

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 9 AUGUST 1865

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LEGISLATIVE ASSEMBLY.

Wednesday, 9 August, 1865.

Road Votes (Motion for Adjournment).—Constitutional
Position of Her Majesty's Representative.

ROAD VOTES (MOTION FOR ADJOURN-
MENT).

Mr. MILES said, that he rose for the purpose of moving the adjournment of the House, to enable him to direct attention to a

return which had been furnished by the Government, on the motion of the honorable member for Maryborough. It was—

"A return of the various sums of money voted by Parliament, during the sessions of 1860, 1861, 1862, 1863, and 1864, for the roads between Ipswich and Toowoomba, Ipswich and Warwick, and Maryborough and Gayndah, and for the roads in the Maranoa district, specifying the amounts for each year."

He wished particularly to call attention to that portion under the heading "Maranoa district." The first item was £3,400 for "roads" 1863, which he was not prepared to question; but the next one, he found, purported to be voted in 1865. The return was simply asked for up to the session of 1864; and he should like to know why the sum for 1865 was in the return? It appeared that there was £600 voted for the road between Condamine and Surat for 1865. The next item was for "Dalby to Roma, *via* Condamine," 1865, £1,200; the next was "St. George, Ballonne, to Warrego," 1865, £2,500; the next, "Dalby to St. George, Ballonne River," 1865, £1,200; again, "Other Roads, Maranoa district," 1865, £800; "Charley Creek Bridge," which did not happen to be in the Maranoa district at all—

Mr. ROYDS: It was at the time—1862.

Mr. MILES: There was £100 put down for that. The next item was, "Bridge Creek Bridge," 1862, £100. He took this opportunity to point out to the House that he looked upon these last as a gross waste of public money—the construction of bridges on those creek crossings, leading to nowhere. They were not made use of; they were not in a leading thoroughfare. There was also another bridge on the line, at the Juanda Creek; and he did certainly maintain that it was a gross waste of public money, to vote sums for bridges over such creeks; because they were so near their sources that even under the circumstances of a flood those creeks would not delay traffic for a single day. All honorable members were aware that it was impossible to travel on the main roads in times of flood; yet it appeared that the Government were attending to by-roads, and neglecting the main thoroughfares. The next item was "Dogwood Creek Bridge." That purported, also, to be for 1865. He did not know of any such bridge. Then, again, there was "Bungeworegai Creek Bridge," £900. It appeared to him, so far as he could judge, that it was a falsified return, compiled with a desire to mislead honorable members; because he had repeatedly stated in the House that the district which he had the honor to represent had been grossly neglected. Indeed, the only opinion he could have, was that the return was falsified with the view of throwing dust in the eyes of honorable members—to shew that the honorable member for the Maranoa had been making a noise about nothing, saying that no money had been expended in his district, when so much

expenditure was made to appear in the return. Why 1865 should be introduced into the return, he could not tell: there must be some mistake.

An Honorable MEMBER on the Treasury Benches: No mistake at all.

Mr. MILES: The honorable the Secretary for Lands and Works said there was no mistake at all. He hoped that the honorable member would be able to explain it to the House; it would give him great pleasure to see that there was no mistake. Why Charley Creek Bridge and Bridge Creek Bridge should be introduced under the heading "Maranoa District," he could not understand, when they had no connection with the district. Why, in the name of common sense, were they put in the return? The next item was "Blythe's Creek Bridge," £600, 1865. He had travelled all over the district, and he knew every part of it, and there was no such place in existence. The fact was, it appeared to him, so far as he could ascertain—for he had before stated it in the House—that the Engineer of Roads had never been in the district at all. The next item was "Culvert, Dalby to St. George, Ballonne River." If any honorable member could make anything of that—it was a distance of three hundred miles—he should be glad.

The COLONIAL TREASURER: Post towns.

Mr. MILES: If that was not mystifying the House, it was strange to him. Honorable members might laugh, but he could assure them it was no laughing matter. He begged to assure the House distinctly, that the Maranoa district contributed largely to the revenue, and that it was systematically neglected. Even the paltry sum that he had asked for on the previous day could not be granted; and when he attempted to bring his motion before the House, he got a good snubbing for it. He was certainly surprised that certain honorable members sitting on the Ministerial side did not express some opinion upon it. It seemed to him that unless he got the consent and approval of the Ministry to a motion, an honorable member in his position had no right to bring forward a motion for justice to his district. But he came to the House to do the best he could for his district, to act independently and to vote conscientiously; and he had not thought it was necessary that he should truckle to the head of a department to get what was fair; and, what was more, he would not do it. He should content himself with those remarks. He believed that he had pointed out sufficient to the House to ensure that, at all events, they would take the trouble to look over the return. Unhesitatingly, he contradicted every item, with the exception of the first, £3,400; and he was not sure that even that had been voted; but all the others, he insisted, were never in existence, except in the returns; and the only con-

elusion he could come to was that whoever prepared those returns had done so with a view to falsify the real state of things, and to mislead honorable members. The honorable member then formally moved—"That the House do now adjourn."

The SECRETARY FOR LANDS AND WORKS observed, that as he had no intimation from the honorable member of his intention to bring forward a matter of this kind, he might, perhaps, labor under a disadvantage in meeting the charges the honorable member had brought against the Government, and the officers of the Government. In fact, the honorable member had been in the habit lately of making assertions that no money had been spent in the Maranoa district; and he (the Secretary for Lands and Works) supposed, was now very anxious to shew that none had been spent. He labored under the misapprehension that the boundaries of the Maranoa district were always what they were now; but it so happened that many of the places that he had named were actually in the district at the time the work referred to was done; so that in saying that no money had been voted for the Maranoa district, the honorable member was not doing justice—

Mr. MILES begged the honorable gentleman's pardon. He did accept the first item of £3,400; but he took exception to all the items for 1865.

The SECRETARY FOR LANDS AND WORKS: He took the exception; but that was not sufficient for the purposes of his explanation. The honorable member had asserted, that Charley Creek Bridge, Bridge Creek Bridge, and Dogwood Creek Bridge, were not in the district of Maranoa. It so happened that those bridges were in that district when the money was voted.

Mr. MILES: Not in 1865.

The SECRETARY FOR LANDS AND WORKS: He would come to that presently. There might be some error with regard to dates, but the bridges were situated in the district of Maranoa at the time the money was voted; and he would also inform the honorable member that the amounts required for those bridges had been authorised on the recommendation of a select committee of the House that sat, at the time, on the "Main Roads" of the colony; and that those very creeks were mentioned in the evidence taken by the committee as creeks that wanted bridges. The honorable member had entirely failed to make out his case; but what he hammered at a great deal were the items for 1865. If he looked at the heading of the return, he would find that it was—

"A return of the various sums of money voted by Parliament during the sessions of 1860, 1861, 1862, 1863, and 1864, &c."

He must understand distinctly—or he ought to do—that the moneys required for one year were always voted in the preceding session. The moneys set down for this year were

voted last year. The moneys stated in the return were not moneys to be applied for in the House this session, but moneys voted last year to be spent this year.

Mr. MILES: The honorable member was mistaken. The return moved for was for sums voted up to the year 1864. The motion never applied to the votes of 1865.

The SECRETARY FOR LANDS AND WORKS: The honorable member stated that the motion never applied to the votes of 1865. Of course not; but it applied to the votes of 1864—which were to be spent in 1865—and that was the object of the motion, and the information was supplied by the return.

In the course of the debate,

The SECRETARY FOR LANDS AND WORKS appealed to the Speaker, and asked—Whether, in his opinion, the return produced was a proper Parliamentary Return to the order of the House.

The SPEAKER said: There can be no doubt, in my mind, at all events, that the moneys voted for 1864 must embrace those that are to be expended in 1865.

The motion was, by leave, withdrawn.

CONSTITUTIONAL POSITION OF HER MAJESTY'S REPRESENTATIVE IN THE COLONY.

The COLONIAL SECRETARY moved the adoption of the following address to His Excellency the Governor:—

"May it please your Excellency,—

"We, her Majesty's loyal and dutiful subjects, the members of the Legislative Assembly of Queensland, in Parliament assembled, desire to assure your Excellency of our continued loyalty and affection towards the person and Government of our gracious Sovereign.

"In the person and conduct of your Excellency, Her Majesty's representative in this colony, we have never failed to recognise an active intelligence, and a prudent zeal for the interests and welfare of Queensland, which have secured, not only the respect due to the office which your Excellency fills, but also, our personal regard and gratitude.

"We further beg to assure your Excellency that we entirely agree with the principles of constitutional government which have been laid down by Her Majesty's late and present Secretaries of State for the Colonies, in the terms recently quoted by your Excellency, viz.:—

"The general principle by which the Governor of a colony possessing responsible government is to be guided, is this:—That when Imperial interests are concerned, he is to consider himself the guardian of those interests; but in matters of purely local politics, he is bound to follow the advice of a Ministry which appears to possess the confidence of the Legislature; and 'A strict observance of the principles of constitutional government has given to Great Britain her happy pre-eminence among free and well-ordered communities, and is no less important to a colony enjoying representative institutions than it is to the mother country.'"

"We thank your Excellency for having directed public attention to these principles, and for your

assurance that henceforward, as heretofore, your Excellency will continue to support the law of the land, and to carry out the will of the people, as expressed by the Colonial Parliament, with unceasing vigilance and inflexible resolution."

In doing so, the honorable gentleman said—If it had not been for the somewhat unusual course adopted by the honorable member for Maryborough yesterday, in first introducing his motion in a long speech, and then withdrawing it, and in that way not giving the Government an opportunity of replying to it, I should not have been under the necessity of troubling the House with any remarks to-day. I may here state that I should have very much preferred that the question had been discussed yesterday, and that the House should have come to a decision on the original motion; but as the honorable member had pursued a course that prevented that being done, I have now to address the House, in connection with the motion I now have the honor of submitting for approval, on the most important question raised by the honorable member for Maryborough, which, by its being withdrawn, I was not allowed to speak to. I feel I shall have the sympathy of the House in my attempts to shew that the remarks of the honorable member were founded on a misconception of all that had occurred in the matters to which he referred, and that his remarks were not founded on a just appreciation of the constitution under which we live, or of the principles which should guide us in carrying out responsible government. I have, therefore, thought it my duty to place a substantive motion on the subject before the House, which I shall explain. The honorable member for Maryborough found fault with the Government for not explaining in what way unconstitutional attempts had been made on the Governor, as alluded to by him in his speech at the Ipswich Grammar School, to induce him to interfere with the laws of the country; but the honorable member took care, as far as he could, that an opportunity should not be given for an explanation to be made. I have, however, now to make that explanation. There is no doubt the address presented to His Excellency by the trustees of the Ipswich Grammar School referred to circumstances that were generally well known, but the whole of which the honorable member for Maryborough did not yesterday refer to. The state of the matter is this, and I shall endeavor to refer to it without giving the slightest offence to any one, either in the House or out of it, and will confine myself to a simple statement of facts. The matters referred to in the address presented to the Governor on the occasion of his attendance recently at the Grammar School at Ipswich were, in the first instance, the attempts that were made to induce His Excellency to interfere with the national system of education, as established in this country, and that at a time when

Parliament was not sitting, and that not in a way that could be recognised as at all in accordance with constitutional principles, but by an illicit unconstitutional method, which is contrary to, and in supercession of, the proper duty and the functions of this House. It is a well-known fact, and I think the trustees of the Ipswich Grammar School, interested as they must be in the question of education, could not well do otherwise than refer to it; and I think the Governor took the proper course, in replying to the addresses presented to him, to explain what were his own views on the matter. His Excellency only stated what were facts that were well known to everyone who took an interest in the public affairs of the colony. The case was this. During the recess of Parliament, the Governor was strongly urged to set aside the Board of Education, as appointed under Act of Parliament, and to place in their stead the two Bishops in the colony, and associate with them two other persons holding a high position in connection with other denominations, with the design of deviating from the national system of education, which this Parliament had sanctioned. Strong pressure was brought to bear on the Governor, personally, because those who attempted it well knew that it would be useless to attempt such pressure either upon this House or upon the Government. Bishop Quinn, who was one of those who took part in the movement, even went so far as to express his opinion that, if necessary, they should petition for the recall of His Excellency, in the event of his not acceding to the request made to him; and stated that he would, in that event, use all the influence he could exercise at home to urge his recall. I may also state that the Anglican Bishop stated to the Governor that he had been invited by Bishop Quinn to take this course; but he said it would be neither right nor politic to do so, and, therefore, he refused. Now, the House, he believed, would admit that that was a serious unconstitutional course to take. It was an attempt to force the Governor to over-ride the decision of both Houses of Parliament, and to set aside the laws as carried into effect by the representatives of the people. That was one case, and another case in which personal pressure, which he also successfully resisted, was brought to bear upon the Governor, was with reference to the Railway Bill. After the Railway Bill became law, public meetings were held in different places throughout the colony, and, in particular, at Maryborough, to petition the Governor to set aside the whole proceedings of the Parliament and of the Government, in respect to the railway question, and which were based upon the decision of the House. In those petitions His Excellency was asked to set aside the decision of the Parliament, and to interpose his veto against the carrying out of the Railway Act. That was another uncon-

stitutional proceeding; and I think the House will agree with me in thinking it was well the Governor had such firmness as to refuse this request. The honorable member for Maryborough did not inform the House yesterday of the share he took in that proceeding. He did not state that, in a strong and inflammatory speech he addressed to a public meeting at Maryborough on the subject, he said he would himself petition for the recall of the Governor, unless he interposed and put his veto on the proceedings of Parliament, in respect to the railway question. The honorable member for Maryborough took that line of conduct, and in the strongest language it was almost possible to use—if the honorable member was correctly reported, and the report had not been contradicted—in language such as was never addressed towards any gentleman holding the high position of representative of Her Majesty, he called on the people to petition for the recall of the Governor. Well, that was the second case. Now, my object in placing this resolution on the notice paper is to ask the House to affirm this proposition, that when once the Parliament of the country has passed a law or a resolution, it is not in accordance with constitutional usage that any minority should, during a recess, bring pressure to bear upon the Governor to upset that decision. I wish to ask simply this, that when the Parliament has come to a certain decision, and has authorised the Ministry to take certain action, it is not right that any minority should attempt to bring pressure to bear on the Governor, individually, knowing that neither the Ministry nor the House would stand such pressure, and that it is not right that any Governor should yield to such pressure. It is true the present Governor is, as he has shewn himself to be, proof against any such attempted pressure; but I will point out what might have happened under like circumstances if we had had a Governor less experienced in constitutional law, or whose opinions did not coincide with those of the majority of the Legislature. Suppose a gentleman had been appointed as Governor who was not favorable to a constitutional form of government, or who did not understand the privileges conferred by a system of responsible government, it might have been possible for gentlemen of high position, whose views on the subject of education were entitled to receive much consideration—it might have been possible for them to induce the Governor to upset, by his own act, the Education Act passed by the Parliament of the colony; and if he did not do that, such strong pressure might have been brought to bear upon him by threats of petitioning for his recall, that he might have refrained from putting the law into force. And such a thing may happen hereafter, for Governors may be found who would yield to such pressure. I have, therefore, thought it right

as the head of the Government, to submit this resolution to the House, that this House may pronounce upon it, and thereby affirm whether in their opinion the Governor did right or did wrong in carrying out the views of a majority of the Legislature, as expressed by an Act of Parliament. If I do not obtain a majority in favor of the motion now, it is possible that any future Governor will be able to say, if placed in like circumstances as the present Governor has been, that when the Assembly had the question fairly put to them by the first Minister of the Crown, whether or not they wished to have parliamentary government strictly and correctly carried out, they declined to say they did, but, on the contrary, said that the Governor or the Ministry might take action to over-ride the opinion of a majority of the representatives of the people. Now, in making the remarks I have made with respect to the Roman Catholic Bishop, I desire to state, that though he took what, I think, was wrong political action, it has in no way altered the personal relations that previously existed between the Governor and him, for they are still on as good friendly terms as before. The action taken by Bishop Quinn was altogether of a public nature, and had nothing whatever of a personal nature in it; and there is, therefore, no feeling in consequence of his action on the education question, that the Roman Catholic Bishop is not entitled to the regard secured to him by his high office and personal qualities. It is not a personal matter in any way. He appears to have committed a political mistake, and the Governor had only one constitutional course open to him to pursue under the circumstances—that of resisting the course proposed. The honorable member for Maryborough also referred, in his speech yesterday, to another matter on which he is incorrectly informed. The honorable member referred to Mr. Raff, when about to leave for England, on the subject of the waterworks, not being granted an interview by His Excellency, and represented that gentleman as having been aggrieved by His Excellency declining to see him. Now, I am happy to say there is no foundation whatever for that statement, for, since his return to the colony, Mr. Raff has freely and frankly stated to the Governor, that he was satisfied the circumstances under which he declined to see him were such as to justify any business man declining to be interrupted; and he was aware, that as the mail for England was about to close, he was busy writing his letters and despatches, and could not, therefore, receive him. The House would thus see that Mr. Raff did not complain, and that he did not put forward the honorable member for Maryborough to speak for him; and I am happy to say he does not share in the feeling attributed to him by the honorable member yesterday. I have endeavored, in the motion I have placed before

the House, to put, in as few words as possible, what is necessary to enable me to ask the House to say that they approve of the way in which the Governor has carried out the laws, and that they approve of his resistance to the pressure which it was attempted to bring to bear upon him. Still I cannot help observing that the honorable member for Port Curtis has given notice of a motion on the subject of education, which shews the agitation may be revived, and that those who desire to upset the national system of education in this colony may endeavor again to bring pressure to bear on the Governor that may not be brought upon the Government. I hope that such may not be the case; but, as there is a possibility of it, I all the more earnestly wish the House to express an opinion that they do not wish the laws as passed by the Parliament to be upset by the head of the Executive, either individually or acting under the advice of his responsible advisers. If any honorable member opposite thinks he can convict the Government of deviating from any law or any resolution passed by the House, or of attempting in any way to upset them, I shall meet any charge of the kind he may make most fully. I have frequently had to meet charges brought against the Government of deviating from the resolutions of the House, but they have all been of a general and undefined character; and honorable members should bear in mind that the Government cannot remain in office unless they uphold the laws as passed, and if any charge against them of deviating from the laws were substantiated, they could not do otherwise than resign. The honorable member for the Burnett has brought such charges, but the honorable member does not strengthen the position of the Opposition by repeating the cuckoo cry against the Government without stating a case. I again repeat that I am ready to meet any particular and definite charge that may be made against the Government, and to argue the question and defend the conduct of the Government; but when honorable members only say "yes, yes," I can do no more than answer them by saying "no, no." If the Government are to be charged with cooking accounts and producing fraudulent returns, and if those charges are to be brought forward in a vague and general way, and are not substantiated, the country must consider that the Parliament conducts matters in a very lax way indeed; and the odium of such practice will fall upon the Parliament, and not upon the Government. For my own part, I shall be far more obliged to the honorable member for the Burnett, who takes the leading part on the Opposition side of the House, to bring forward specific charges.

MR. MACKENZIE: "No, no."

THE COLONIAL SECRETARY: Well, the Government takes very little notice of anything emanating from any other quarter, as to

charges made against them. I shall not prolong my remarks, but before sitting down I would repeat that I should have been very glad to have been able to dispose of this matter yesterday, by meeting the motion of the honorable member for Maryborough with a direct negative. As an opportunity of doing so was not afforded, in consequence of the withdrawal of the motion, I have felt it to be my duty to say what I have said on this occasion, with reference to the constitutional question involved. I trust the House will carry the address I have placed on the paper, the adoption of which I now move, and in which I state nothing more than I have stated to the House, and will, by doing so, confirm what I have stated, that the Governor should be allowed, during a recess, to carry out the Acts, and the spirit of the Acts, passed in Parliament, notwithstanding that certain honorable members in the House, and other persons out of the House, may have opposed them when Parliament was sitting, or doubted the expediency of carrying them out. It is perfectly patent to every one that the present Governor is not likely to lend an ear to any person who may threaten him with loss of office, by taking action here, or communicating and exerting their influence with persons at home, or that they will lead him from the constitutional path he is prepared to follow: but I ask the House to approve of this address, because I look with apprehension to the time when the present Governor is succeeded by another, who may not feel so strongly on the subject of constitutional government, and who may be a member of the Roman Catholic Church, or of the Church of England, having strong prejudices on the education question; and may, therefore, be liable to be swayed by influential pressure that might be brought to bear upon him. I may here say that I have felt my duty very difficult, as a member of the Church of England, and one holding the Bishop of that church in this colony in the highest respect, in dealing with this educational question. I have differed with the head of my church so materially on some points, as to lead him to think it advisable to express himself very strongly, and to make great efforts to have the position of this question altered. Now, I felt when a law was passed by the Parliament establishing a national system of education, I was so protected by the law, that I could not be molested by persons who might be expected to have a strong tie on me; but that feeling would be considerably influenced if the Parliament did not decidedly say that the laws as passed should be strictly adhered to. My feelings will be much altered if the Parliament does not say so. It might be, that during a recess I might have to listen to propositions for modifying a resolution passed by the House; and if I acceded to such propositions, I might—when the Parliament met again—I might have to answer for alter-

ing the system of education established by law. I might be able to resist any such attempt, but some one else who might succeed me might not. Some who might come new to the thing, and who did not in consequence see the effect of the changes that might be introduced, might not look at the matter in the same way as I should, and might be led away by the influence an important church dignitary might bring to bear upon them, to act unconstitutionally. I do not say that the Bishop of Brisbane brought stronger pressure to bear upon me than I was able to resist; but if I had been in any doubt as to the way the Parliament desired the laws to be carried out, I might have given way. In the remarks I have made, I have endeavored, and I hope successfully, to avoid making attacks upon any one; but I have felt I must record the fact which I was deprived of the opportunity of doing yesterday, that it is true attempts were made upon the Governor to induce him to interfere with parliamentary government; and I believe an expression by the House that those attempts should not be repeated may be found to be exceedingly useful on future occasions of the kind.

Mr. MACKENZIE said he confessed that when the honorable member for Maryborough placed his resolutions on the table, he could not understand them. He read them carefully through first, then upside down, and then sideways, but still he could not arrive at the object of the honorable member in putting them on the table of the House; but after the honorable member made his speech last night, he understood a little better what he was driving at. It then appeared to him that the object of the honorable member was to speak in highly eulogistic strains of His Excellency Sir George Bowen at the expense of his Ministry. They had now arrived at this, that on the one hand the Governor had received the approbation of the Home Government, as was shewn by an extension of his term of office, and on the other, that he had secured unbounded praise from the honorable member for Maryborough. Those two circumstances, he thought, were sufficient to have justified the honorable the Colonial Secretary in not bringing forward the proposition he had submitted to the House. He was not allowed by the forms of the House to quote from the report of the speech of the honorable member, but he believed the report in the *Courier* was a very correct one, and it appeared by it that the honorable member for Maryborough stated that the Governor "had been and was a blessing to the colony." Now, after such an expression of opinion, he considered the honorable member was bound to support the resolutions submitted to the House by the honorable the Colonial Secretary. It appeared to him that the question brought forward on this occasion resolved itself into two divisions. It appeared that His Excellency took occasion,

in making a speech at the Grammar School at Ipswich, in speaking on the education question, to make allusion to the fact that pressure had been brought to bear upon him in regard to the question of education. The honorable the Colonial Secretary was quite right in stating that he (Mr. Mackenzie) was the first to draw attention to this circumstance, at a public meeting in Brisbane on the subject. So far so good. The Governor, he considered, was right in calling attention to this interference, and stating his determination to resist anything like attempts to induce him to act unconstitutionally. But the second part was that in which His Excellency took occasion to comment on the action of honorable members of the Assembly in waiting on him as a deputation in reference to the water-works. He was not clear that that matter should have been brought forward by His Excellency in his speech, but he thought that, as to the way of proceeding in such matters under constitutional government, they were all wrong; and in saying this, he meant honorable members collectively and the people generally. As he understood it, petitions might be addressed to the Governor *pro forma*, but, at the same time, such petitions should be transmitted to His Excellency through one of his responsible advisers—through the Minister in whose department the matter referred to rested. But the mistake made in connection with the petition from Maryborough and elsewhere, in regard to the railway question, was that the petitioners addressed His Excellency directly, instead of addressing him through one of his ministers.

AN HONORABLE MEMBER: It was not a petition; but a deputation waited on His Excellency to present a memorial.

Mr. MACKENZIE: At any rate, they waited on His Excellency in both cases. Now, the course that should be adopted by the Governor, in any case, is that, if he is waited on personally by a deputation presenting a memorial or petition, he should receive the deputation in the presence of the head of the department to which the matter belongs, and hand the petition to him without expressing an opinion one way or another. If that course had been followed in the cases that had been referred to, there would have been no need for this motion. Now, those honorable members who composed the deputation were attacked for being ignorant of the forms of parliamentary government. Well, he must confess that if he had been one of those honorable members, he should have brought the question before the House at an early period of the session; but none of those honorable members had done so, and as they did not do so, he thought it would have been better, and more discreet, if the honorable member for Maryborough had not, unasked, become their champion, and acted on their behalf. His opinion was, that if any honorable members were ignorant of

the mode of proceeding under parliamentary government, the members of the Government were not; and, therefore, they had frequently committed breaches of it. The honorable the Colonial Secretary had referred to him, and had brought him to task for accusing him of breaking the laws of the country. The honorable gentleman said that he had failed, because he had not brought forward distinct charges. Now, numerous instances could be brought forward where the Government had acted unconstitutionally; and in all cases in which he had brought forward a motion, charging the Government with acting unconstitutionally, he had entered into details. He would mention a few of them. There was the visit of the honorable the Colonial Secretary to England, the manner in which the Parliament was dissolved, the removal of the honorable and learned the Attorney-General from the Upper House to the Assembly, and the expenditure of the immigration fund last year. He admitted that, on all these questions, a majority of the House went with the Government, but that did not change his opinion in the slightest degree, as to the correctness of the charges; and he still maintained that in all those cases the Government acted unconstitutionally. He did not wish to speak of the Governor individually, but His Excellency might have been over-ruled by other members of the Executive; and he only wished to point out that it was wrong for honorable members of the Government to accuse other honorable members of acting unconstitutionally, when they themselves lived in glass houses. The honorable member for Maryborough spoke of the mode of presenting the petitions as correct, because in England there were petitions presented direct to the Throne, requesting Her Majesty to dismiss her ministers; but that was a very different case altogether; and it would be quite competent for the House or for the people to present an address direct to the Governor, praying him to dismiss his ministers, because he had power to do so. The matter, however, was very different when the question was one of policy; for the Governor could not, individually, in his proper person, attend to matters involving questions of policy. Again, the honorable member for Maryborough accused the Government of prompting His Excellency for his speech. Now, he thought it would be very unwise for any Government to take the blame, or hold themselves responsible for the speeches His Excellency might deliver on public occasions. He should be sorry to think that the Ministry should prompt His Excellency, or that His Excellency would pay any attention to their prompting. He thought there was nothing more he could say on this question. But there was something he thought required explanation, and that was as to the way in which the amendment was laid on the table. There was something, he

thought, unconstitutional in that proceeding. Where did it come from? The honorable the Colonial Secretary did not say it was his, but he had, nevertheless, embodied it in his resolution, which led honorable members to infer that he was the author of it. If the resolutions were put to the vote he should support them, though he thought them unnecessary after the speech of the honorable member for Maryborough last night.

Mr. FITZSIMMONS said he would only address a few words to the House on this subject, which, he was sorry to see, had come to be of so much importance as it had. He felt he could not altogether agree with the honorable the Chief Secretary, nor could he altogether disagree with him. As to the pressure brought to bear by the Bishops on the Governor, he had never heard of it before, nor did he wish to know anything of it whatever. He should be very much pleased if he could join with the honorable member for Maryborough on any question of public interest; but whether the motion he brought before the House on the previous day would have been carried or not, it would not have been of any interest whatever to the public. But, whether or not, he was sorry the amendment had been brought forward, for he did not think it would be agreeable to His Excellency to read debates in which his name was mentioned. No honorable member of that House, he believed, ever could doubt, or ever did doubt, the loyalty of the honorable member for Maryborough towards Her Majesty, and much less could they doubt his warm affection towards His Excellency. The honorable member for Maryborough had done some very valuable service in the House. He had done some very valuable service by his opposition to the Ministry, whenever he thought that matters of public importance were being manufactured on the Government side of the House. The honorable member had gained some victories on the Opposition side of the House; which he (Mr. Fitzsimmons) had no doubt, would entitle him to the praise and confidence of his constituents; and he thought the honorable member ought to be satisfied with those honors he had justly obtained in the House. They were honors which ought to be considered sufficient to satisfy the ambition of any statesman. But the honorable member did not appear to be satisfied; and he appeared to be now aspiring to higher honors—to the honor of having a bout or tilting match with the representative of Her Majesty. When he read the address of His Excellency at Ipswich, it appeared to him that it consisted of some notions about education or religion; and he was sorry to find from the speech of the honorable the Colonial Secretary, that he was not disappointed. He should have preferred to have been disappointed, for those were matters he thought

it would be better to avoid alluding to in that House. A reference had been made to bishops in that House, and such references he should also like to see avoided. It would be better that they were avoided. It appeared to him that there was a great deal of ambiguity in the address written by the honorable member for Maryborough; and he could not say the amendment presented by the honorable the Colonial Secretary was divested altogether of ambiguity. However, the honorable the Chief Secretary had, in a great degree, unmasked it, or made it clear of ambiguity in his speech. He thought the address brought forward by the honorable member for Maryborough, and afterwards withdrawn, was intended as a criticism, or, perhaps, as a censure, on His Excellency the Governor, for some words or some speech he had made at some public meeting. Now, he believed that every honorable member would concur in the opinion, that to prevent the Governor from giving expression at public meetings to his personal views, even on public matters, would be to exercise a degree of cruelty over him, that the House ought not to tolerate. He thought the Governor should not be criticised in giving expression to his opinions wherever he went. He would not, as there were many honorable members who were more competent to speak on the subject than he was, take up the time of the House further than to say that he should vote in favor of the address to His Excellency now before the House; and if the address brought forward by the honorable member for Maryborough, yesterday, had not been withdrawn without being proposed, he would have been glad, and should have been bound by the duty he owed to himself, and the duty he owed to his constituents, to have voted against it; and he would oppose any one, in his head-strong humor, attacking the Governor for any expression of his opinions at any public meeting.

Mr. DOUGLAS: Sir, the speech of His Excellency the Governor at Ipswich, which is really the matter now under discussion, was, I believe, in many respects an admirable one. I feel that I should be deficient in gratitude if I did not express that opinion—if I hesitated to say that I cordially agree with much that was said upon that occasion, which might justifiably have been said by a gentleman in the high position of His Excellency. But there have been a few facts alluded to by the honorable member at the head of the Government, which were advanced in that speech, to which I feel it my duty to refer. The statements I allude to may be divided into three. They were made in illustration of the line of conduct which His Excellency expresses himself as considering detrimental to the working of sound constitutional government. He used them to illustrate the manner in which a certain section of the community in this colony had departed from

the principles of that sound government, and had invaded the legitimate bounds which are prescribed by the constitution. In the first place, he stated that occurrences of that nature had taken place during three successive years. The first case occurred in 1863, the second in 1864, and the third in 1865. His Excellency stated—whether advised by the Ministry or not I cannot say, and I do not intend to raise the question—in a public document, that he had been “vehemently solicited to *veto* the Act authorising the construction of railways.” The honorable member for Maryborough alluded to this statement, and he combated the idea that His Excellency had been “vehemently solicited” by the presentation of a petition from certain colonists. Now, I am far from believing that His Excellency would deny the right of any persons to petition him as the representative of Her Majesty. But I think, under the peculiar circumstances of the case, considering the time which had elapsed since the petition was presented, His Excellency should hardly have quoted this case as a serious departure from the form of constitutional government. For these persons who petitioned His Excellency upon that occasion—I myself, was entrusted with the presentation of it, as a formal duty—were not persons who were educated up to the highest possible standards of constitutional government. But they considered, not unnaturally, that their constitutional existence was imperilled, and the great burden of their prayer was, that they were not properly represented. The course they pursued, I believe, was not an unconstitutional one, although, perhaps, at variance with the custom of the country; and, finding that the passing of the railway measure resulted in a policy which was destructive to their political hopes, these gentlemen—living in an outlying district, and having communication with the capital only at long intervals—decided that, as a last resource—lying within the powers of the constitution; not usually adopted, yet one of which they had a right to avail themselves—they would petition the Governor to withhold his assent from the Bill which had passed the House, on the ground that they, the petitioners, were not represented and had not been consulted in the matter. Now, sir, that course, whether expedient or not—whether strictly constitutional or not—was one which was certainly not very unjustifiable under the circumstances. It certainly did not merit any very severe reprobation, and, I believe, it did not at the time receive any great reprobation from His Excellency. No doubt he was aware of many of the circumstances of the case; and as I was specially entrusted with the presentation of the petition, and as I had upon that occasion the honor of an interview with His Excellency—an honor which I have frequently had, and which I esteem—I must confess I was surprised that, after a lapse of some years,

the question should have been again brought up in such a way, and that it should be thrown in our faces that, as a minority, perhaps a very small minority, we had departed from the usages of constitutional government. When I presented that petition, I did think, personally, that if the Governor had *vetoed* the Railway Bill, he would have interfered with the principles of strict constitutional government. But, although that was my individual opinion, I conceived that other persons, who, perhaps, felt more strongly on the subject, might desire to right their grievances by appealing to the fountain head for the redress of all grievances. And, therefore, I could only regret that His Excellency should have thought it his duty to make use of somewhat strong—somewhat unfeeling—terms, in reference to this petition. Mention has been made of a petition from Maryborough. I am not aware that any petition on the subject emanated from Maryborough, although I am aware that a petition of similar character to that sent from Gladstone, was signed in Rockhampton, and forwarded from that place. I did not present that petition, but I may observe, incidentally, that His Excellency did not upon that occasion adopt the usual course of referring it to his responsible advisers—a course which I am sure is not only usual, but is one which his advisers would prefer. In contradiction of the usual course, the petitioners were replied to directly through the private secretary, and they were read a very serious lecture on their insubordination, and the violation of the principles of constitutional government which they had committed. Now, I admit that such a lecture might have emanated from the honorable member at the head of the Government or his colleagues. But, coming from the Governor direct, it had the effect of bringing Her Majesty's representative into ill favor with a minority—a small minority, I admit—of the people of this country. Now, if His Excellency had referred that petition to his responsible advisers, no reflections could have been made. That is what I have to say in reference to the first charge. The second charge has reference to a meeting of the ratepayers of this city, which was held in reference to the Brisbane Waterworks. It will be in the recollection of honorable members, that an Act of Parliament was passed, empowering the corporation to carry out certain works connected with a supply of water to this city. The provisions of that Act affirmed that, in the event of the corporation failing to carry out the plans agreed to, it should devolve upon the Government to give effect to the operation of the Act. Well, the corporation, as it is asserted, had not an opportunity of carrying these provisions into effect. They confessed their willingness to do so, and they asserted that the Act specifically authorised them. Shortly after the passing of this Act, it appears that the Government, for

certain reasons, good or bad—whether they were sufficient reasons is not to the question—assumed that it was their function, and for the benefit of the community, to take upon themselves the responsibility of carrying out this work. That might or might not have been the case, but, at any rate, that was the issue between them. Accordingly, when the ratepayers found that the Government were not going to allow them to proceed with the duty entrusted to them by an Act of Parliament, they assembled at a public meeting—as I presume will not be disputed they had a right to do—drew up and passed a series of resolutions. I was not present at that meeting, but the result of it was, that a deputation was appointed to submit those resolutions to the Governor. I believe it has been correctly stated, that a gentleman who was lately a member of this House, Mr. George Raif, was a member of that deputation. The members for Brisbane at the time being were also members of that deputation; and, in consideration of the injunctions conveyed to them by this meeting, they did wait upon His Excellency. It appears that the resolutions they were requested to submit contained an assertion to the effect that a breach of faith had been committed. Upon the strength of that statement, and believing that such an assertion would not be admitted into a parliamentary petition, His Excellency declined to receive it unless the wording of the petition were altered. Now, the deputation did not feel themselves in a position to make any alteration in the resolutions committed to them by a public meeting. They may have been personally desirous of avoiding any conflict with the Governor. It is possible that they might have submitted the resolutions to another meeting, for the purpose of couching them in different terms; but they did not consider themselves empowered to alter the wording of the resolutions, and I think they were justified in declining to do so. A correspondence ensued; it would be tedious to refer to it; but the upshot was, that His Excellency, without referring the matter to his responsible advisers—(No, from the Government benches). Well, that was what appeared to be the case, for His Excellency at first communicated with the deputation through his private secretary—his advisers may, of course, have been aware of it, but that did not appear from the correspondence—and the consequence was, His Excellency stated that he now intended to refer the whole matter, as to whether it was right or not to receive this petition from the deputation, to the Secretary of State for the Colonies. That was a reference which, I submit, was not desired by the deputation. It was a course voluntarily adopted by His Excellency, and the result was, that when the deputation found what was going to be done, they considered it would be only decorous and proper that the petitioners should also appear by memorial

before the Secretary of State, and, at this stage of the matter, I took part in the proceedings. I did so, because I thought it very undesirable to send such a memorial. I thought the appeal should have been made to the local authorities, who were His Excellency's responsible advisers; and because I thought that His Excellency should have referred the matter, not to the Secretary of State for the Colonies, but to his own Secretary of State. That was the point referred to by the honorable member for Maryborough, who quoted from the reply of Mr. Cardwell, but who did not quote that portion of it in which the writer stated, "that is a matter to be disposed of by the Colonial Legislature." I am sure every honorable member will endorse that opinion. Mr. Cardwell goes on to say, "I cannot help repeating that it is quite unnecessary to refer to me any question of form;" and virtually, the Secretary of State admits that this was not a case which should have been referred to him—that it was a matter which should have been settled by the local authorities. The issue between the Governor and the corporation was simply this, and they regretted that an appeal had been made to the Secretary of State for the Colonies. They were quite prepared to combat the opinions of the local authorities; but, in loyalty and right feeling, they were prepared to appeal to them, in the first place. Now, these are two of the points which have been referred to. There is one more which refers to something which took place in 1865. It was stated that unconstitutional attempts had been made by certain gentlemen to influence the Governor on the subject of education, and to induce him to swerve from that line of conduct which he believed had been laid down for him. I quite agree with the honorable member for Rockhampton, that it is very unpleasant to hear those gentlemen—for whom I have the highest respect—referred to as bishops. I am quite content to refer to them simply as members of the community. Whatever respect I may entertain for those gentlemen here, I only treat them as Dr. Quinn or Dr. Tuffnell—in fact, persons possessing rights neither greater nor less than any other members of the community. I do, therefore, regret that they should have been referred to as persons having any special authority or influence. Now, sir, I know for a certainty, that very little indeed is known of these "unconstitutional attempts" to influence the Governor on the question of education, although the honorable member at the head of the Government affirms that they were exceedingly well known. There may be some privileged individuals who have more knowledge on the subject. I happen to know, to some extent, what they are. I happen to know, in the privilege of private intercourse which I enjoy with His Excellency, that he had an interview with Dr. Quinn, out of which, I believe, arose the main *gravamen* of the charge that unconstitutional attempts have been made

against the State. I am not fully acquainted with the details of this matter, but that is the presumption of the community. And if the honorable member for Rockhampton, in the high position which he occupies in society, is not, as he has stated, acquainted with the particulars of this interview, it is not at all likely that a majority of the members of this community are acquainted with them; and, therefore, the honorable member at the head of the Government is not justified in stating that the nature of these attempts was exceedingly well known to the community at large. I believe, sir, he has correctly stated the nature of that interview with the Governor. But what does it amount to—that Dr. Quinn, enjoying a high and influential position in society, at the head of a religious denomination, but not therefore possessing any exclusive privilege, or any amount of power not possessed by a member of this House, waited upon His Excellency, and expressed his opinions upon certain matters of serious moment to him. I look upon this as a private conversation, which should in no way be endowed with the attributes of an official visit. If that right reverend gentleman had behaved himself in an indecorous or unseemly manner, I presume that His Excellency would very quickly have shewn him the door. It is possible that a gentleman might go to the Governor and make use of language approaching to menace; but if he had said anything derogatory to the representative of Her Majesty, we know very well the course His Excellency would have taken in such a case. I have frequently enjoyed the privilege of private interviews with the Governor, and I must say that the candor and gentlemanly bearing displayed by His Excellency has entitled him to every confidence from me. I cannot too strongly express my appreciation of these qualities, especially as I may have to qualify my remarks in touching upon some points in His Excellency's administration. I would rather not have to say this, but it has been forced upon me, and I feel bound to do so. Now, what is likely to be the effect of such expressions of opinion as those made at Ipswich?—I am not going to say whether it was authorised by the Ministry or not—what is likely to be the result of it? Simply that the statement is very likely to breed bad blood. I affirm that there have been no unconstitutional attempts. There has been a conversation with the Governor, and Dr. Quinn may have expressed heterodox opinions; but that does not amount to an attempt to subvert the constitution of this colony. If not, why try to foist upon the country a sort of popish conspiracy, for that is what it comes to? The public are not to suppose that this gentleman is in such a very high and commanding position, or that he can wield such extraordinary power as a bishop, and that in consequence of that power he can go to the Governor and threaten him with all sorts of maledictions.

Nothing has been said about excommunication, but I don't know whether it may not have been stated that even that threat was used. At any rate there was no doubt as to the way in which His Excellency would act if any such attempt were made to coerce him. He would simply say that he owed his allegiance to Her Majesty, and to no other person or potentate. I repeat that such a statement was calculated to breed bad blood, and was an unfair advantage. I say that the observations which were made by the representative of Her Majesty had the effect of placing His Excellency in the position of prescribing a minority—possibly a small, even an insignificant minority—of the community. Now, the relation of a Governor to the community and to the Legislature, is a very serious question, which may arise in any British colony. I freely admit what would be asserted by the honorable member at the head of the Government, and other honorable members, that it may be, that it frequently must be, and that it ought to be, the duty of Her Majesty's representative in any British colony to meet the people whom he governs on terms of familiar intercourse. There are frequent occasions in which a Governor may do so, and ought to do so; and I am quite sure there are many occasions on which Her Majesty's subjects would be rejoiced to meet her representative on such terms, especially in reference to questions of social or national import. But when the representative of Her Majesty, probably fascinated by the seductions and excitement of politics—to which we are all liable—is, unfortunately, induced upon occasions to swerve from what I believe to be the strictly impartial and straight line of duty before him—when that is the case, I say there is nothing left for us but to regret—I do not say censure, except, perhaps, in extreme cases—that he should have diverged from what has been laid down as the prime duty of all Governors of British colonies. The Governor of a British colony holds a very high and responsible position, and it is sought to surround him with all those attributes of royalty which it is possible to supply in a small community. I do not affirm that it is possible to carry out the strict principles of royalty as applied to the Governor of this colony. But I affirm that it is desirable to do so as far as possible; and, in the instructions which all Governors receive, the duty is inculcated upon them of assuming, as far as circumstances admit, all the rights and privileges of royalty in their dependencies. Although there are manifest differences between the Sovereign and the Governor of a British colony which I need not dilate upon, still the Governor is clothed with such prerogatives as can be defined by instructions as well as by law. And what is the fundamental principle which is supposed to rule Governors in the management of their dependencies? It is that which also rules the Sovereign in the management of her

sovereignty—that she, in her own person, is not responsible for any act. “The King (or Queen) can do no wrong;” and, therefore, all wrong committed by the Government is committed by the advisers of the Sovereign. For this reason it is very undesirable that the Sovereign, or a Governor, should, by any overt political act, commit themselves to anything which cannot be attributed to their Ministers. The honorable member for Maryborough has attributed this conduct to the Ministry. I do not attribute it wholly to them. I believe they are prepared, and properly prepared, to stand by anything that has been said by His Excellency, and to justify it. If they were not, I should feel inclined to apply to them that term which was applied to the honorable member for Maryborough yesterday. Now, sir, I have made some general statements as to what I believe to be the duty of a Governor in a British dependency—they have been forced upon me. I conceive that His Excellency's speech is not to be construed into a very high act of treason against the constitution. I believe it to have been an ill-advised and unfortunate speech, because it trenched upon politics. I am aware that this colony owes a just debt of gratitude to Her Majesty's present representative. I believe that he has thrown his whole heart into the colonisation and aggrandisement of this colony; that he has taken a warm interest in the social and general welfare of the community; and that he deserves great credit for doing so. But His Excellency, like all mortals, is subject to errors, and such errors he has committed. The honorable member at the head of the Government is also, I believe, entitled to a great deal of praise. And, although I have frequently taken exception to his line of conduct, I am fully prepared to award to him the meed of praise which is justly his due. I have stated on several occasions that he has not been prepared to lay down any specific or defined line of policy for the Government. It may not have been desirable to do so. But although I may personally have differed with him in the course of conduct he has pursued, I have not failed to recognise the debt which this country owes to him. I believe that he, in connection with His Excellency, working together and supported by a majority of this House, and enjoying the confidence of the country and of this House, have done so much, and loyally so, to further the interests of the community. But I do not, therefore, affirm that they have never committed mistakes; and if, unfortunately, the representative of Her Majesty has sometimes considered it his duty or policy to step down from that high and commanding position which he occupies, and to mingle with the many in the pursuit of politics, he must expect to be subject to the comments which are made by politicians. I really perceive no very great objection to the address moved by the honorable member at the head of the

Government this evening. I have no desire to cavil at many of the statements it contains; in many of them I heartily and cordially concur. It has now been found necessary, although I could have wished that the honorable member had allowed the matter to drop, to present His Excellency with an address which partakes not only of the character of an expression of opinion of his Government, but of our personal regard. Now, sir, I have no hesitation in saying that I have a great personal regard for His Excellency. I admire his qualities in many respects, but on some points in which he has considered it necessary to take a very decided stand, I cannot agree with him. But I shall not on that account oppose this address. I do not think the circumstances of the case call for any such congratulatory address; at the same time, I am quite ready to yield to him a just meed of praise, and to recognise in him a generous and large-hearted man, though one who, I believe, is at times actuated by impulsive feelings, and is likely to drift into a line of conduct which, as politicians, we cannot always approve of. I do not wish to urge any strong objection to the first four clauses; but I should be false to myself if I assented to the last clause. For I do not "thank His Excellency for having directed public attention to these principles." I am satisfied that they are well known and esteemed by us, and by the community at large. I do not feel thankful to His Excellency for that portion of his speech, though I do feel thankful to him for much. I do not feel thankful for that portion which refers to political subjects, and, therefore, I do not cordially agree with the last clause. I think, as allusion has been made to these matters, and as it is known to many that a correspondence has taken place—that the Home Government has been appealed to—and that His Excellency has treated the matter in a very serious way at Ipswich, it is desirable that this House and the public should be placed in possession of further information on the subject, I may say that I had no desire to treat this question as one of politics. But it has been made a political question, and I regret that the honorable member at the head of the Government should have referred to a motion which I have tabled on the subject of education. I am, however, aware that the people of this colony take great interest in the question, and the only action they can take must be through their representatives. I deprecate altogether the allusion that another Governor may be sent out, who may be more amenable to influences. What influences can be brought to bear upon a Governor except through this House? It is, therefore, altogether chimerical to suppose that any danger will arise from this source. If so, his advisers would be made responsible for his actions, and the moment he attempts to diverge from the straight path of constitutional conduct, it becomes them at once to

say that they will no longer assist him in his administration. In reply to the lecture which has been read to this House by the honorable Colonial Secretary, I say that no change can take place in the Government of this colony without the consent of this House; and if the Ministry are guilty of any mal-administration, they are amenable to the House. In the case of a future Governor, I say, let him apply to himself the principles which he has laid down; and, I affirm, it is not likely that any Governor, endowed with the powers he receives from Her Majesty, will ever attempt any unconstitutional interference. I do not believe that His Excellency, our present Governor, has done so. He has, perhaps, occasionally diverged, and it is very natural that he should do so. He came to this colony as our first Governor. Upon him, to a great extent, devolved the responsibility of inaugurating responsible government, and it was necessary for him to take an active part in the organisation of that Government. No future Governor will be placed in that position. I think, therefore, we must not look upon this offence as a serious offence. It is trivial in itself, but it is one which, as a representative of the people, I am bound to take notice of. We are placed here to guard, what I believe to be, the fundamental principles of political rights, and to take notice of every attempt to infringe them. I consider it my duty to speak my mind plainly now. I am quite sure that a considerable portion of this community will think it desirable to know the worst or the best of these alleged unconstitutional attempts; and I think full publicity ought to be given to them, and full information as to the correspondence and inquiries which have taken place in reference to them. I cannot personally vote for the whole of this address; I make no claim to follow any person in this matter, or to be followed by any one. I am here to express my individual opinion, and, in the hope that it may be adopted by a majority or, at any rate, a decent minority of this House, as I cannot vote for the last clause of the address, I feel bound to substitute a clause which embodies what I consider to be the answer we should give. I, therefore, beg to move—"That the question be amended by the omission of the last paragraph, with a view to the insertion in its place of the following:—The principles of constitutional government, thus so admirably stated by two successive Secretaries of State for the Colonies, are cordially accepted by us. We deeply regret that it should have become your Excellency's duty to call attention to the fact, that unconstitutional influences had been brought to bear upon your Excellency with a view to subvert the existing administration of the Education Act of 1860; and we beg respectfully to request that your Excellency will cause to be laid upon the table of this House, copies of all despatches which may be calculated to

afford us information on a subject of such great public importance."

Mr. WATTS: Mr. Speaker, I wish to say a few words upon this subject. I must confess I was much surprised at the course which was taken yesterday by the honorable member for Maryborough. It has been stated that this question is likely to breed bad blood among certain members of the community, and if that should be the case I believe it will be entirely attributable to the course pursued by that honorable member. I am quite sure that if His Excellency's speech at Ipswich had not been introduced into this House by the honorable member for Maryborough, the country would not have taken notice of it, and nothing would have been known of the charges he has brought forward. I must say that, during the whole of that honorable member's career in this House, he has endeavored to act, not only as the censor of the House, but also as the censor of the country. Yesterday he delivered a speech, in which he lauded the Governor, and endeavored to shew that he looked upon him as the man *par excellence* for that position. But, I believe, that was only a piece of the sarcasm in which the honorable member has indulged ever since he became a member of this House. He has been in the habit, sir, of directing his attacks against me and other honorable members on this side of the House, because we conscientiously give our votes in support of the Ministry, and on all occasions do our best to further what we conceive to be the true interests of the country. It appears to me strange that the honorable member should endeavor to cast these reflections upon us, and that whenever anything is said on this side of the House he is sure to take exception to it. I know that when I sit down, that honorable member will rise in his place and assail me in return for these remarks, and will endeavor to shew that I have attempted to injure him in the estimation of this House, and the country. But, sir, I think I have a right to take exception to the course which that honorable member has pursued, and to point out to this House that this session has been prolonged very considerably by the introduction of questions which, in my opinion, ought never to have been introduced. This, sir, is one of those questions which, of all others, ought never to have been brought forward. I do not think it was right for the honorable member to bring the Governor's name before us at all. His Excellency has gained the esteem and respect of every member of this House; he has, on all occasions, evinced a warm interest in the progress of the colony, and the welfare of the community; and, as the honorable member for Port Curtis has stated, he has worthily filled the position he occupies. He has taken the helm at a critical period, and has steered the vessel with safety in a very difficult and trying time. As the first Governor of this colony, he has had many difficulties in his

path, and he has pursued a line of conduct which has had the effect of raising this colony in the estimation of other countries. If he had not exerted himself to bring this colony prominently before the Imperial Parliament; if his powerful advocacy had not been exerted in our favor, we should not have taken up the high position which we now occupy. Our finances would not be in such a flourishing condition, if he had not taken up his able pen and pointed out the vast natural resources of the colony—if he had not pointed out that this country possesses wealth, which can only be developed with the assistance of the mother country. I say, if he had not done this, our progress would not have been so rapid, and we should not, at the present moment, have a line of railway open, or so many important public works in progress. If the wish of the honorable member for Maryborough had been carried out, that railway would not have been in existence. I shall quote, sir, from a speech which that honorable member delivered at Maryborough, in which he acted in a most unconstitutional manner, by attempting to bring a pressure to bear upon the Governor of this colony. The honorable member, in that speech, distinctly stated that this colony was governed by an unconstitutional Governor, an unscrupulous Ministry, a Darling Downs squattocracy, and a Brisbane clique. But yesterday, the honorable member appeared to have entirely altered his tone. Yet, only a very short period back, the honorable member, acting as one of the prominent speakers at a meeting at Maryborough, denounced His Excellency as one of the innovators of the colony, and said that it was the intention of himself and somebody else in the central portion of the colony to petition Her Majesty's Government to remove him. Now, is not that pressure brought against the Governor, for carrying out the opinions and wishes of this House? If such pressure were brought against him from the outside, and if he were of a flickering and wavering mind, he might waver and fail to carry out the laws and the constitution. That is the way in which the Governor might be induced or constrained to depart from the constitutional principles which our Governor has unwaveringly carried out. To shew how much we ought to believe of that honorable member's speech, yesterday, I shall read those portions of his speech delivered at a demonstration at Maryborough, in connection with this subject. I may say this was delivered at a great public gathering, on the 27th August, 1863. It was shortly after this House had affirmed the principle of carrying out railways in the colony; and that principle was not meant to be applied only to the southern districts, which then comprised the greatest portion of the population of Queensland, but to the northern districts, whenever the population warranted the construction of railways there. It was

distinctly the policy of the House and the Government, the policy of the country, to carry out railways first where the necessities of the people most required them; and it was distinctly understood that a great trunk railway in the northern districts should be made so soon as the condition of the population required it, and its contributions to the revenue justified it. I say, sir, it has always been my wish never to give to the southern districts of the colony a greater share of the revenue than is warranted by the number of the population; and, while I feel that way, I shall give my vote for the true representation of, and care for, the interests of the northern districts. It has been stated by the honorable member for Port Curtis that the northern portion of the colony, for the policy that we have pursued, will be separated from us. In the expectation of separation I cordially concur with the honorable member; for so soon as the population warrants it, it will be the duty of Her Majesty to grant separation to the northern districts. Let them have that boon—give them separation at once. I feel that we have been entrusted with the government of this great colony only for a while—to carry it on as well as we can—and to expend its revenues to the best advantage; but only until such time as it may be necessary to divide it. We cannot ever have supposed that we can judiciously administer the government of the far northern districts at this distance, when those districts become settled as the southern districts are now. We cannot be expected to know the wants of those distant districts, and to understand the wishes of their people, as well as they can themselves. Therefore, I say, that at some future day this colony will be divided into two separate colonies. Said the honorable member for Maryborough, at the meeting:—

“They must now invite their northern friends to join with them hand and heart, and unmistakably, in opposing not only that outrageous railway scheme, but every other act of the southerners which tends to their peculiar benefit at the expense of the colony at large.”

I will not read the whole speech, but will endeavor to analyse it, so as to exhibit to honorable members its remarkable characteristics. Again, he said:—

“But there was another personage in the colony whom he considered had most unmeritoriously escaped the observation of the inhabitants of the swindled northern districts; and, with a full conviction of the importance of the suggestion he was making, he (Mr. Walsh) would now say that he believed they should be only doing their duty to their beloved Sovereign, were the inhabitants of these swindled districts to humbly memorialise Her Majesty to remove from Queensland her representative, who was permitting the future as well as the present prospects of this young colony to be completely sacrificed by a jealous selfish section of it. They might point out in the memorial that the Governor of this misgoverned colony associated to himself,

as his responsible advisers, men in whom it was known he had neither public nor private confidence—men whom he did not hesitate, in ordinary conversation, to condemn, and with whom he maintained no terms of intimacy. They might point out to their beloved Sovereign that her representative is permitting these very men to initiate a Bill of such momentous importance, that it must end in plunging the colony into bankruptcy, and that their sole wish in that Bill was to continue the seat of government at one very extremity of the country, while the effect, as heretofore, will be that so long as the seat of government is in such an inconvenient place, the territory and resources of the colony must remain undeveloped. Believe me, said the speaker, there is no ‘osculating’ now passing between His Excellency and the Ministry; the pretty walks around, and the sparkling boudoirs and saloons inside Government House, are forbidden spots at this moment to more than one member of the Government; and with such a known deplorable disunion between His Excellency and his advisers, and with such pernicious legislation as they were indulging in, and His Excellency sanctioning, was it too much to ask of Her Majesty to vindicate the capabilities and fair name of this colony by listening to such a memorial. If he were honored by this meeting with a request to assist in inducing our northern friends to join in the formation of the proposed league, he should make it his business to suggest to them the advisability of sending such a solicitation to the Queen, for he felt certain that until they had one over them who cared more for the interests of the colony at large, and less for his character of a keep-the-country-quiet Governor, a West Moreton Ministry, a Darling Downs squattoocracy, and Brisbane aggrandisement will be the curses of Queensland.”

Now, sir, I ask this House how far can we, members of the southern portion of this colony, of the middle portion, of the northern portion, believe the utterances of that honorable member? If he entertains such sentiments as those I have just read, how can we believe the address which he delivered to the House yesterday? Can we, sir, for one moment, believe that he remembers from day to day that which he states either in this House or at public meetings which he addresses? Although I should be ready, if I could, to assist the honorable member in carrying out his views, I feel that he has no definite views, for his mind is always ill at ease. I feel that, although he would willingly castigate me from time to time, his words are quite harmless; and I can calmly say that I fear nothing that can come from that honorable member. I have, at the same time, like the honorable member for Port Curtis, who delivered such an excellent speech just now, the privilege to express my own opinions in this House as a representative of a portion of the people of this colony; and I fear not to exercise that privilege, even at the risk of raising the ire of the honorable member for Maryborough, and provoking him to administer to me what he may think a castigation. Notwithstanding that I am

one of the despicable squatters, who have lived for nearly twenty years in that despicable country, the Darling Downs, and that I have assisted the Ministry with my vote—it is only one—in what I have thought was for the advancement of the good of the colony, for the great advantage of its interests, I can say that I have ever acted conscientiously. Although I may have made mistakes, I acted, as I thought, for the best; but I can safely say that I have no desire to follow in the path of the honorable member for Maryborough—to prolong the debates of this House by unceasing objections to everybody and everything that does not suit his whim of the moment—who, by his conduct in the House, retards the public business and prevents me from following mine. Spite of him, I remain to perform the duty I owe to the country, and to protect its interests; and I feel that, though much time has been wasted, it can be attributed to that honorable member alone. I can say with my honorable colleague, Mr. Taylor, that if “Hansard” cost us a large sum of money last year, it will cost us double in future, owing to the speeches delivered by the honorable member for Maryborough. The course he has adopted since he came into this House is a very undesirable one; it would be far better for him to bring forward some really good subject of complaint—some substantial grievance; but, if he could do so, it would be best for him to assist us to do something for the benefit of the colony. These trifling questions that he raises are not calculated to elevate us in the estimation of the public—to keep us in that high estimation in which we have been held by the other colonies, and by the mother country, before the honorable member for Maryborough came into the House. I say that the northern portions of the colony have nothing to expect from that honorable member. They have much to expect, however, from the honorable member for Port Curtis, who has already done a great deal for them. Anything that the honorable member for Maryborough can do will never be of benefit to any portion of the community. I say advisedly, that his mind is in an extraordinary unhappy state—in fact, that his body, as well as his mind, is ever at work: he is ill at ease; he is never at rest; his course of life is a miserable one. If that honorable member, who feels himself aggrieved at some imaginary evil—who feels that he must perpetrate the thing in this House, and who seems to represent some of those unhappy spirits like himself, must go on in his present course, it should not be. If the honorable member will take my advice, in order to bring his body into health—whereby his mind may become healthy—he should take every day a little porter. We know that if a man’s body is in good health, his mind is likely to become so, too. If he will only adopt that suggestion of mine, we may have, for the future, measures which will

benefit the country, and enable him to speak in a way to induce us to listen to him with a little attention. I, for one, should always be happy to assist him as much as I can; but while he tries to make everything a grievance, and to breed an ill-feeling between the northern and southern portions of the colony, he shall never get my vote. I think that honorable members opposite will give me credit for endeavoring to listen to anything they have to urge; and the honorable members on this side, who—I say it advisedly—are an acquisition to this House, and who represent the new constituencies, will admit that I often act with them: they will all acknowledge that I am willing to do justice to the northern portion of the colony, as well as to the southern. But I do say this, that while the honorable member for Maryborough arrogates to himself the right to deal with the whole northern portion of the colony, from Wide Bay to the Gulf of Carpentaria, I cannot listen patiently to his unwarrantable assumptions. With these few words, sir, I say I cannot assent to the amendment moved by the honorable member (Mr. Douglas); but I will cordially support the resolution before the House.

MR. BROOKES: I always thought, Mr. Speaker, ever since I saw the amendment introduced by the Government upon the motion of the honorable member for Maryborough, that it was intended simply to be placed before us in the light of a corrective; and, looking at the motion of the honorable member (Mr. Walsh) as the bane, the Government have supplied us with the antidote. Of course, we can make allowances for the irritation which the honorable member at the head of the Government might naturally feel when he found that the honorable member for Maryborough, yesterday, withdrew his motion without allowing anybody to reply to it. I regret that the honorable member for Maryborough took that course, for it prevented our doing that yesterday which it will take us all this night to get through; and had he not done so, it would have prevented the exhibition of a great deal of unnecessary warmth and ill-feeling that will be excited. I really cannot vote for this resolution before the House. It seems to me to be entirely and utterly unnecessary. I do not feel that I am under any obligation to make such a formal protest and assurance to his Excellency the Governor of my

“Loyalty and affection towards the person and Government of our Gracious Sovereign;”

because I am not aware that they have ever been doubted. The whole of this address seems to me to be entirely a work of supererogation, and I do not know that in passing it we should be complimenting his Excellency in the most effectual way, or in the way most acceptable to him; because I believe that, as a high-minded gentleman, and as the representative of Her Majesty, he finds the

greatest consolation and satisfaction in the approval of his own conscience, in seeing the progress of the colony over which he presides. When I say what is in my mind, and which, observe, is the principal reason why I shall vote against the motion—I shall not leave the House—I say, I believe, that under cover of this fulsome approval of His Excellency, his advisers will seek to achieve for themselves a full bill of indemnity, they think that under the full blaze of panegyric in which they exhibit His Excellency, they will shine with a borrowed light. While I shall conscientiously abstain from any factious opposition, I will not tie my hands up by consenting to any address of this kind. I believe that we shall exercise our right of criticising the proceedings of His Excellency's advisers, in accordance with the forms of the House, and in the manner that obtains amongst gentlemen. I look with considerable suspicion on this motion, because, while pretending to administer a remedy for some evils that His Excellency suffers from, we may do a great deal of injury. If honorable gentlemen opposite will understand that so long as they manage this colony well, we will leave them alone—

The COLONIAL SECRETARY: I don't believe it.

Mr. BROOKES: As I have often pointed out, I don't think there is on this side of the House one honorable member who is eagerly ambitious or covetous for office. If Ministers will only be quiet, and take from this side of the House such criticism upon their acts as we endeavor to administer in a fair spirit, all will be well. No doubt, the honorable member for Maryborough is in the habit of treading upon their corns—and their corns are sometimes open to be trodden upon; but I will say that the speech of the honorable member for Western Downs, Mr. Watts, was as personal, and as grossly personal, as any that was ever uttered by the honorable member for Maryborough, or any other honorable member in this House, or in any other House—even the American House of Representatives. If we are to have everything quoted against an honorable member that he may have said outside, three years ago—I could do so, too—how would many of us look? How would the honorable the Minister for Lands and Works look, for instance, if everything he has said was quoted against him? I know it is a sort of *tu quoque* argument;—but he would not like it.

An Honorable MEMBER: He could stand it.

Mr. BROOKES: I am aware that he can stand a great deal. It is all very well to say to the honorable member for Maryborough—Why do you not bring forward a specific charge? There would be no use in Parliament if honorable members were not to speak about what they think is wrong, whenever they think proper to do so; and there was nothing in what was said, that the honorable

member had no substantial grounds of accusation against the Government. It is said that the sweetest kind of flattery is accorded unconsciously. Let the Government take it as the highest praise that can be accorded to them, that there is no distinct charge brought against them. If the honorable member for Maryborough, or any other honorable member of this House, can give—and I presume it is all that is intended—a kindly word of advice to the Ministry, let him do it, whatever may be said to the contrary. I did observe in the speech of the honorable Colonial Secretary a little impatience. I will give him this advice—If he would be only a little shade more docile, he would get on a little better. There is nobody in the House entertains a higher opinion of that honorable gentleman than I do. The honorable the Colonial Secretary deserves an address quite as much as His Excellency the Governor. I shall be ready freely to accord to him—and I am glad that I have a public opportunity to say that I do accord to him—my acknowledgment of the great ability, the talent, and the industry which the honorable gentleman brings to bear in the performance of his duty of administering the affairs of this country; and I do not know how we should supply his place, if it were to become suddenly vacant. I do not know whether he will consider that grossly personal. However, I consider that this address is utterly and entirely unnecessary; it is too formal an affair altogether; it will defeat its own object; and, I submit, that now we have had enough of this matter. We had the honorable member for Maryborough talking all day yesterday; we have had all the talking, to-night, on the opposite side; and I am sure the honorable the Colonial Secretary will consult His Excellency's feelings, and be taking the advice which he himself would offer, if he will consent to withdraw his motion.

After a long pause, no honorable member rising to address the House, the question was put by the SPEAKER; whereupon,

Mr. WALSH rose and said: I am very sorry, sir, to have put you to the trouble of reading the long motion and the amendment; but it is evident to me that the Government have so marshalled their forces to-night that they will not only do as they like, but say what they wish; and I had thought it would be better, in accordance with previous practice, that I should be the last to speak on this question. But I am not afraid, sir, to meet any number of personal attacks, or any number of gentlemen who are disposed to make them. Seeing the position of the House, and how well they are arranged this evening, I think it is hardly fair that they should call upon me to make a second speech before they have made their first. However, I do not care what position I am placed in; if I am called upon to do my duty, I shall do it; and the more difficulties there are, the

more cheerfully I will do it, and with the more determination. I feel almost inclined to thank the honorable the Colonial Secretary for his able and temperate speech, this evening; and I think if he had exercised the same wise control over his followers which evidently he has over his tongue, this debate would not have taken the turn that it has unfortunately taken, and would not be of the duration that it promises. It would, however, be impossible for me, after the attack—the coarse attack, I may say, sir—that has been made upon me by that ardent follower of the Government, the honorable member for the Western Downs, Mr. Watts, to allow this motion to go to the vote without any remark. I cannot allow such an attack to be made upon me without replying to it. It is not the duty of any honorable member, when such an attack is made upon him, to let it pass unnoticed. Any honorable member who would silently submit to it would be unworthy of a seat in this House. I ask pardon of the House, if my observations be more lengthy than they should be, and if in them—spite of the admirable example of the honorable the Colonial Secretary—the language be stronger than it should be. As to my objections to voting for the motion laid before the House by the honorable the Colonial Secretary, I will frankly state that I have nothing to say against His Excellency this evening, whatever may have been reported or read to the House that I said against him. I may be a wiser man at this present moment than ever before. I may have discovered that what I considered in the past a want of proper observation of the colonists generally, by His Excellency, was, in reality, merely the carrying out of that splendid principle, which he seems to stick to so constantly, of acting strictly constitutionally. I may have erred in that—I do not say I did err;—I may study that principle more extensively for the future, and I may be confirmed in the views I have now. I really believe that there is something sinister in the motion of the Premier. I think there is something absolutely disrespectful to His Excellency in it; and, because I read it so, I dissent from the motion, and I shall certainly not vote for it. I think that to point out to any man, and much more to the Governor of this colony, what is really the constitutional path for him to follow, is to tell him unmistakably that he needs to be reminded of it; and, in this way, to inform him that it is necessary for him to bear in mind what has been written to him—some readers of the celebrated despatch will say, rather strongly,—dictating to him a course which he must pursue, and which he has not strictly pursued before. It is to remind him of what he might omit, or what he has omitted to do. If he knows his duty, it is unnecessary to remind him of what is his duty to the Imperial Government. I do take exception to the language of the motion, for it is only a sinister attempt

to coerce His Excellency; and, still more, as it is not our duty to strengthen the hands of the Ministry by obtruding this upon His Excellency:—

“The general principle by which the Governor of a colony possessing responsible government is to be guided, is this:—That when imperial interests are concerned, he is to consider himself the guardian of those interests; but in matters of purely local politics, he is bound to follow the advice of a Ministry which appears to possess the confidence of the Legislature.”

Is this what we are to tell the Governor? Is this our duty, under the circumstances of this evening? Are we right in doing it? Are we called upon to do it? Has the Governor done anything? Do the Ministry say that he has done anything, that we are to tell him what it is? That is the question. We are the government; and the Ministry, while they please us, administer the government. While this House is satisfied with them—while all parties in the colony are so pleased with them—they will go on. But why we should go to His Excellency to tell him what he knows better than we do—to tell him what his duty is—I cannot understand.

“That when imperial interests are concerned, he is to consider himself the guardian of those interests.”

Goodness me! He knows more about that than any of us; he could enlighten us all; he could tell us things that we never dreamed of, in that respect. It is a liberty so to advise His Excellency; it is an absolute liberty for the Ministry to propose, or to ask this House to read, such a lecture to the Governor.

“A strict observance of the principles of constitutional government has given to Great Britain her happy pre-eminence among free and well-ordered communities—”

That is tantamount to telling the Governor that he is not doing his duty—that this is not a well-ordered community. If a man were to come to me and tell me to walk straight up the street, or to walk straight down the street, I should immediately think he insinuated that I did not walk straight; and to tell the Governor what is here proposed, is to tell him that he is not walking straight in his duty, and that he wants to be reminded what his duty is.

—“and is no less important to a colony enjoying representative institutions than it is to the mother country.”

What is the meaning of this? It amounts to this—that what is good for the mother country is good for the colony, and that this Assembly are determined to have it; and that this Ministry, seeing that the Governor has not acted conscientiously here, that the Governor has acted wrong, ask this House to remind him of his duty. This House should not, as I endeavored to prove last night, be called upon to strengthen the hands of the

Ministry by dictating to the Governor what shall be his policy. After my remarks last night, it is impossible for me to concur in this motion. The honorable the Colonial Secretary, notwithstanding his gentleman-like bearing towards me this evening, which I am happy to admit—notwithstanding the unusual courtesy of his language to me—the honorable gentleman has not, in my opinion, stated to the House what is strictly correct. I have no doubt he has stated respecting all the subjects he has touched upon, that which he thought was correct. But I think that upon those subjects he must have been grossly misinformed. He mentioned, in allusion to something I stated, the name of a gentleman, a late member of this House, and a most respected member of this community, Mr. Raff. I lately had a conversation with that gentleman, and I distinctly tell this House that he was by no means satisfied with the treatment he received at the hands of the Governor on the question of the Water-works Commission. He expressed to me his delight that some member of this House had, at last, tabled such a motion as would lead to a discussion and a re-opening of the question. He led me in nowise to suppose that he was reconciled to the parties in the way the Premier endeavored to assure this House he was—those parties who had so improperly and grossly treated him; and, therefore, I feel it due to that gentleman to say so; and I state this as the result of more than one interview that I had with Mr. Raff. My statement may be taken, of course, for what it is worth; but such is the statement I can offer to this House conscientiously. Sir, the remarks offered by the honorable the Colonial Secretary respecting those “unconstitutional attempts” which have been made upon His Excellency, by no means convince me that my statement last night, that they were put forth through His Excellency the Governor for party or political purposes, was incorrect. I feel that those “attempts” were not of an unconstitutional character. The explanation that has been made to the House proves to me that they were not; the honorable the Colonial Secretary failed to prove that they were. He did not make the broad assertion that the petitioning of the Governor was an unconstitutional thing; he merely wished me to understand that some style of petitioning or correspondence with the Governor was unconstitutional. He did not prove his case. Mere words, sir, uttered or written, are not unconstitutional. If I were to have the honor of an interview with His Excellency to-morrow, and I said, “Please, sir, send the Ministry about their business”; that would not be unconstitutional; it would be merely a piece of advice given to him by a member. And, I say, that when innuendoes are made, or endeavors are made, to strengthen the hands of the Ministry for party purposes, as in the present case, it is unfair to us, it is

very improper in every way, and it is an attempt by the Ministry to drag His Excellency into a position that he ought not to be put in. I repeat that I am not at all satisfied with the statement made by the honorable the Colonial Secretary as to these unconstitutional attempts; it has rather convinced me that they were of a very doubtful character, and that no other Ministry but the present would have taken such a view of them as the honorable gentleman and his colleagues have taken. I am satisfied that to say they are unconstitutional—they have induced the Governor to strain an interpretation for party purposes. But, seeing that there is such ambiguity about them, it is, under the circumstances, the duty of this House to have all the correspondence before us. I think it was the duty of the Ministry to have laid before us all such correspondence, all the statements, so that we should have a history of such attempts; and, as they are all in existence, it is the duty of this House not to rest until they are all produced before us. If the constitution has been rudely assailed, let us have some better proofs before us than we have; let us see if there is so much danger, as the honorable the Colonial Secretary maintains that there is, of a weak Governor being subject to, and controlled by those who do not respect the constitution or his position: let us know what it is, that the House and the country may take such steps as are necessary to prevent a coming weak Governor from being assailed in such a way. It is much better to prevent than to cure a mistake of that kind. It is the duty of the Ministry, I repeat, to put us in possession of those facts, that we might forearm ourselves as well as be forewarned. I do trust, yet, that the Premier will not press his motion; and that, after getting such an expression as he has evoked from the House—and victorious, I admit it is, for the Government—he will not subject this House to the degrading task of having to say that which they could only say for extreme party purposes; for they would not say it from their hearts, as what they felt, but as the followers of a strong Government to whom they would refuse no request. It matters little to me how the vote goes; it will not affect my position either in the House or in the country. I do trust, for the sake of the House, for the sake of the records of the House, for the sake of the Government, that such a motion will not be pressed. That is all I was in hopes of having to say on this subject. I should have been quite content to have elicited such an admirable speech as we have heard from the honorable member for Port Curtis. If the motion had brought forth nothing else but contumely on myself, I should have been quite satisfied. I am quite convinced that the motion can do no good, if pressed to a vote. That speech will, no doubt, be properly reported in one quarter; and I have no doubt that it will be read with

unusual satisfaction all over the country; for the country will know that there is one member who can not only take a comprehensive view of constitutional questions, but who can express himself upon them in a proper and decorous way. I am forced now to notice that coarse personal attack made upon me by the honorable member for the Western Downs, Mr. Watts. I think, on the good and broad principle of follow my leader, it would have been much better if he had bottled himself up a little longer than he did this evening. I know that the honorable member has been waxing warm against me for a long time. As one of the Darling Downs squatters, and a member for the Darling Downs, he cannot forget the prominence which my remarks have given to certain honorable members of this House, and the odium which, properly or improperly, thereby attaches to them. I know it is very hard for a gentleman of his honest disposition—who boasts that he is so honest that he is bound to express himself to that effect in this House—when he finds an honorable member oppose his Government, to repress his language. I was very much struck, this week, sir, with the conduct of that honorable member on this very question of honesty; for he is so honest that he cannot help telling you so. It was his inflated honesty that prompted him to get up and make this attack on myself. I will ask that honest politician to be a little more consistent in his conduct. It was only the other evening that he took an active part in opposing a certain vote in this House; he sat behind me, and he asserted that nothing would induce him to swerve from the course he had laid out for himself that evening—that was to strike off the Estimates an item of £90. He made the most vigorous attempts to prove his honesty, and I did think he would have been sitting till now on account of his honesty. A certain member of the Ministry got up and addressed himself to the subject under consideration, and he alluded to that honorable member particularly, and called upon him, if he were a man, to speak out as a man; and in the subsequent division which simply expressed—

Mr. R. CRIBB: I rise to a point of order, and I call the attention of the Speaker to the improper conduct of the honorable member for Maryborough, who is referring to a debate on a former occasion.

The SPEAKER: It is, doubtless, against the rule of Parliament, and against the rule of the House, to allude to debates that have already taken place.

Mr. WALSH: I am alluding, sir, to the action of the honorable member for Western Downs, who, though a very honest politician, has failed to prove his case; and trying to shew that the House should distrust his remarks this evening. I trust, sir, to keep within the rules of this House; but it is entirely new to me that an honorable member

cannot refer to a debate that took place in this House. I was not quoting the debate, I was simply alluding to the action of an honorable member—to his conduct on a late occasion in this House; and I was going to say that he had offered a decided opposition to a certain vote, and that he contributed to the great delay of the public business by his opposition, and that he took occasion to tell certain honorable members—not in debate—that he was so honest that he must give a full explanation of his reasons; but, sir, his honesty oozed out at his fingers' ends, for he no sooner got over the warmth of the moment when his honesty prompted him to make that explanation, than he disappeared in the Ministers' room, and we saw no more of him that evening. Now, that was the proceeding on that occasion. I tell the House candidly that his conduct was so pertinacious that he almost convinced me that he was right; his arguments so effectually tended to conviction, that I had promised him I would vote with him. Yet, notwithstanding that he had made out his case so well that evening, this self-ejaculator—this self-proclaimer of his own honesty—disappeared in the Ministers' room, and was not seen any more. He has attempted to lecture me this evening. I wish he would allow his practice to be more consistent with his precept. I wish he would shew whether there is more virtue in strict adherence to duty, or in being servile to the Ministry.

Mr. TAYLOR: I rise to order, sir, and I beg to call your attention to the word "servile," used by the honorable member for Maryborough. I do not see why my honorable colleague for Western Downs should be called servile. The honorable member for Maryborough complains of coarse personal attacks being made upon him, and he is now making an attack that might merit a similar designation, upon my honorable friend Mr. Watts.

The SPEAKER: I can only say that there have been a great many personal allusions this evening; and it is impossible, when personal allusions are made on one side, that I can stop them on the other: and this is an instance of the kind. I do not see how I can stop this disorder, when it has been allowed to go on by the House.

Mr. WALSH: I believe I can safely say, that in no instance in this House in which I have had to make a personal explanation, or had to deal in personalities, have I ever led to them or originated them; and, further than that, I feel in this proud position, that in no instance have you, Mr. Speaker, ever had to call me to order, and no other honorable member of this House can say the same thing. I ask you, Mr. Speaker, for I do not remember one instance myself, if I have ever been ruled by yourself to be out of order?

Mr. R. CRIBB: Just now. Not five minutes ago.

Mr. WALSH: I have never had to retract any language used by me, strong as have been the expressions that have been wrung from me by the personal attacks that have been made upon me; and I trust that so long as I have the power of holding a seat in this House, I shall be able so to control my feelings and my speech, as to escape being called to order by the chair. But the honorable member for the Western Downs, Mr. Watts, rose for the purpose of ridiculing me—for the purpose of turning me into ridicule, and making me the butt of the whole House, and making political capital of me before the whole colony. He especially desired to set the northern members against me; and I was sorry to see, sir, that the coarse remarks made by the honorable member, and in such bad spirit, did captivate—if I may judge by the remarks that were made behind me—that they did captivate some honorable members and lead them astray. But I am satisfied, sir, that it will take a more honest politician than the honorable member for the Western Downs to captivate or lead astray the honorable member for the Maranoa. It will take a more able politician, sir, and one of a more honorable spirit, to lead astray a gentleman of such straightforward principles. The honorable member for the Western Downs is continually telling us of his honesty of purpose—he is continually, in ridiculous or melancholy tones, assuring the House of his inveterate honesty. I saw the honorable member was more than usually satisfied with himself when he finished his prepared speech of this evening. I never saw him sit down with such glee before. The honorable member generally sits down, as if he felt sorry or ashamed of saying what he has said; but, this evening, he sat down in the most jubilant way, as if he felt he had done some good and deserving thing. His manner, when he sat down, fully convinced me that he was going into the ministerial room, for the purpose of drinking some of the ministerial porter. I am told that that is the ministerial beverage; and I am sure there is a large quantity of it bestowed in that room, and it seems to have a very peculiar effect upon some honorable members; and if it had more than I have discovered in its character and quality—if it made men as honest as they pretend to be, I would not complain, though ten times more of it were consumed; and though ten times more time were spent in its consumption. But I had a lecture from the honorable member on constitutional government. I was told that I had not only acted unconstitutionally, but had set a bad example to others. Now, I should like to know of a single thing I have done that has been unconstitutional; but I think I can tell the honorable member of a few of his unconstitutional acts in this House. I can tell him of some of them. I can read from the newspapers a

most unconstitutional attempt of his that was made on a fellow colonist. But, before I go to that, I will recall the attention of the House to the unparliamentary and undignified conduct of a gentleman who could come to this House and for a party purpose, for the purpose of gratifying an ill-feeling towards a co-committee man, could be guilty of the outrageous conduct of voting against his co-committee men. Search the records of Parliament, sir, and you will not find another instance of such a proceeding. Here was the chairman of the committee who laid on the table what was a vote of censure by the committee; and that honorable member seemed to have lost all sense of what was due to his co-committee men, and came into this House and did that which was never done before, and I trust will never be done again by another. And in every question brought before the House by honorable members on this side—in every attempt that is made to coerce or induce the Government to steer a constitutional course—in every case, such as the educational grant, where we proved the Government acted without authority—has not that honorable member voted against constitutional principle and sided with the Government in every instance? He has sided with the Government when they have been proved to be in the wrong; and while he has advocated his position as a constitutional member of this House, he has at the same time voted with the Government, merely to keep them in power. It is a miserable thing for me, sir, to have, as I have had, to listen in years past to the dreary expositions by the honorable member of his own honesty and constitutionalism. On every question on which he addresses this House, does he not get up and try to impress us with the purely constitutional position he takes? Is there one occasion he does not get up and say:—Do listen to one who speaks from his inmost soul—to one who has had more experience than any other man—to one who knows *watt's* what better than any one else! Now, I will remind the honorable member of another unconstitutional attempt of his. And in doing so, I would ask the House if they consider there is anything more sacred than the right of freedom of speech—the right of a man to express himself as becomes him, and as he considers it his duty to express himself, on subjects which others may think it their duty to bring before the House? Can the House, I would ask, imagine anything more sacred than the right of liberty of speech? and yet, do not all the acts of the honorable member for the Western Downs tend to the suppression of liberty of speech, by creating disagreement amongst honorable members on this side of the House and dissension on that—by endeavoring in every way he can to prevent us from expressing our thoughts, and doing our duty. But there is also the

right of personal liberty, that is sacred to everybody; a right which no one should have taken from him by any but the most constitutional means. No one should lose his liberty unless he has committed offences against the law, such as render him unfit to associate with his fellow beings. Well, what has been the conduct in this respect of this inflated constitutional member. Here, sir, is a record before me which shews that that honorable member very coolly, deliberately, and advisedly suggested to this House that a certain member of the community, though he had committed no offence against the laws, though there was no law to touch him, who was charged with no offence that could be considered a crime, yet this constitutional member who wishes to be our exponent and guide, and who wishes to be my guide—here is a record in which he coolly, preposterously and designedly suggests, that one of Her Majesty's subjects should be sent to prison, and kept there apparently for ever. I, sir, should not have alluded to this at all, did I not perceive that that honorable member has an animosity which would consign me to gaol for life, ranking towards me in his bosom. Having failed to induce the Attorney-General to do that, he has endeavored to induce the House to do an equally unconstitutional thing—that of depriving me of the liberty of speech, and of my proper influence as a member of this House. That the House may not, and that the country may not, be under the impression that I am saying what I cannot prove, I shall refer to a speech of the honorable member. Though it appears to me almost impossible that we could have a proposition made in this House, or in this country, that a person should be deprived of his liberty, or of his life, yet the proposition of the honorable member was tantamount to that; and I am satisfied that what I shall read from this paper, this respectable paper, the *Moreton Bay Courier*, must satisfy the country that my statement is correct, though those late arrivals who have arrived in this free and happy colony, when they hear of it, they will say—"Goodness gracious, was that the proposition of a man who assumes to himself all the constitutionalism and honesty in the country?" But I will read, and let the House say if the honorable member for the Western Downs—the unselfish member, who never does or says anything that is for himself—let the House and the country, too, say what faith is to be put in what he says. I find I have turned to the wrong page; but, singularly enough, it happens that I have turned to a page in which I find another proposition, by the honorable member, to send another person to prison, and deprive him of his liberty. I find there that this constitutional member—this bulwark of the honesty of the country, and of the Government—proposes to send to durance vile the proprietor of this paper.

So this constitutional adviser of the Government seems to have been trying his hand against some more distinguished foe, before he came to me. I find him here commencing the amiable practice towards those who did not agree with him.

The SPEAKER: I must call the honorable member's attention to the question before the House, and remind him that there has already been quite enough of personal allusions.

Mr. MACKENZIE: I was just going to rise to order, sir, and say that the honorable member, I think, has given quite enough castigation to the honorable member for the Western Downs, and might now address himself to the question before the House. Here is another day gone, and nothing done. I do not say whose fault it is.

Mr. WATTS: Mr. Speaker, I beg to assure you I have not the slightest objection to the honorable member being allowed to proceed, and say what he likes.

The SPEAKER: It is not whether any honorable member objects or not; but I must state what is the point of order.

Mr. WALSH: I presume, sir, you do not rule that I cannot read a quotation to justify what I have said. I have been attacked, in a personal manner, by the honorable member for the Western Downs; and it has been the practice of that honorable member from time immemorial to make such attacks, and to submit unconstitutional propositions; and I would ask the House to treat with great suspicion any proposition emanating from the honorable member, and any remarks he may make. Sir, the honorable member read a very amusing description of a speech which that respectable paper, the *Courier*, sets forth as having been delivered by me in the district which you, sir, represent. Had you been amongst your constituency, sir, you would have been able to set matters right in the way you always do, so that that speech, if ever it was uttered, would not have been reported at such unpleasant length. In the *Moreton Bay Courier* of the 12th of June, 1861, I find the honorable member reported as follows:—

"He (Mr. Watts) believed that that House ought to have power to compel the attendance of witnesses; they should have power to put a witness who refused to attend a summons into custody, and there to keep him till an order came out from the Imperial Parliament, who could alone release him. If they took upon themselves to do this in one case, it would serve as a warning to other parties who might be disposed to disobey the summons of the House."

Now, I can go on to shew that the honorable and learned the Attorney-General, with the extreme caution for which he is so remarkable, got up and prevented the amiable member for the Western Downs from carrying out that intention. The Attorney-General was, of course, obliged to say the motion was all right if it was legal; but it was illegal, and,

therefore, it could not be put. But as it is not likely the Imperial Parliament would have ever released me, I take it for granted that the honorable member had visions of this being the case continually before him, and was determined that he, as a resident of the southern portion of the colony, having got matters all right for his constituents, should take care that they should be kept undisturbed by any benefits being extended to the northern district. I think, sir, I have proved that the honorable member has a sort of monomania in connection with myself. I have proved that he does not allow that I have ever acted but in an unconstitutional way, or that I have ever done anything for the good of the country. He wants, sir, to deprive me of the position of being the representative of a constituency, and to reduce me to the position of being the mere delegate of a much abused constituency. And then, sir, I have shewn that he not only does that, but that he does it without any rhyme or reason, that I have given in the course of this debate. Without my alluding to him or intending to do so, he gets up and singles me out for attack, with the sole object still of further lessening my power, small as it already is in this House, and thereby further injuring my constituency, much as it has been neglected by the Government.

Mr. TAYLOR: It seems to me that the last two days have been completely wasted, so far as the business of the country is concerned; and I believe we have to lay all the blame of that on the shoulders of the honorable member for Maryborough; and I think, if the House was asked to decide on that question, they would come to the same conclusion as I have come to. The disapprobation with which the honorable member for Maryborough and the honorable member for Port Curtis met the language made use of the other night by the honorable the Colonial Secretary, when the name of Mr. Dutton was mentioned, fully satisfied me that the address the honorable member for Maryborough had placed on the notice paper would never be brought forward, or, if it were brought forward, it would not be carried. I never was more astonished in my life than when listening to the honorable member for Maryborough for an hour and a half last night, and hearing the language he used towards Sir George Bowen. It was the grossest attack I ever heard made on a man who could not defend himself either in this House or otherwise, to say nothing of the gentleman being the representative of Her Majesty. It was the most cowardly and dastardly attack I ever heard.

Mr. WALSH: I do not care, sir, what language the honorable member chooses to use towards me, but I protest against his putting a construction on the language I used, on the occasion he refers to, which my language will not bear, and making it

appear that I made an attack upon a gentleman who cannot defend himself.

Mr. DOUGLAS: The words cowardly and dastardly have been used towards an honorable member of the House, and I do not think we can pass that by unnoticed.

The SPEAKER: Did the honorable member apply the words to another honorable member? If so, he was decidedly out of order. The words cowardly and dastardly cannot be made use of by one honorable member towards another.

Mr. TAYLOR: I said the honorable member had made a cowardly and dastardly attack on a gentleman who could not defend himself.

The SPEAKER: I think that is not parliamentary language, and the honorable member must withdraw the expression.

Mr. TAYLOR: Well, sir, I at once bow to your ruling, and withdraw the words; and I will say, instead, that it was unmanly in the extreme.

Mr. DOUGLAS: If I am to be told that my conduct is cowardly or unmanly in any way in this House, if I cannot obtain satisfaction by the law of parliament, and you, Mr. Speaker, are the exponent of that law in the House, I shall feel compelled to take satisfaction at my own hands.

Mr. WALSH: The language is such as should never have been used in this House; and if I were not trammelled by my position as a member of this House, and by that decorum that is due to you, Mr. Speaker, such language as the honorable member has used might lead to occurrences in this House that would be very unseemly. I say that the language used by the honorable member is unparliamentary, and that, therefore, he is out of order. And were I to obey the dictates of my feelings, I might send something from this side of the House to that side, and at that honorable member's head.

The SPEAKER: All this is rather out of order.

Mr. WALSH: Well, sir, that honorable member does say strange things at times, which will enable you not to notice his expressions on many occasions. He does say strange things about me, but I do deprecate honorable members calling each other cowards.

The SPEAKER: The honorable member is going away from the point of order that was first raised.

Mr. WALSH: Well, sir, I will not allow the honorable member to go on using such language to me; and as long as I am accused of being unmanly, I will speak, and endeavor to shew to you, sir, the evil consequences that may result from such language being persisted in. If such language is to be allowed to be used—if this House assents to such language being used to me, or to other honorable members—perhaps the next thing will be, that honorable members will be called sneaks; and, as one bad example leads to another, we do not know what the end may be.

Mr. BROOKES: The question of order, I believe, is as to the use of the word unmanly, and there can be no doubt about the words cowardly and dastardly being out of order. Those words, however, have been used; and as the honorable the Chief Secretary made use of the word sneak, or sneaking, the other night, I think the time has come when we should expect some definite ruling from you, Mr. Speaker, on the point; and I am sure you will give it with that clearness and decision which characterises all your rulings.

Mr. FITZSIMMONS: The point of order, sir, is one which ought not to be debated before you; because, I think, you are competent to take care that order shall be maintained in the House. But, if honorable members will indulge in those expressions that have been used, a great amount of disorder must ensue. No more disrespectful term can be used than unmanly: I would as soon an honorable member called me a liar.

Mr. R. CRIBB: The point of order is, whether the word unmanly is unparliamentary or not. But that it should be objected to by an honorable member who has spent more than one hour in using expressions ten times more abusive, does appear to me strange. I cannot myself see that the word unmanly is irregular when applied to what is unmanly—to conduct that is not worthy of a man.

Mr. WALSH: The honorable member for East Moreton is repeating the statement.

Mr. R. CRIBB: It will be submitted to you, Mr. Speaker, to decide. I cannot myself see that it is unparliamentary, when properly applied. I think, if you see that it is unparliamentary, you will not be afraid to say so; and when you have given your ruling, sir, we may be able to get on with the business.

Mr. COXEN: I rise to order, sir, and I submit to you that any word that is likely to lead to a breach of the peace is unparliamentary. The word unmanly would not be used in private life, or in the social circle, and be tolerated easily. I think it is unparliamentary and disorderly.

The COLONIAL SECRETARY: I think that, on the point of order, I should put it to you, sir, whether this word, used in reference to the conduct of an honorable member in any debate of this kind, is likely to lead to a breach of the peace. We have addressed to each other stronger language than that, and it has led to nothing of the kind. It may be taking away the freedom of speech from us to rule that the word is disorderly when applied to conduct of the kind described; it may not be agreeable, but I do not know by what other language conduct of that kind can be characterised.

Mr. WATTS: I desire to say, sir, that the honorable member for Maryborough himself used much stronger language towards me than that of which he now complains, yet I had no objection to urge against it; because,

while you did not rule that it was out of order, I was content. The language used by my honorable friend, the member for Western Downs, was called forth by that of the honorable member for Maryborough.

Mr. MACKENZIE: I am surprised, Mr. Speaker, that the honorable the Colonial Secretary could get up and defend such an expression as unmanly in this House, or that anyone could say that it could be used in private society without leading to anything. The argument that the honorable member for Maryborough was not called to order is nothing. If he was not called to order, he ought to have been. I say that the expression used by the honorable member for the Western Downs, Mr. Taylor, was improper and undignified.

The COLONIAL TREASURER: I think that the meaning of the word unmanly, as applied to conduct, is different from what it is applied to a person; and if honorable members will look at it in that sense—in which the honorable member for Western Downs used it—they will see that there is no need for all this discussion about it. The word unmanly may be unparliamentary or not; if it be, it should not be used. But I think it has not that heavy intention and that weight which it is sought to attach to it now.

Mr. FORBES: I think that, instead of using the word unmanly, or cowardly, or dastardly, the honorable member, Mr. Taylor, should enlarge his vocabulary. If an honorable member cannot find words to express himself in a better way, in a more gentlemanlike manner, he ought not to have a seat in this House.

The SPEAKER: I must say I do most deeply regret—I do most deeply deplore—the turn the debate has taken this night. This is the first time, during eight sessions I have had the honor of sitting in this chair, that I have heard so much personal allusion made: I do hope that this is the last time I shall have to speak of it in this House. I shall be more alive to anything of that kind for the future. But there is one thing I must tell honorable members, that when honorable members are speaking, when there is a constant *sotto voce* conversation going on, it is hardly possible that I can catch the words of the honorable member who is addressing the House. I have spoken of this before, and I do beg honorable members to pay attention to it for the future. With regard to the words which have been used, and upon which the point of order has been raised, I do say, as far as my opinion goes, and I do rule, that the words cowardly and dastardly are most disorderly and unparliamentary; and I think that, if you take the word unmanly in the way it has been taken, it is a word that ought not to have been used. But I have frequently heard it used, without its being taken notice of; and I have heard it used in the New South Wales Legislature, when I had the honor of a seat

there, without any notice being taken of it. I think, however, that it ought not to be used, and it ought to be withdrawn.

MR. TAYLOR: I withdraw it, sir; and I am delighted with one expression of yours—that you have sat eight sessions in this House, and that this is the first time you have been called upon for your ruling in such a matter as that which is just past. I have sat in this House as long, sir, and I do not think that I have spoken ten words that could be called disorderly, or for which I have been called to order by you; and I have never objected to be guided by your ruling. Mr. Speaker, there can be no doubt that this present disorder is entirely attributable to the honorable member for Maryborough. It never occurred before; it has all come about since the honorable member for Maryborough got a seat in this House, and it is solely due to him.

MR. WALSH: I rise for an explanation.

MR. TAYLOR: I am in possession of the House.

THE SPEAKER: The honorable member cannot rise for the purpose of making an explanation—unless the honorable member who is in possession of the House chooses to give way. He can only rise to a point of order, and he can interrupt an honorable member for a point of order alone.

MR. TAYLOR: I say the personalities, and the language used on this occasion—and on all others—since he has had a seat in this House, have been caused entirely by the honorable member for Maryborough; and I am prepared to take the vote of the House upon my assertion. The honorable member for Port Curtis got up most indignantly at my having used the word unmanly, and said that the consequences might be dangerous to me. I am quite prepared for any consequences which my language or conduct may lead to, whatever they may be.

MR. BROOKES: I rise to a point of order, Mr. Speaker. That is not placable language.

MR. TAYLOR: I think I am correct in saying that the honorable member for Port Curtis has used stronger language than I ever made use of in this House: he used a word the other day, and said that something stated by the honorable the Colonial Secretary was a lie—metaphorically, he said afterwards.

MR. DOUGLAS: I apologised.

MR. TAYLOR: I do so now. Let those honorable members who live in glass houses not be the first to throw stones. Let honorable members on the other side of the House drop that kind of language, and I promise them that they will not have any of it from this side: I promise them that they shall hear none from me. If “Hansard” is the “Hansard” that they represent, and is reported correctly and honestly, they will find that to be the case when the session is over. I meant no offence when I used the words unmanly, cowardly, dastardly. I

meant ungenerous—that it was ungenerous to attack a gentleman who was not in the position to reply to the attack. You know that I am often at fault for words to use: the first that come I use; and I used the words cowardly and dastardly in the sense that it was ungenerous to attack a gentleman who was not here to answer for himself. I said that of the honorable member for Maryborough—who, at the same time, I believe to be the most kind-hearted gentleman when he is out of the House;—I said that to him, because he attacked another behind his back. I say that his resolutions were cleverly composed, but they were one of the keenest satires from beginning to end; and his speech bore this out. His was a well-laid plan to have a “go in” at the Governor. He knows perfectly well that His Excellency could not defend himself as a member of the Ministry could, from his attack; yet he did attack the man who could not reply to him, and who was utterly defenceless. Those resolutions of his were utterly wrong. It was my wish that they should have been met by a quiet and indignant negative—simply, that we should have taken no notice of them whatever, but have treated them with silent contempt, and let them go to the vote without any reply to him. But, as honorable members are aware, when we work with any party in a deliberative assembly, we must abide by the determination of the party, and follow it out. It was, as I said before, my wish to treat those resolutions of the honorable member for Maryborough with silent contempt: that would have been the greatest punishment you could possibly inflict on the honorable member. It is a fact that, when the honorable member first came into the House, the Ministry and honorable members on this side did not pay that attention to him that they ought to have done; they treated him with silent contempt. He complained of it—they should have attacked him—he was miserable. They treat him differently now. He is now attacked night after night, and he is at the top of the tree—he smiles! He has put the former leader of the Opposition into the corner. He has his Colonial Secretary beside him, and his Colonial Treasurer behind him; and he is now a happy man. I am sorry that he has brought this attack upon himself. Let him attack the honorable member for Western Downs, Mr. Watts, me, or anybody else; but let him not again attack a man who is utterly defenceless. I assure you, Mr. Speaker, that the words I have used will not lead—I trust that they will not—to any serious consequences outside of this House. I trust the honorable member for Port Curtis will forgive my slip of the tongue. I cannot go out: I have a large family! I must say this, however, that the honorable member for Maryborough has at last received his right appellation. An honorable member this day described him as the essence of the discontent

of the whole colony. I never heard words more suitably applied, more cleverly and wittily put. I trust that he will now be satisfied that we understand him. One speech it did amuse me to hear this evening—that of the honorable member, Mr. Brookes, who actually praised the honorable the Colonial Secretary. I never was so much surprised in my life as I was to hear him; and I was amused, knowing, as I do, his feeling outside the House towards the honorable gentleman at the head of the Government. I certainly admired the coolness with which he got up and said the Colonial Secretary deserved this laudation, and not the Governor. The debate has taken a most serious turn. I hope it will be all right before long, and that the motion will be carried and the amendment thrown out. Those honorable members who do not agree with all that His Excellency does will do well to address his Ministers, who can reply to them. I do regret that His Excellency's name has been brought up in such a way in the course of this debate; His name has been made use of as if he was a common man. You have ruled, sir, that His Excellency's name should not be used except upon pressing occasions; but here it has been knocked about every way. I have not received anything from His Excellency the Governor; I have not been to Government House any oftener than the honorable member for Maryborough; but, from what I have heard this evening, I see that the honorable member for Port Curtis is the coming man. He receives explanations, has private interviews, and so on. There was a great deal in that little he said this evening. I would much rather he be the coming man than the honorable member (Mr. Walsh) on the other side of him. I have received no offer from His Excellency—I expect nothing from him. I like him—he is a fine, jolly man. I do not think that we could have a man better fitted for the purpose of introducing responsible government to Queensland, and to make the colony what it is. Honorable members may laugh—I believe he is a man sent on to this earth for that purpose. He is the man, above all others, fitted for introducing responsible government to Queensland, and for forming the colony. He is the man who, above all others, has brought forward our merits before the world; and who, we know, is the heart of all progress. Not only are the advantages of the colony made known by him, but our debentures are brought forward in England through his recommendations and his writings to responsible men there. I feel that, whatever other honorable members may feel. The honorable member for Maryborough attacked my friend of twenty years' standing—my honorable colleague for Western Downs, Mr. Watts, in strong language. My honorable friend retorted, and I admit that his language was very strong. But he had been attacked often and often, without any provocation, by the honorable member

opposite (Mr. Walsh), and this evening my honorable friend came out. There was one matter touched upon by the honorable member for Maryborough, to which I must refer. I have never heard my honorable colleague boast of his honesty, political or otherwise. All I know about it is, that his character for honesty stands very high in this country—very high in the public estimation; and I never heard it questioned all the time I have known him. One point in the attack to-night was, that my honorable colleague dare not answer the question that was put to him about his absence from the House the other night, when he sat in the Ministers' room drinking beer. I was on the opposite side to my honorable colleague when we voted on the question under consideration, and we agreed that we would not go into any more divisions that night, and we both retired: therefore, he did not shirk the question. We were together down in the refreshment room during three divisions. I can tell the honorable member for Maryborough that my honorable friend is not the man to shirk any question—he is as fearless as that honorable member, and he is politically honest than the honorable member for Maryborough, and he does not use bad language. It was said of the honorable member for Western Downs, that he had voted against a committee of which he was the chairman. Well, I can only say of committees, that for the future I will never allow one to be appointed without calling for a ballot. One member can, I understand, demand a ballot; and, after what I have seen, I shall always exercise that privilege. I shall ask you, sir, and this House, whether it is right that the chairman of a committee should have the client of the committee sitting on his right hand during the examination of witnesses? I saw that for the first time, to-day, and—I do not understand how committees are conducted now—it is something entirely new that has been introduced. I have heard honorable members say that they will never sit on a committee again. The honorable member for Maryborough referred to my honorable colleague's dreary speeches. I never heard them called so before. I remember that when the honorable member was going home to England, that respectable paper, *The Brisbane Courier*, and that respectable paper, *The Queensland Guardian*, spoke in the highest terms of my honorable friend. I am quite certain that his speeches, both for language and point, will bear comparison with those of the honorable member for Maryborough. As for myself, I care nothing about what he (Mr. Walsh) says about me, and he cares nothing for what I say about him; and, therefore, we shall not fall out. I do hope that no one will ever bring forward such a resolution as that to which the honorable member for Maryborough spoke yesterday, when he charged a defenceless man in such

a satirical manner, and then withdrew it altogether from the House. After his proceeding, if the Government had not brought forward the present motion, he could have claimed a great victory. Honorable members may say "No, no;" but though it should be known to them that it was not such, it would, out of doors, be put down as a great victory. Country people, reading his speech in the papers, and seeing no answer to it, would say, this man has gained a great victory. Therefore, I say that this motion of the Government was necessary, to inform the country of the right position of affairs.

The SPEAKER said: As the honorable member, in his speech, said that, on several occasions, I ruled that the Governor's name should not be mentioned in debate, I may just state that generally the honorable member is right. But how can it be avoided?—how could it be avoided, the use of the Governor's name, to-night? I felt very great difficulty, I must confess; but I left it to the House, and I gave my opinion upon the rule. I may say to the honorable member, too, that we have no precedent on this point. There is no analogy between the Sovereign and the Governor in this matter; and it is even here laid down, with regard to the Sovereign's name, that there is one exception:—

"The rule admits of an exception where the subject under consideration has direct reference to the Sovereign in his public capacity, from the necessity of the case."

I may just mention, with regard to the point of order raised by the honorable member for East Moreton (Mr. R. Cribb), upon an honorable member referring to a past debate, that I merely stated what the rule of Parliament is, and what the rule of this House is. I did not say he (Mr. Walsh) was out of order, because there are exceptions; and I shall read the exceptions:—

"It is a wholesome restraint upon members, to prevent them from reviving a debate already concluded; for otherwise a debate might be interminable; . . . The rule, however, is not always strictly enforced; peculiar circumstances may seem to justify a member in alluding to a past debate, or to entitle him to indulgence, and the House and the Speaker will judge in each case how far the rule may fairly be relaxed."

That was my reason for not ruling that he was out of order. I merely stated what the rule was.

Mr. TAYLOR: With all respect to you and this House, sir, I did not mean to question your ruling, or to say that you were in fault.

The SECRETARY FOR LANDS AND WORKS said: I should not have risen, did I not think the House stands in the position that, did the rules admit, I might, with perfect propriety, ask you, Mr. Speaker, what is the question before the House; because there can be no doubt that a great deal of time has been wasted by useless discussion, and by personalities; and the principal object, if not

the only one, in reality, of my rising, is for the purpose of bringing the House back to the real question at issue. I certainly did, as I always do, pay the utmost attention to the speech delivered by the honorable member for Port Curtis, and, as I often do, I certainly did admire the great ability displayed by him in the delivery of that address. If I differ from the honorable member with regard to certain portions of it, I must do him the credit of stating that he put his case as strongly and as forcibly before this House as it was possible for any honorable member to do. He took the opportunity of expressing his opinion of the Governor—his high approbation of the representative of the Crown in this colony, in no unmeasured terms; and I am inclined to think that, if it were not the object of the honorable member, it certainly had the effect of distracting the attention of the House a good deal from what is the question; in point of fact, from the high eulogies passed by the honorable member upon His Excellency, that his real object was to get rid of the main question in dispute. What is the question? As I understand the honorable member for Port Curtis, he laid it down as a principle that the Governor has no right to express an opinion of his own.

Mr. DOUGLAS: Oh, no!

The SECRETARY FOR LANDS AND WORKS: Well, the honorable member laid down the principle that it was the bounden duty of the Government to become responsible for all the language used by His Excellency. Now, sir, I quite agree with him upon that point. I quite agree that it is not only their duty, but that no Government who are disposed to conduct the business of the country as it ought to be conducted, would refuse for one moment to take upon themselves the responsibility of the words uttered by His Excellency. But that is not the question. The question is—Is the Governor entitled to express his own opinions upon constitutional subjects, and in a constitutional way, when he does not introduce them as a party man?—or, is he not entitled to do so without being liable to the strictures of honorable members of this House?

Mr. DOUGLAS: It is dangerous.

The SECRETARY FOR LANDS AND WORKS: That appears to me to be the great question before this House; and if the honorable member for Maryborough had yesterday withdrawn his address without saying anything on the subject, I think it is extremely likely that there would have been an end to the matter. But I am sure no honorable member, even on the other side of the House, will deny that the course adopted by that honorable member was unfair, both to the Governor and the Government; and there was no other alternative than to take the voice of this House in the way that it is now proposed to be taken by the address of my honorable colleague at the head of the Gov-

ernment. Referring for one moment to the question which the honorable member for Port Curtis brought before the House, I think that in one or two of his observations he has shewn evidently that he has mistaken certain matters; or what took place in connection with them has been put before him in a wrong manner. The honorable member stated that the petition presented by him from Gladstone was not a petition in which the Governor was vehemently solicited to veto the Railway Act; and, in making that statement, he forgot to point out to this House what portions of the Governor's speech at Ipswich had the slightest reference to the Gladstone petition, or that that speech ever accused the Gladstonians of having done anything unconstitutional. If I am not mistaken, the only object His Excellency the Governor had in view when he used those words was, to draw the attention of the country to constitutional principles; and I believe he was led to that more in consequence of the display of the honorable member for Maryborough, at the meeting referred to to-night, than by anything else. I believe that he had not the slightest intention of referring to the Gladstone petition, because I have always heard that petition spoken of in the most respectful terms—although, as the honorable member (Mr. Douglas) has admitted to-night, that petition had not been presented in accordance with constitutional usages. But even if that was referred to, the Governor was perfectly entitled to make reference to it in his speech; because, I consider, whether advised by his responsible advisers or not, it is one of the constitutional rights of the Governor to place before the country his own position, and those principles in accordance with which he is called upon to act. Now, with reference to the waterworks, also, I think the honorable member was laboring under some mistake. He certainly gave the House to understand that the Government and the Parliament had consented to give the power of introducing water into Brisbane to the corporation, and that, after that had been done, the Government interfered and took the work out of the hands of the corporation. The honorable member is laboring under a mistake. The corporation was not endowed with any such power; it never was endowed with any power of that kind, without having coupled with it the right of the Government to take it out of the hands of the corporation; and it is a perfectly well-known fact to anyone who has had anything to do, or any correspondence, with the corporation, that it never would have received the sanction of the Government to the passing of the Act, without that power having been reserved to the Government. The honorable member was proceeding under a misapprehension of the facts of the case; and he cannot but admit that the way in which the Governor was applied to was opposed to

constitutional usage. Although the honorable member has said that so many years have elapsed since these occurrences took place, that they ought not to be referred to, I think the very fact that they did occur in 1863, 1864, and 1865, rendered it absolutely necessary that the true principles of constitutional government should be prominently placed before the country. I believe it was with that view that any reference was made to them by His Excellency in the speech at the examination at the Ipswich Grammar School. That great principle of which I have already spoken, introduced into the Waterworks Act, had the effect, I believe, of creating a certain amount of vexation in the minds of certain parties in Brisbane; but, I believe, it has not done any injury to the community. I believe one gentleman known to this House did actually cease his adherence to the usual form of prayer offered up in church for the Governor, in such a serious and important light did the matter present itself to his mind; but, I believe he has since returned to his allegiance. The honorable member for Port Curtis has stated that the memorial to the Secretary of State was the work of the Government, or the work of the Governor, I think he said. Now, I deny that it was the work of either. The resolutions passed at the public meeting were refused for the reasons stated by that honorable member, and it was because of that refusal that the memorial was adopted, not by the Government or the Governor, but the persons who petitioned him. It was at their special request that the matter was referred to the Secretary of State; I am perfectly correct in that. With regard to the question of education, I quite agree with the honorable member for Port Curtis, and also with the honorable member for Rockhampton, that the question of religion ought not to have been introduced into this House. But the honorable member for Port Curtis admitted that this was a question of vital importance—one which concerned the interests of a large majority of the people of this colony. They had emphatically declared their approval of a system of education which had been legalised by an Act of this Parliament; and I think this House will not dispute that it was the duty of the Government to support that system until it was altered by another enactment. The honorable member for Maryborough said that the statements employed towards His Excellency at the meeting at Maryborough were made conversationally, and that they were statements which ought not to have formed the foundation of any observations in a public speech. Now, there I differ with him very materially, for I maintain that they were not made in the way stated by the honorable member. If they were made at all, they were made as threats held out to the Governor—that if he did not pursue the

course which was required of him, his recall would be petitioned for. Will the honorable member argue that that was a constitutional mode of proceeding? It was attempted by threats to induce the Governor to do what this Parliament declined to do. And it was for that reason that my honorable colleague, the Colonial Secretary, stated that we might not possibly find a future Governor composed of the same material, and possessing the same firmness as Sir George Bowen. And, sir, although the honorable member has expressed his indignation that His Excellency should possess any influence beyond this House, I think he has not many years to live before he will find out that a great deal of influence may be exerted of which this House can know nothing at all. I think this House and the country owes a deep debt of gratitude to His Excellency for vindicating the principles of constitutional government, and I think we cannot do less than adopt the whole of this address—an address which was mainly framed by the honorable member for Maryborough, for, with the exception of the quotation from the two Secretaries of State in the last paragraph, the address before the House is exactly the same, or a portion of the same, as that which that honorable member proposed to introduce. For these reasons, sir, I shall support the motion, and I feel convinced the address will be adopted by the House. With regard to the amendment of the honorable member for Port Curtis in the last paragraph, the objection I have to it is simply that, in a very few words, the honorable member has brought in the whole objectionable portion of the address of the honorable member for Maryborough; and I have certainly been astonished this evening to hear several honorable members express their intention of supporting such an amendment. I affirm that it embodies the most dangerous principles—principles which are injurious to the constitution; and I think it is only after the most searching investigation that we should take any steps to overturn it.

Mr. DOUGLAS: That is all I want. I only ask for the correspondence.

The SECRETARY FOR LANDS AND WORKS: Then make a distinct motion for papers, and you will get the answer of the Government. I do not intend to refer to the personal allusions which have been made this evening. I regret to see these personalities brought up night after night. I do hope that we have seen the last of them, and that we shall be able to proceed with the business of the country, which, I am sorry to say, has been hitherto neglected. For the reasons I have given, I shall oppose the amendment, and support the motion for the adoption of the address.

Mr. PUGH: Mr. Speaker, I wish to say a few words upon this subject, and, I may say, that it is my intention to vote against the

amendment and the address. It was my intention, when the honorable member for Maryborough placed his motion upon the paper, to vote against it; and when the amendment upon that motion, which appears to have come from the Government, was tabled, I made up my mind to vote against it also. In the early part of the session, an address was agreed to, in reply to His Excellency's speech, which, in my opinion, contained all that was necessary for one session of Parliament. In that address, we assured His Excellency of our continued support of Her Majesty's Government; and I do not see why we should repeat that assurance, especially when the occasion is so trivial as to be scarcely worth noticing. I was informed by the honorable member for Maryborough that he had very kindly and considerately placed his motion on the paper, in order to give those members who were concerned in the Brisbane Waterworks an opportunity of exculpating themselves from the charges brought against them in the Governor's speech at Ipswich. But, for my part, I do not feel obliged to that honorable member for the course he has pursued. I should have preferred to wait until the persons who felt themselves aggrieved had brought the matter under the notice of the Legislature. I think, also, if the honorable member at the head of the Government had given the subject a little more consideration, he would not have placed his motion upon the paper. I believe he did so in a moment of irritation.

The COLONIAL SECRETARY: No, no.

Mr. PUGH: I am sorry to hear the honorable gentleman say "No," because I consider the address to be totally unnecessary and uncalled for, and for that reason I shall vote against it. With regard to the remarks which have been made in reference to the Brisbane Waterworks, the real *casus belli* is, that the ratepayers of Brisbane believed themselves to have been aggrieved, and the corporation set at nought, inasmuch as an Act passed for the purpose of enabling the Municipal Council of Brisbane to carry on certain necessary works, was taken out of their hands by the Government. I am aware that there was a clause introduced into that Act, the 30th clause, which authorised the Government to take that power out of the hands of the corporation. But it was distinctly understood at the time, and if I recollect aright, distinctly stated at the time by the honorable member at the head of the Government, that the power would only be exercised when the council failed to carry out the work. They never had an opportunity of carrying it out; and after placing before the Government all the information they had obtained in reference to the site for the waterworks, and the facilities for completing the works, the matter was taken out of their hands, and they were treated with contempt. Thereupon a meeting was held, at which certain resolu-

tions were passed, which were submitted to His Excellency; who, however, declined to receive the deputation, because they would not consent to do what they had no power to do—to alter the resolutions entrusted to them by the meeting. It was stated, in a note from the Private Secretary to Mr. George Raff, if I recollect right, that the matter would be referred to the Home Government, so that the reference came in the first place from the Governor. Well, a second meeting took place, and it was in the interval between the two meetings that this note was sent to Mr. Raff. It was after the receipt of that note that the meeting took place in which it was decided to prefer a petition to the Secretary of State, and that resolution was arrived at in consequence of the note which Mr. George Raff received from the Private Secretary. The resolutions passed at the second meeting were very similar to the first; and although the second meeting was of rather a noisy character, yet it was considered, even by His Excellency, that it was an orderly and well-conducted meeting. I think, sir, His Excellency was scarcely justified in stating, at Ipswich, that he had been “indignantly urged to upset the action of the Ministry in reference to the Brisbane Waterworks.” I do not recollect that any indignation was displayed. The meeting was certainly one of those which are termed “indignation meetings,” and probably His Excellency took his inspiration from that term when he made use of that expression. To judge by the reply which was received from Mr. Cardwell, to the effect that the matter ought to be referred to the Colonial Legislature, the reverse was the case. The question referred to the Secretary of State was whether the Governor was right in refusing to receive a petition, referred to him by the citizens of Brisbane, in a respectful manner. That was the point involved in the memorial; all other matters were subservient to that. I do not think it follows, sir, as stated by the honorable Colonial Secretary, if this House does not approve of the constitutional point involved in this address, that a future Governor may set aside constitutional principles, or that this House has no regard for them. I do not think any such contingency is likely to occur. But I think, also, it is a very dangerous principle to introduce, that one of the three divisions of the legislative body should pass a vote of censure upon either of the others, and for that reason I intended to oppose the motion of the honorable member for Maryborough. I shall also vote against the amendment of the honorable member for Port Curtis, because I think we do not want to hear anything more of the matter. I dare say most persons in this colony are pretty well acquainted with the course taken by the Bishops on the subject of education. I entirely approve of the conduct of His

Excellency in that matter, and I trust he will always act in a similar way under similar circumstances.

Mr. MACKENZIE moved the adjournment of the debate. He said it had been prolonged to a late hour, and he was anxious to be present when the division took place.

The COLONIAL SECRETARY said he hoped the debate would be proceeded with. He did not think many other honorable members would speak to the question. For his part, he did not intend to reply, unless compelled to do so by any subsequent remarks. He thought the debate might be disposed of at once, in order that the House might proceed with the business of the country.

Mr. R. CRIBB said he intended to vote against the amendment, and for the address; and he would explain his reasons for doing so in a few words. In the first place, he would observe that there would have been no occasion for the address if it had not been for the motion which was spoken to yesterday by the honorable member for Maryborough. But that honorable member having brought forward a motion, upon which he had addressed the House in a speech of one hour and a half, made up of charges against the Ministry, which he had then withdrawn, it was necessary for the honorable member at the head of the Government to move this address; otherwise there would have been no opportunity of replying to those charges. For that reason he (Mr. Cribb) intended to vote for the address. A great deal had been said about the Government taking the Brisbane Waterworks out of the hands of the corporation; but he believed the general opinion— notwithstanding the outcry which had been raised by a certain discontented clique—was that the Government, in so doing, had acted for the benefit of the public. He would just give the House an idea of the advantage which was likely to accrue from one item only connected with works undertaken by the corporation. Last session there had been a select committee on the Brisbane Bridge Act. He would refer to one or two portions of the evidence taken on that occasion. One of the witnesses was asked how much money the corporation were going to borrow, and the answer was £52,000. Then the question was put—What is the rate of interest? and the answer was 11 per cent., payable half-yearly. Well, the amount of interest which the corporation had to pay for that sum, at 11 per cent., amounted to £5,720; and the interest on the same sum, at 6 per cent., would only be £3,120.

The SPEAKER asked the honorable member if he were speaking strictly to the question?

Mr. R. CRIBB said he wished to shew that the Government, in taking the waterworks out of the hands of the corporation, had conferred a great boon upon the town. The amount required for the waterworks was

about the same, or a little more, than that required for the bridge; and the difference in the amount of interest which the corporation would have paid, and that which the Government would have to pay, which was, therefore, saved, was £2,600. That was only one little item. Besides which, the Government had greater facilities for carrying out the work, and they accordingly took it into their hands. But two or three disappointed men made a great fuss about it, got up a meeting, and made some flaming speeches, and finally sent a deputation to wait upon the Governor, who knew nothing at all about it, and to ask him to step out of his constitutional course to alter the decision of his Ministry. The honorable member for North Brisbane, Mr. Pugh, had referred to a second meeting, and to a note addressed to Mr. George Raff, who was then a member for the city, by the Private Secretary; but he (Mr. R. Cribb) wished to bring out the fact, that although the Private Secretary had, in that note, courteously explained what was going to be done, those gentlemen called a meeting of the inhabitants of Brisbane, the honorable member for Port Curtis being in the secret, and Mr. Raff, who ought to have been above such conduct, and got the people who attended to pass a series of resolutions, keeping back the fact that any such letter had been sent. It was a most disgraceful meeting. He (Mr. R. Cribb) attended it in his capacity as a citizen of Brisbane, and could testify to the fact. They knew that if he were allowed to speak, their proceedings would be upset, as he should have let the cat out of the bag; the most discordant yells were made, and the whole proceedings were disorderly in the extreme. The honorable member for Port Curtis and the honorable member for North Brisbane took hold of him, and by main force attempted to draw him out of the room. Was that conduct manly or justifiable?—he scarcely liked to call it by its proper name. He could have resisted them at the time, but he had them in his power, and he summoned them. The honorable member for Port Curtis thought proper to apologise, and he (Mr. R. Cribb) thought no more of it, but the other honorable member packed the bench, and they, in violation of their oaths, dismissed the case. One honorable member, he believed, took his seat for the first time, and had never sat there since. (Cries of "Name.") Dr. Hobbs. So much for the Brisbane Waterworks. He repeated that the citizens of Brisbane were under obligations to the Government for taking the work out of the hands of the corporation, and he only wished they had done the same with the bridge. He would not enter into any further details at that late hour of the night. With regard to the main question, he contended that it would not have been raised at all but for one honorable member, who continually attempted to

annoy and to create confusion. That had been the case throughout the session; and he hoped, if the honorable member he referred to had not sufficient sense to refrain from doing so, the House would adopt some means of putting down such a practice. The business of the country was retarded, and the time of the House taken up night after night by idle discussions, and the session might be prolonged for another twelve months if it were permitted to continue.

Mr. MILES said he should not have spoken at all if the honorable member for Maryborough had not pointedly referred to him, and given the House to understand that he had some hand in placing the resolution of the honorable member on the paper. He could assure the House that he had highly disapproved of it, and that he did not feel at all complimented by the remarks of the honorable member. It was, undoubtedly, a matter of regret that the honorable member had taken that course. At the same time, he (Mr. Miles) looked upon the motion of the honorable member at the head of the Government as quite unnecessary. Every honorable member was aware of the manner in which His Excellency had conducted his official administration of the affairs of the colony. Everywhere throughout the land he had been met with the utmost enthusiasm and gratitude. Triumphal arches had been erected to receive him when he visited the country districts in his official tours, and congratulatory addresses had been framed to do him honor. Those and similar expressions of appreciation as to the manner in which he had upheld his position, as Governor of this colony, ought to be sufficient to convince honorable members that such an address was unnecessary. For his part, he thought the colonists were fortunate in having such a Governor. He (Mr. Miles) had a strong personal regard for His Excellency. Nevertheless, he thought the House would stultify itself in passing an address of that nature. The Governor was fully aware that he possessed the approbation of the colonists, with the exception, perhaps, of the honorable member for Maryborough. If, however, the motion were pressed upon the House he (Mr. Miles) should vote for it. He thought the duty of the Governor was very simple; he was placed here to protect imperial interests; but in all local matters of politics it was plainly his duty to refer to his responsible advisers; and if he took that course and followed it strictly for the future, he would be spared a great deal of trouble and annoyance.

The amendment was put and negatived, and the original motion was put and passed without division. On the motion of the COLONIAL SECRETARY, the House ordered that the address be transmitted to the Legislative Council, by message, requesting their concurrence.