when the select committee brought up a report. He would, therefore, briefly explain to the House that since Parliament had last met, various questions had arisen as to the propriety of maintaining old lines of steam communication and initiating new ones. They had been called upon to consider the propriety of renewing the present contract with the Peninsular and Oriental Steam Navigation Company, and the different Governments in the Australian colonies had been asked what terms they were inclined to accede to. It had been shown by papers laid upon the table that arrangements had been completed by the Governments of New Zealand and New South Wales for a line of steamers by the Panama route; and the Government had thought it expedient to ask the House to consider the advantages likely to arise to the colony from establishing steam communication through Torres' Straits to Singapore. There was no doubt that a very important question was involved when they were called upon to vote supplies for steam communication. He did not refer altogether to the carriage of mails, when he drew the attention of honorable members to the Torres' Straits route. It was possible that the route through those straits to the Eastern Archi-

pelago might not be regarded as a speedy mail route, but in other respects, there were material advantages to be derived from its adoption. He referred to the extension of commercial relations with the islands in the eastern seas. They could have no fear of delay in mail communication when they had steamers running by Panama or Suez, or even by both routes combined. Another question which would occupy the attention of the committee had reference to the communication along our local seaboard. The contracts which had been entered into with the companies in Queensland and Sydney having expired, or being about to expire, it would be necessary to form some new plan of operations; but that part of the subject should not be considered except as a part of the whole question. For the present year the amount set down on the Estimates for the various steam postal services in the colony, between Brisbane and Sydney, and Brisbane and the northern ports, was about £7,700. Now, if a fortnightly mail were established by two lines, one *viâ* Suez and the other *viâ* Panama, it would not be necessary for Queensland to pay any subsidy for the carriage of mails between Queensland and Sydney, and the balance thus retained could be employed in the projected northern extension. All this would, of course, come before the committee. The Government was in possession of a great deal of information on the subject, obtained by means of correspondence with various steam companies; and they gathered from it that at first very little assistance would be obtained from other quarters towards the route by Torres' Straits, although there was reason to believe that some subsidy might ultimately be obtained from places which would naturally become interested in the maintenance of the line. He had considered it better that some honorable gentlemen of the other House should be appointed on the committee, and had therefore moved for a joint one, as he was aware that there were several honorable gentlemen very much interested in the matter, and from whom some valuable information would be obtained. It was highly desirable that the committee should bring up their report at an early period of the session, as every month's delay was of consequence. It was true the Government might have taken action in the matter before the assembling of Parliament, and there was little doubt but that if they had done so, such action would have been endorsed, but they had preferred to wait until they had obtained the fullest information on every point. He had placed the names of four honorable gentlemen on the committee; but should the House desire, he would agree to the selection being made by ballot. He thought, however, that the system of electing select committees by ballot was open to many objections, and would therefore prefer the acceptance by the House of the

honorable gentlemen he had named. Messrs. Douglas and Dalrymple both represented northern constituencies; and Mr. Mackenzie had always taken a deep interest in the extension of steam communication. He would not detain the House any longer, but would simply move the resolutions.

The SECRETARY FOR LANDS seconded the motion.

Mr. PUGH said he did not rise to oppose the motion. On the contrary, he was glad to see that the matter had been taken in hand by the Government. He would, however, be happy to hear some further information from the honorable member at the head of the Government as to whether any negotiations or correspondence had taken place with the French or Dutch Governments. Had the Government of Queensland considered the amount of assistance the project was likely to derive from the Dutch Government, more especially? From the French Government not so much assistance could be expected, as the only advantage that Government was likely to derive was increased facility of communicating with New Caledonia. He hoped the honorable gentleman would not object to place the House in possession of all the information he possessed upon so very important a subject.

Mr. GROOM said he did not rise to oppose the motion. He merely wished to suggest to the honorable member at the head of the Government the propriety of omitting the name of Mr. Dalrymple. He (Mr. Groom) quite agreed with the honorable gentleman who introduced the motion, that the sooner the report of the committee was brought up the better. Why, then, put a gentleman's name on it who had not yet taken his seat in the House, and, for aught they knew, might never take it? He would suggest that the name of Mr. Fitzsimmons be substituted for that of Mr. Dalrymple.

Mr. DOUGLAS said he could not at all agree with what had fallen from the honorable member for Toowoomba. He (Mr. Douglas) would very much regret to see the name of Mr. Dalrymple omitted from the committee. In fact, there was every reason why it should be retained. There was not a gentleman in the House who was more conversant with our northern seaboard than Mr. Dalrymple; and besides, that gentleman was fully acquainted with the customs of the natives of that very archipelago they sought to establish relations with. Therefore, he thought honorable members would agree with him in affirming the desirability of keeping the name of that honorable gentleman on the committee. No doubt the honorable gentleman at the head of the Government would be willing to furnish the information asked for by the honorable member for North Brisbane, Mr. Pugh. He (Mr. Douglas), however, considered that the French Government would be more interested in the matter than the Dutch Government. The French Imperial Steam Com-

pany's steamers traded with China, and there was no doubt but that the "*Messageries Impériales*" would be glad to extend their steam communication in the eastern seas to New Caledonia.

Mr. FITZSIMMONS begged to state that, from a communication he had received a few days ago from Mr. Dalrymple, that gentleman purposed returning to Brisbane by the next steamer.

The COLONIAL SECRETARY said he would make a few observations in answer to what had fallen from honorable members on the question then before the House. In reply to what had been stated by the honorable members for North Brisbane and Port Curtis, he could state that on reference to the correspondence which had been laid on the table by him the other day, those honorable gentlemen would be able to see what had been done in the matter. It was a rule laid down by the Imperial Government that any correspondence between a colonial and a foreign Government must be made through them. The necessary applications had been made in the manner approved of, but as yet no replies had been received. He might state, however, what was in his opinion the actual amount of co-operation to be expected from foreign governments. The Dutch Government would be able to meet them half way, as there was already a line of Dutch steamers between Singapore and Timor, to which latter place only, it would be necessary to run the colonial boat. From the French Government, however, they could not expect much. He had heard that it had been stated by the French consul at Sydney that the settlement at New Caledonia was already productive of so much expense that no more money could be afforded for additional means of communicating with it. Indeed, there was no doubt but that the peculiar style of French colonization debarred their colonies from obtaining the large amount of population they would otherwise possess; therefore the demand for steam communication was not very great. The French Government was satisfied with the means of communication afforded by the war steamers and the sailing vessels which occasionally arrived from Sydney and other colonial ports. New Caledonia was merely a military station, and, consequently, the French Government would not be likely to lend a great deal of assistance to the project before the House. When the communication was opened as far as Singapore, many other small ports would be opened also, by means of Dutch and English steamers, which already traded to and from the places referred to. With reference to what had been stated as to the propriety of keeping the name of Mr. Dalrymple on the committee, he (the Colonial Secretary) would inform honorable members that he should not have put that honorable gentleman's name on the committee, unless he had previously ascer-

tained that he (Mr. Dalrymple) would take his seat in the House during the present or the following week.

The motion was then put and passed.

PETITION FROM THE WARREGO.

Mr. FORBES moved,—“That the petition presented by him from residents from the Warrego, be printed.” In bringing the motion forward, he might state his intention of taking subsequent action upon it. He believed that when honorable members were fully informed upon all the circumstances of the case, they would readily believe that the petitioners had some good ground of complaint. Honorable members would also see when the returns asked for in the next motion standing in his name were produced, that the petitioners were entitled to have the prayer of their petition granted.

Mr. R. CRIBB seconded the motion.

Mr. TAYLOR said that, as some doubts were entertained by honorable members on his side of the House, as to what the petition really contained, it would be as well that the Clerk should read it.

The CLERK then proceeded to read the petition, which set forth that the petitioners labored under disabilities, in consequence of deficient police protection and postal communication.

The COLONIAL TREASURER said, with reference to the remarks of the honorable member for the Warrego, he could state that having listened to the prayer of the petitioners, the Government would be in a position to minister to their wants. He would further state that the Government would not lose the opportunity of placing the portion of the colony referred to in the petition in direct communication with the chief towns of the colony.

Mr. JONES said that, without dissenting with what had fallen from the honorable member for the Warrego, he would express his opinion that the honorable gentleman possessed the good sense to see that no necessity existed for printing the petition after it had been read to the House. The flowing language and striking forcible style of the petition, could not impress the honorable members of the House more than it had already done, even if it were printed on fine blue paper and read early in the morning. He really trusted, especially after what had fallen from the honorable Colonial Treasurer, that the honorable member (Mr. Forbes) would not press his motion.

Mr. FORBES, in reply, said that he felt extremely flattered by the observations of the honorable member for the Mitchell, Mr. Jones. But as he (Mr. Forbes) had stated before, it was necessary that the petition should be before honorable members in consequence of his intention to take future action in the matter. He would be able to show, when the returns he was about to move

for were laid upon the table of the House, that the petition was one that deserved every consideration at the hands of honorable members. He desired that it should be printed, and one of his grounds for so doing was, that it came from a very important district, and one that deserved to be called the Great Western Downs. It was a district that would certainly become the pride of the whole Colony of Queensland. Its capabilities were greater than those of any other portion of the colony. He could say so from experience, having travelled over hundreds and hundreds of miles of the territory of Queensland. He could safely say that no part of the colony was equal in extent and quality, as a pastoral district, to the one which he represented. He maintained, therefore, that as a new district, for the first time represented in Parliament, it would be gross injustice to ignore its claims—to treat it in the same way that it had fared hitherto. He trusted that the motion would be passed, and that the House would not ignore every act of the representative of the new district of the Warrego.

The motion was then put and passed.

PASTORAL ASSESSMENTS.

Mr. FORBES moved,—“That there be laid upon the table of this House a return, showing the amount of rent, license, and assessment derived from Crown lands in the pastoral district of Warrego; also the amount of assessment received for stock from the 1st March, 1864, to the 31st March, 1865.” The honorable member stated that he had brought the motion forward to satisfy honorable members that the revenue raised in the manner mentioned and received by the Government from the Warrego district, was such as to entitle the residents therein to a fair consideration, and a proportionate expenditure on improvements thereon by the Government. After the returns asked for had been laid before the House, he would be able to make other demands upon the House on behalf of his constituents. He would strive to the best of his ability to do his duty for his constituency, by claiming for them a fair share of the revenue to which they were not less entitled than other more favored districts of the colony. The motion for these returns was but a preliminary step to his further proceedings. When the honorable member (Mr. Taylor) supposed that his Darling Downs was the Colony of Queensland, he was very much mistaken. If that honorable gentleman could stretch his ideas a little further, he would be better able to give his consideration to the district he (Mr. Forbes) referred to, and also to other parts of the colony, without confining his attention exclusively to the little town of Toowoomba.

Mr. R. CRIBB said he rose to support the motion, but desired to call the attention of the House, and of the honorable member for the Warrego, to the fact that every shilling

expended between Brisbane and the Warrego in opening up direct and improved communication, was as much to the benefit of the Warrego as to the other parts, even though the road did not extend to that district. That was because every increased facility for traffic in that direction tended to enlarge the number of residents there, and to increase the value of its lands. He hoped that the terminus of the railway would, if not immediately, be ultimately in the heart of the Warrego district, and even at the present time, a small approach had been made to this desired object. From information in which implicit confidence might, he thought, be placed, he believed the Warrego would ultimately prove an important district of Queensland, and contribute as much as any other part of the colony, both to the revenue and the general prosperity of the country.

Mr. TAYLOR said that he rose to correct some misstatements made by the honorable member for the Warrego. He was not aware of having said at any time that the Darling Downs was the Colony of Queensland, and he had yet to learn that the Warrego was a better district than the Darling Downs. If the honorable member said that the returns from the district which he represented were greater than those from the Downs, he would be shown to be mistaken. The Warrego was a poor outside district, and therefore he had allowed its present representative to stand for that district instead of coming forward himself. He believed there was a petition from the squatters in the Warrego, for permission to have a second lease of their pastoral lands for five years, on the same terms as the first lease. The observations, however, made by the honorable member for the Warrego would go far to show that such a petition was not necessary, nor called for. Had not the member said there was no country like the Warrego? If that were so, then the profits of the squatters there must be enormous. He (Mr. Taylor) would be happy to find the extension of the railway as far as the Warrego, but he did not see his way clear to go beyond Dalby at the present time. The representative of the district in question must not deceive the residents by false promises. For himself, he had a great objection to the Government allowing every paltry petition introduced to the House to be printed. He would ask that the petition be read instead. He had done so before, and would do so again, in reference to every petition. Only yesterday, by his doing so, they had seen one petition with two names attached, asked to be printed, and to-day the House was asked to print another with only half-a-dozen more signatures. The Government was put to very great expense in printing these petitions while they answered no good purpose.

Mr. GROOM thought the last speaker had misunderstood the introducer of the motion. The fact was, the Warrego district *did* return

more than the Darling Downs to the general revenue. The Colonial Secretary, indeed, had made use of that very argument when he introduced his Bill last session for increased representation in the outlying districts; and by that Bill the mover for the returns represented the Warrego. The honorable member (Mr. Taylor) had spoken of the paltry petition signed Watts and Hollard, when the former represented one-third of the whole pastoral wealth of the colony. Surely Mr. Watts had a right to petition against unjust restrictions to the importation of stock into Queensland. The mover for the returns in question was undoubtedly entitled to them. He himself had no doubt whatever that the increase of wealth in the Warrego district had been equivalent to that of the very important district of the Darling Downs. What the honorable member for East Moreton, Mr. Cribb, had said was to a certain extent true, and therefore the Warrego district should, in all fairness, be ready to bear a portion of the expense of the railway which was making progress in that direction, because the Government did intend to carry it further. Though that was so, he did think that the Government had been somewhat tardy in their proclamation of the sale of Crown lands in that part of the country. He would support the motion.

Mr. JONES thought the returns moved for were not necessary, as they would be included in those moved for by the honorable member for Maryborough, who had asked for similar returns for all the districts of the colony.

Mr. WARRS stated that he would not have spoken one word on the motion before the House, if the honorable member for the Darling Downs had not alluded to himself. The country of the Warrego was far superior to the Darling Downs. He admitted that, at the present moment the greater portion of the residents in the Warrego district could get flour cheaper than other portions of the colony. He would frankly avow that he had no desire to impede the interests of the outlying districts. No member could say that he had ever offered any impediments to those interests. He was therefore free to say that he was ready and willing to do as much for the outlying squatters as he wished to claim for his own. The expenditure for money on railways to the interior was necessarily in the interests of the inland districts, because such railways brought them nearer to the seaboard. He would, on a future day, move for the extension of the railway from Dalby still further, and not only so, but would be ready to have the various lines carried on till they reached the Gulf of Carpentaria. Queensland was a young and prosperous colony—at least to a certain extent—and the Government should not hesitate to borrow money to pay the expenses of those improvements which they would hand down to posterity, and for which posterity would be thankful, seeing that they would reap the

chief benefits from the country which they would receive from the hands of their predecessors so much improved by their exertions. It was the duty of members not to legislate for pet districts, but to do their best for the whole country. Let them then not be heard to say that they will do this or that for some particular district which they are not prepared to do for the whole colony.

Mr. BLAKENEY said that one would imagine from the turn the debate had assumed that they were deliberating upon a vote for a grant. Yet after all, the motion was simply for returns to ascertain whether a particular district was entitled to increased protection and postal communication. Why there could be any objection whatever against what would cost only a few shillings, he could not understand at all. Objections had been raised against similar returns last year, and the motion for them now should not have been met with an angry debate at all, but acceded to at once. He was certain the House would support the motion.

Mr. LILLEY said it appeared to him that the motion before the House called forth an amount of eloquence worthy of the several speakers who had preceded him. All would agree that the outlying districts referred to would be capital subjects for future discussion in reference to the rent they should pay for their leases. He would support the motion.

Mr. FORBES, in reply, said that inasmuch as he had the best of the argument, and all were satisfied that he should have the returns moved for, he was perfectly content, and might congratulate himself that all the eloquence of the representative for the neighboring district (Mr. Jones) had been expended in vain. He admitted what the honorable member (Mr. Cribb) had said to be true, and the Warrego district gladly and willingly paid its portion towards the construction of the present railways. The honorable member (Mr. Watts) might see that there would be no necessity for centuries to come for a railway to the Gulf of Carpentaria. The honorable member (Mr. Taylor) had accused him of misstatements in maintaining that the Warrego district possessed greater natural capabilities than the Darling Downs. It was at all events a country equally rich in pastures, and at the same time of far greater extent than they were. He was quite willing to leave his motion in the hands of the House.

The motion was then put, and passed without a division.

BENCH OF MAGISTRATES, TOOWOOMBA.

Mr. GROOM moved, pursuant to notice,—
“That an address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the table of this House, copies of all correspondence that may have taken place between the bench of magistrates, Toowoomba, and the Commissioner of Police; and also the depositions taken in the Toowoomba police court, having reference to

the case of a member of the Toowoomba police force, who was recommended for dismissal by the bench of magistrates for entering a place of worship, when placed on duty, in a state of intoxication, and creating a disturbance, but which recommendation was not attended to." The honorable member stated that he had been induced to bring this motion forward for many reasons, but particularly to draw the attention of the House and the country to the working of the Bill to amend and consolidate the laws relating to the police force, passed in the session of 1863. If the working of that measure in in Toowoomba were an illustration of its general operation throughout the colony, then, undoubtedly, it was a perfect failure. He would go further, and say that the police were not so efficient or effective, and did not afford that protection to life and property as characterised them when under the control and jurisdiction of the local benches of magistrates. As it was arranged now the magistrates were frequently set at open defiance. If they suspended a constable from duty for gross misconduct, the man often ridiculed the magistrates, appealed to the Chief Commissioner in Brisbane, and in nine cases out of ten the appeals were successful. Again and again, complaints of this nature had appeared in the local and metropolitan newspapers without any contradiction or denial whatever; and from conversations which he (Mr. Groom) had had with country magistrates, he found a very general opinion prevalent that a change at this juncture would be for the better; and, that the old system was, after all, better suited for the country districts than the present cumbrous measure. As an example of the injudicious operation of the Police Act, he would adduce the case referred to in the motion now before the House, where the magistrates' decision, honestly and carefully arrived at, had not been attended to; and where the constable had succeeded in gaining a decided advantage over those whose judgment the Government were bound in all conscience to uphold. The ministers of the German Lutheran, and Wesleyan Churches, respectively, made complaints to the then mayor of Toowoomba, that they were frequently disturbed in their services on Sabbath evenings, by a number of disorderly persons surrounding their respective places of worship. The mayor, knowing he had no power to interfere in the matter, brought the complaint before the municipal council, who resolved that it should be referred to the Police Magistrate. An official communication was accordingly addressed to that gentleman (Mr. Rawlins), who, in reply, stated that he had issued instructions to the sub-inspector, to place men on duty on Sunday evenings in the street where the disturbances had occurred. On the following Sunday evening the Rev. Mr. Madgwick again made a complaint to the mayor that he had, on that

evening, been disturbed in his religious services, by the constable placed on duty entering the place of worship drunk, and bringing another man with him, who was also intoxicated, and who conducted himself very disorderly, and challenged some of the congregation to come out and have a fight. Both men had to be ejected by force from the building before the service could be proceeded with. This complaint was made by letter, by the mayor, to the Police Magistrate, who had the constable in question, Adams by name, brought before him. The constable admitted his offence, but hoped the Police Magistrate would pass it over. This, Mr. Rawlins declined to do, as the case was, in his opinion, of too gross a nature to be passed over with impunity. He accordingly suspended Adams from duty, and recommended him to the Commissioner of Police for dismissal. The recommendation, however, was not attended to, but a letter was sent to the Police Magistrate, informing him that a fine for the offence would be sufficient to meet the merits of the case, and requesting him to re-consider the matter. This letter was laid before the bench of magistrates at Toowoomba, and in accordance with a resolution then arrived at, a judicial investigation was advised. Adams was accordingly summoned before the bench, charged with being drunk in a place of worship, and witnesses were examined to prove the charge. The bench were of opinion, unanimously, that the charge was fully borne out by the evidence, and accordingly recommended Adams for dismissal, as they knew this was not his first offence. This proceeding of the bench was also ignored; the man was not dismissed, but quietly removed to another district. Now, he (Mr. Groom) contended that this proceeding was not at all calculated to keep up the respect and dignity due to country benches. If the members of the police force knew that no respect was paid to the decisions and judgment of either police or unpaid magistrates, but that they could appeal effectively to the Commissioner of Police for protection, how could the House or the country hope to have either an efficient or effective police force in the interior districts of the colony? The instance adduced by him, was not in itself, taken *per se*, perhaps of great importance, but it was important as tending to show how frequently country benches were treated discourteously, when trying honestly to carry out their duties. He would also take this opportunity of drawing the attention of the Colonial Secretary to the unprotected state of the electorate of Drayton and Toowoomba. Frequent applications had been made to the honorable gentleman at the head of the Government for additional police, but to all of these applications a negative reply had been received. The population of Toowoomba was rapidly increasing, and he ventured to say, and he did so in no osten-

tatious spirit, that no town in the colony was progressing with the same solid progress as Toowoomba and its neighborhood. In fact, the expressive language of the honorable the Minister for Lands and Works, "that long before the whistle of the railway was heard in Toowoomba, its rapid prosperity would give substantial proof of railway communication," was daily being verified. His object, more particularly just now, was not to draw invidious comparisons between Toowoomba and other towns, but to show that the Police Bill of last session was, in many respects, a failure. It might, perhaps, have worked well in large places, such as the city of Brisbane, and the sister city of Ipswich, if he might be permitted the expression; but in the country districts the Bill was an utter failure, and the magistrates were often set at open defiance. It was, moreover, impossible for the Police Magistrate of Toowoomba to afford that protection to the town which its scattered population demanded. The whole force at present consisted of three men, and they were expected to do both day and night duty. In fact, matters had come to such a crisis, that when he (Mr. Groom) left Toowoomba, the mercantile men were seriously considering the necessity of appointing, and paying out of their private means, night watchmen. It was very undesirable that any community should be driven to extremes like these; and he trusted, now the matter was brought prominently under the notice of the Government, that some steps would be taken to increase the police force of the town and district of Toowoomba. At the present time, the town, by night, was wholly unprotected. Bedrooms of the hotels had been pillaged, and the guests robbed of most valuable property. Stores had also been broken into at night, and a considerable amount of property abstracted. Although notices of these outrages had appeared in the public journals, and also leading articles, dwelling with force and earnestness on the inadequate police force in Toowoomba, no notice had been taken; and the town was, in point of fact, by night entirely left to its own protection. He had no personal interest in this question, further than he thought it was his duty to bring such a case as this under the notice of the House. It was essential for the best interests of the colony, that strict discipline should be maintained in the police force, and that the subordinate officers of the Government should be fully impressed with the fact that there was respect and dignity due to magistrates, which must be upheld. But if such cases as that now before the House were of frequent occurrence, it could not be said that members of the police force would be inclined to have much respect for magistrates or their decisions. He would now leave the matter in the hands of the House, believing they would do it justice.

The COLONIAL SECRETARY said his explanation was to the following effect:—The statement made by the honorable member was inconsistent with facts, and showed that he was unacquainted personally with the affair, and had only derived his information at second-hand. From a true statement of the facts in connection with the constable and his conduct, he (the Colonial Secretary) formed the very opposite conclusion to that which Mr. Groom would have that House believe. He conceived that the Government ought not, as a rule, to submit to be instructed as to the details of their proceedings by members of the House; because they were responsible for their acts. That House could not be administrative, but the Government must be generally answerable for all the details of their administration. But as this was the case of a new department, very unjustly maligned, the objection would not be pressed. The papers, which he would lay upon the table, would show that the department had acted properly. The honorable member had taken a very incorrect view of what had really occurred. The constable was drunk, but not disorderly. The reverend gentleman concerned had spoken in the constable's favor in a letter. That letter he would read. [The letter implored consideration in favor of the policeman, entreating that he should not be removed.] The statements of the depositions made before the bench confirmed the view that the policeman was not disorderly, on the testimony of the reverend gentleman aggrieved, though the drunkenness was proved. Mr. Rawlins recommended the dismissal of the constable to the Commissioner in Brisbane, and the Commissioner said, in reply, that, as it was the constable's first offence, the punishment proposed was too severe.

Mr. GROOM: It was not the first offence.

The COLONIAL SECRETARY: It was the first offence reported, and the constable's pay had previously on the recommendation of the Police Magistrate, been raised from 4s. 6d. to 5s. 6d. a-day. His (the Colonial Secretary's) own instructions had been that a fine of five pounds would be far better. The bench had declined to go into the matter at all, and the punishment then inflicted was, that the policeman's pay should be reduced to 4s. 6d., and that he should be removed to another station. Afterwards, at Ipswich, the constable was dismissed for drunkenness. The head of the police department had not been desirous to screen the man, and in any case, the proper penalties would be inflicted upon every offender. Concerning the police generally, he felt that he might speak highly of them. They had arrested the guilty with the greatest alacrity.

Mr. GROOM: No, no! not in Toowoomba.

The COLONIAL SECRETARY: They had not failed in a single instance to do so. The police of Queensland would compare favorably

bly with those of any other colony. Some of the constables of Drayton, he thought, might be removed to Toowoomba, though the Police Magistrate did think it proper to have three policemen there. He laid the papers on the table, but would not move that they be printed as they were rather voluminous; for his own part, however, he would prefer that they should be printed.

Mr. GROOM, in reply, must say that the honorable member was, in some respects, correct as to what he had stated, and in some respects incorrect. In the first place, he should like to know how the letter of the clergyman, excusing the constable's conduct, could be reconciled with the fact that it was upon the representations of the Rev. Mr. Madgwick that his case was brought before the bench. As to its being the constable's first offence, that was not correct, for on three occasions Adams was a delinquent. The first offence, the Police Magistrate had himself forgiven, and did not report to the Commissioner. On the second occasion, Mr. Foran, the sub-inspector, found him drunk on duty, and he looked over the offence. The third offence occurred in a public place, and at a time when some eighty or ninety people were engaged in public worship; and that the bench and Police Magistrate declined to overlook. The Police Magistrate thought that it was not a case wherein the rules of discipline of the force should be departed from, and the bench properly thought that the sentence which had been imposed should have been carried out. Had it been so, the Government would not have been at the further trouble of having the man's conduct again investigated, for he had been ultimately dismissed from the force. He (Mr. Groom) was quite prepared to state that the Government had not a more able or efficient officer in the service than Mr. Rawlins, who was the best Police Magistrate in the colony; and a more upright or conscientious one they could not have. So far from his treating the Government with discourtesy, he would treat them with the greatest possible respect. The fact of three magistrates having investigated the case and arrived at the same conclusion as the Police Magistrate, was good evidence that he had acted properly in this case. As to the letter of the clergyman, he (Mr. Groom) was aware that the reverend gentleman did write such a letter, but it was at the urgent solicitation of the constable himself. The magistrates did properly uphold the decision of the Police Magistrate, the chairman of the bench, in order to impress upon the other members of the police force a proper sense of the respect that was due from them to the dignity of the bench. He (Mr. Groom) was sorry that the honorable the Colonial Secretary had said that he could not grant additional police protection to Toowoomba, when it was so necessary in both town and district. From

Toowoomba to Dalby, was a distance of fifty miles of road, on which there was no police; from Toowoomba to Leyburn, was a further distance of fifty miles, and no police. If any crime was committed in those distant localities, the police of Toowoomba had to be taken away for the country duty. It would be better to let the town police do their own duty, and not take them away into the country, where mounted troopers were the best. At a place like the Weir River, for instance, which was one hundred and fifty miles away, there was no use in any but mounted troopers. He hoped the Colonial Secretary's decision was not final, that no additional police could be given to Toowoomba. If it were, the municipality would have to tax itself and impose a rate for local police for the protection of the town. They had streets in Toowoomba progressing in a minor degree like Brisbane, and it was of importance that people could leave their business places at night, feeling that their property was safe.

The question was put and passed.

POWER TO WITHDRAW A MOTION.

Mr. WALSH, in consequence of the satisfactory answer given by the honorable the Colonial Treasurer to the question put by the honorable member for the Warrego (Mr. Forbes), yesterday, begged leave to withdraw the motion standing in his name, as follows:—
“That the petition presented by him on the 10th instant be printed.”

Mr. DOUGLAS said he had a decided objection to these petitions being withdrawn. The printing of them was a very small expense. He appealed to the honorable member at the head of the Government—he believed that the Printing Office was in his department—and the honorable member would bear testimony to the fact that the printing of the petitions was a mere trifle.

The SPEAKER: I beg to interrupt the honorable member—he is out of order. The honorable member for Maryborough (Mr. Walsh) has withdrawn his motion, and it is quite in his power to do so, it is not before the House; the honorable member withdraws the motion for printing the petition.

Mr. WALSH: Not wishing to incur expense by printing the petition after the object of it is gained, I withdraw the motion.

Mr. DOUGLAS: Did he understand that the petition was withdrawn?

The SPEAKER: The petition is not withdrawn, but the motion for printing the petition. It is in the honorable member's power to do as he likes with his motion;—it does not belong to the House, it belongs to the honorable member;—it has not been brought before the House.

Mr. DOUGLAS attributed the withdrawal of the motion to the amiable feeling that actuated the honorable member (Mr. Walsh). It was not for him, however, to inquire into the feeling that had actuated the honorable

member; but he (Mr. Douglas) could not allow such motions as this to pass without remark. Those petitions were not long, and the printing was a mere trifle of expense. He took the opportunity of protesting against the principle that had been enunciated, of thoroughly false economy—that for a mere few shillings they were to refuse the printing of petitions;—and, mark! the objectionable feature was, that the House drew an invidious distinction between one petition and another; they said that one petition was worthy of being printed and another was not worthy of being printed. He contended that every petition received by the House should receive this consideration at their hands—that was to say, if it was worthy of being printed—if it was found worthy of a place on their records.

The COLONIAL TREASURER thought the honorable member who spoke last had forgotten the object of the honorable member (Mr. Walsh) in withdrawing the motion. It was not the question involved in the withdrawal of the motion, as made out by the honorable member for Port Curtis; it was, that the object of the petition having been served in the reply made by himself (the Treasurer) to the question raised in the petition, induced the honorable member (Mr. Walsh) to take the course he had taken. He thought the position of the honorable member was one to be commended by the House.

The SPEAKER: It just shows the evil of not stopping at the beginning;—this matter might have led to a debate, and no question before the House.

The House adjourned until Tuesday next, the 16th instant.
