

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 8 SEPTEMBER 1865

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LEGISLATIVE ASSEMBLY.

Friday, 8 September, 1865.

Appointment of Attorney-General.—Appropriation Bill, 2^d.—Existing and Proposed Lines of Steam Communication.—Appropriation Bill (committed).—Office of Master of Titles.

APPOINTMENT OF ATTORNEY-GENERAL.

The COLONIAL SECRETARY said that, with the permission of the House, he would withdraw the following motion:—“(1.) That it is expedient that the Attorney-General should not practise his profession, nor be removable from office on political grounds, and that he should, in addition to the duties of Attorney-General, discharge those of Master of Titles and Parliamentary Draftsman. (2.) That this House approves the appointment by the Government of a Solicitor-General, who shall act as Crown Prosecutor and joint adviser of the Government, retiring from office with the Responsible Ministers, retaining his private practice, and being eligible for a seat in Parliament. (3.) That from the total amount of £1,900, now granted as salaries for the Attorney-General, Master of Titles, and Parliamentary Draftsman, there shall be paid to the Attorney-General £1,200, and to the Solicitor-General £700, per annum.” The honorable gentleman said: When I placed this motion on the paper, I did so in order to obtain the opinion of the House on the subject. The Government were making arrangements which I hoped they would have carried out, to divide the different law offices in a more satisfactory way; and this motion was contingent upon the completion of those arrangements. They have not however been carried out in the way it was expected at that time, as they depended of course in a great measure upon the law officers whom the Government looked to to carry out their plan. The matter has consequently assumed a different shape; and I have to make an explanation as to the arrangement proposed by the Government to fill the various law offices. I have now to state, that the office of Attorney-General, offered to the Honorable J. Bramston, in

terms of this motion, has not been accepted by that gentleman. He has preferred to adhere to his private practice, in conjunction with his duties as Parliamentary Draftsman; and the Government have offered the office of Attorney-General, upon its present basis, to the honorable member for Fortitude Valley, Mr. Lilley, who has accepted the appointment, and will shortly seek re-election at the hands of his constituents. Although, as honorable members are well aware, there has been a very determined opposition to this arrangement, I feel confident that the opinion of the country will be found in favor of it, and it will not certainly be considered that any other honorable member sitting on the opposite side of the House has a higher claim to the office which the Government propose to fill in this manner. I shall therefore withdraw the motion, and I trust the subject matter has met with some consideration at the hands of the House, because I think the time will come when the House will have to consider seriously, what should be the position of the grand juror of the colony. It is now too late in the session to consider any arrangement to alter the position of the Attorney-General; and as the present arrangements are very satisfactory to the Government, to the honorable gentleman who was offered the appointment and declined it, and to the honorable gentleman who has accepted it, I trust they will meet with the approval of the House.

Mr. MACKENZIE: I must say, sir, I commend the late Attorney-General, Mr. Bramston, for the way in which he has acted, but I cannot express the same opinion in reference to the conduct of the Government. A more monstrous proposition than this which has been laid before us was never submitted to this House. It was an insult to the House to bring it forward. Such a proposal could only have emanated from a Government whose policy has latterly become so weak and vacillating that they do not themselves know what it is. Motions are brought forward, and withdrawn the moment it is found that there is a difference of opinion in regard to them. The honorable Colonial Secretary at first informed the House that the Attorney-General was to hold the situation of Master of Titles and Parliamentary Draftsman. How could this be? In the first place, the Attorney-General is at the head of the law officers of the colony—he leads the bar of Queensland; and we all know that the Master of Titles is subordinate, or should be subordinate, to the Registrar-General.

The COLONIAL SECRETARY: No.

Mr. MACKENZIE: There must be a head in that office, and I maintain my position. The Parliamentary Draftsman is also subordinate to both Houses of Parliament. How is it possible that such an office could be held by the Attorney-General? Then, again, the Colonial Secretary informed the House very clearly that the sum of £1,900 was at his

disposal, which was to be appropriated in a particular way—the Attorney-General was to have £1,200 a year, in the face of an Act which fixes the salary of a Minister at £1,000. How did the honorable gentleman get this £1,900? The Master of Titles' salary was £300 a year, and the Colonial Secretary cajoled the House into increasing it to £600, by stating that it was necessary to appoint a person to the office who would devote his whole time to it. I cannot reconcile that statement with the motion before the House. I repeat, this is a most monstrous and unheard of proposition. I should have been prepared to table a motion of want of confidence if this resolution had been put.

The motion was then withdrawn.

Mr. WALSH: Mr. Speaker, I think, before this motion is withdrawn, there should be some expression of opinion from honorable members in this House.

The SPEAKER: There is now no question before the House.

Mr. WALSH: Then, sir, I rise to move the adjournment of the House, in order to afford honorable members an opportunity of expressing their opinion upon the subject which has arrested our attention this morning. I entirely endorse the remarks which have fallen from the honorable member for the Burnett, and I am quite sure that he has expressed the feelings of every honorable member in this House. I feel that we should allow the session to close in an unseemly way, if the members of this House did not testify their opinion that the conduct of the Government, during the past week in particular, has not been such as to merit the confidence of this House or the country. It has now become a fact, patent to every one, that the Government of this colony are prepared to bring forward resolutions which have no justification whatever, and prepared as readily to withdraw them without any dignity to themselves. They place a motion on the table of this House intended to carry out some peculiar end of their own, and withdraw it to save themselves from some peculiar fate. I do think, under those circumstances, it would be undignified on the part of independent members of this House to allow the session to close without some expression of their opinion. It was only last night that the Government had submitted to two defeats, which, I consider, were sufficiently marked to shew that they have not fully weighed either their Ministerial or Parliamentary conduct. I think it is not conducive to the interests of this country, or dignified towards this House, that the Government should continue to act in this way—that they should not take up the time of this House in tabling motions which they are only too glad to withdraw at the sign of approaching danger. The Government had to acknowledge last night that a resolution then before the House was unconstitutional. A member of the Opposition was able to point out that

a motion which they had brought forward, duly considered, of which due notice had been given, was antagonistic to the law of the land. Again, this morning, the honorable the Colonial Secretary has had to withdraw a motion of a similar character. Is that, I ask, the conduct—are such weak proceedings such as the Government of this colony should display or this House assent to? I can only suppose that these mistakes have been committed in consequence of the bad advice tendered to the Government; and I take the last opportunity which will be afforded me this session of telling them, that if they consulted their own interests and the interests of the country, they would select more independent advisers or supporters, and adopt a policy which would be more dignified to themselves and more beneficial to the community. I believe the Government have been led into these errors, in consequence of the pernicious counsels to which they have allowed themselves to listen. They have placed themselves in an undignified and unfortunate position; and it is because I feel it an unpleasant thing to live in a country presided over by such an inevitable Government, as it has been termed, capable of committing so many mistakes, that I now enter my protest against their conduct. I do trust that the independent members in this House will testify this morning to the impropriety of such a course of procedure, and that they will advise the Government—if the Government will take advice from independent members—to abstain for the future from such useless and unconstitutional attempts to carry out their peculiar objects.

Mr. MACKENZIE said it was necessary that one part of the business should be cleared up. He presumed the Colonial Secretary would not have placed this motion on the paper if it had not been approved by a minute of the Executive Council. All he could say was, that if the Council passed such a minute, they ought to be heartily ashamed of themselves. It was known that the Attorney-General was a member of the Council; and it was clear that he either agreed to the resolution and had since changed his mind, or that he objected to it at the time. If so, the resolution ought not to have been placed on the table of the House. If not, had he altered his mind since he had accepted the appointment? He (Mr. Mackenzie) for one would not agree to the suspension of the standing orders, or to the passing of the Appropriation Act, until the House had received an assurance from the Government that no such arrangement would be carried out during the recess. He thought there should be an expression of opinion from honorable members upon such an important question. The Colonial Secretary had interfered with an Act of Parliament and with the usual practice, to enable him to please his best friend; and, no doubt, that was a good trait in his character, but he had

overshot the mark. It was enough to place that gentleman in the position of an Attorney-General, but to put him in the position of a permanent official at such a high salary was going a little too far. The question had been mooted several times, and it had been considered that the Attorney-General should be a non-political officer. But he wanted to know why this question should be brought forward at this particular moment. It could only be regarded as a sign of weakness, and a proof that it was time the Government retired from office. They all knew that after a certain number of years a dissolution of the Government came about naturally, and without any particular pressure. He had not been factious to the Government, who had received all possible support from members on his side of the House. But he must say that there were practical, plain, and common-sense men in the colony capable of governing the country as well as the present Ministry, who might have more natural ability, but did not make such use of it as they ought to.

MR. PRING : Sir, I do not rise to go into the question tabled by the honorable member at the head of the Government, or to express my opinion as to whether that motion is a good one or not, though I do think I should be able to prove very clearly to this House that it was a motion which was not likely to be carried. The remarks I wish to make will have a different tendency. I do not think the Government at present stand at all well in the eyes of the country, for reasons which I shall now advance. It is usual, I believe, when a Minister resigns, to request him to remain in office a few days, to enable him to hand over his papers, in order that his colleagues may with due consideration make provision for carrying out the affairs of the colony in a legitimate way. If the Government had adopted this course, and had not been so precipitate, they would not now stand in their present position. I think they have not followed the wisest course in making this appointment. What has been the result of this action? I resigned the office of Attorney-General and a new Attorney-General was appointed. It is true the Colonial Secretary came down to the House, and said that in a very few days he would give a Ministerial explanation of the matter, and that the House would be informed as to the new arrangement to be made by the Government to provide for the duties of that office. We all know that the Honorable John Bramston was gazetted as Attorney-General, and Attorney-General he was. He had his commission until the date of his resignation, which may have been yesterday, or this morning. But he must have consented to act, and his appointment must have been the result of an Executive minute, and the Executive must have been aware of the responsibility of the office. That gentleman accepted the office and has acted as Grand Juror. That is to say, an Attorney-General

of four days' standing has interfered with the administration of justice. Why has he resigned now? Why should the Government appoint an Attorney-General *pro tem.*, for he is a peculiar and responsible officer,—a man who can open all the gaols in the colony, and let out any number of prisoners under his own hand? Was that a proper course to pursue, when it was not even known whether he intended to remain in office or not? That is not the way in which such an appointment should be filled up. Now, what is really the state of the case? A new Attorney-General steps in and files new bills against prisoners, and what becomes of the old ones? If there is one thing more sacred than another, it is the administration of justice. It affects the interests of those unfortunate creatures now confined within the gaols of this colony and subject to the laws of this colony. I say the due administration of the laws has not been properly carried out by the Government. They should have taken a little more time to consider their action, and then they would not have been forced to come down to the House with a ministerial explanation, or to withdraw the motion which they were afraid to press. I say, sir, if that is the way the Government intend to carry on the business of the country, the sooner an alteration is made the better, and I am sure the country would endorse my views if a general election took place, and I should not be afraid of the results. I quite agree with the honorable member for the Burnett, that although this session has been short, it will teach the Government a lesson they will not forget in a hurry.

THE SECRETARY FOR LANDS AND WORKS : Sir, I do not think this House is likely to be much impressed by anything that falls from persons whose observations are influenced by personal feeling. I have not the slightest doubt that the country has been as well satisfied with the discharge of the duties of grand juror by the Honorable John Bramston during the time he held office, as they have ever been with the discharge of the same duties by the honorable member who has just sat down. I say it is very much to be regretted that personal feeling should enter into discussions in this House, especially in a question of so much importance as the appointment of a Minister of the Crown. I quite admit, sir, that it is usual when a Minister retires upon political grounds, for the Government to request him to remain in office until his successor is appointed, but I believe that is a rule which is only applicable when political reasons form the ground of his retirement. I think it would have been much better not to have introduced the subject at all. Now, sir, with regard to the observations made by the honorable member for the Burnett, I think that honorable member, although he was perhaps quite justified in making the speech which he has addressed

to the House, might, after the announcement made by my honorable colleague the Colonial Secretary, have allowed the Government to complete their arrangements without any observations whatever. Because he must recollect that when the honorable Colonial Secretary informed the House that Mr. Bramston had accepted the office of Attorney-General, he distinctly stated that the arrangements of the Government for the conduct of the various law offices were only temporary; and this contingent motion was placed upon the paper, dependent only upon the answer to be received from that gentleman. The honorable member will also observe that this motion involves the consent of the House; it is not a step taken upon the sole responsibility of the Government, but one which depends entirely upon the will of this House. And I have no doubt if it had been explained that, although the office was nominally that of Attorney-General, it embraced duties of a totally different character, the motion would have been agreed to. However, I quite agree with the honorable member for the Burnett, that it is now too late in the session for the Government to come down with any proposition involving such a fundamental change in the duties of that office, and the Government have undoubtedly been to a great extent relieved from any difficulty in reference to this motion by the fact that the honorable gentleman who was temporarily appointed declines to retain office upon the conditions stated. The announcement made by the Government was just such an announcement as would be made by any Government on the appointment of a new minister. It may be, as the honorable member for North Brisbane, Mr. Blakeney, has threatened, that the honorable member who has accepted the appointment may not be re-elected by his constituents. But the honorable member for North Brisbane is not always the best prophet upon these occasions, and I have reason to believe that he will be disappointed in this instance. I must confess, sir, I cannot see why the same indulgence should not be shewn to this Government as is usually accorded to Governments on similar occasions.

MR. BLAKENEY: Mr. Speaker, I have been really surprised at some of the observations which have fallen from the honorable Secretary for Lands and Works. I do not think there is another honorable member in this House who would have made such a daring comparison between the present and the late Attorney-General as he has made. My honorable and learned friend, who has held that office for six years with the highest credit to himself and with the full approbation of the country, it is well known, acted here as Crown Prosecutor for years before Separation, and it is equally well known that he had gained considerable experience in defending prisoners while a member of the bar of New South Wales. I mean to say,

sir, that there is no other member of this House who would have had the effrontery to get up in his place and say that the duties of Attorney-General in the criminal department would or could be as well discharged by a gentleman who never defended a prisoner, and, I believed, has only prosecuted in six cases. How that was done I do not wish to say at present, or to follow in the track of the honorable Secretary for Lands and Works, and to draw a comparison between those two gentlemen in that particular department, of which no one has a better knowledge than he has. I maintain that if a barrister were the best read man who ever entered a court of law, let his ability be what it would, he could not make an efficient Attorney-General unless he were well versed in criminal practice. I have no wish to say one word derogatory to the gentleman who has resigned that office, but I will say it is absurd to compare him with a gentleman who has had such extended experience as the honorable member who preceded him, a gentleman who has for six years discharged his duties with such general satisfaction, and who was previously acting as Crown Prosecutor. I must, at least, vindicate him as an old friend and an able man, and I must say, I think the attempt to cast a slight upon him comes with a very bad grace from one of his colleagues. Now, sir, to come a little more to the point. It is well, indeed, sir, for the honorable gentlemen who govern this colony with such a tenacity of office, that they are going to send us about our business in a day or two. No schoolboys were ever more delighted at the commencement of a vacation than the Government will be to get rid of such troublesome customers as they find us to be. Compare the conduct of the Ministry—I do not refer to any particular occasion—their general conduct at the commencement of the session with their conduct at its close. Then, they were well supported; they could command large majorities, and carried everything before them. Confiding in those majorities, they plunged headlong into a career of recklessness, set all restraints at defiance, ridiculed and attacked honorable members on this side of the House, taunted us with bringing forward motions of no service to the country, and attempted to throw dust in the eyes of those who differed with them. Opposition was of no avail; the large majorities they commanded enabled them to carry out their views. But, sir, they have relied too much upon their strength; they have forgotten that several members who supported them in the early part of the session were independent men. And see the change which has taken place during the last fortnight. I can name some six or seven honorable members who were the constant supporters of the Government, who have come over to this side of the House. Could any Government have occupied a more pitiable position than this Government last

evening? They bring forward motion after motion, and when they find they are wrong, that their law is wrong in spite of their brilliant legal adviser of last week, they gracefully withdraw them. Motion after motion has been withdrawn, and when the honorable Colonial Treasurer, with a peculiar obstinacy, persevered with the Distillation Bill last night, see the fate it met with! Was not that a rebuke for having broken what we consider to have been a pledge on their part? Then, sir, I was taunted because I said I would sit here to-morrow or Monday, and I was told that I might walk out of the House and take my followers with me. And what was the result of the division? No less than 17 to 5! Now, sir, in reference to this change I shall say nothing; that is a matter entirely between the Government and their late colleague of many years' standing—as to the manner in which he was turned out of his office, and the door locked upon him. I shall leave that to him and the Government. But what was the result?—immediately afterwards, the Honorable John Bramston was gazetted and announced as Attorney-General, upon certain terms. And can it be possible that this notice, which astonished this House and the public, which insulted the profession to which I have the honor to belong—I say it advisedly, it was an insult to the profession—was deliberately made by the Ministry? I say it was a proposition which has no parallel in the records of any British Parliament. We have entered upon responsible government and we must conform to the rules and practice of the old country; and will any honorable member shew me, by reference to any blue-book, that in any British dependency the Attorney-General is a non-political officer? I affirm that he must be a political officer. Why alter this rule in Queensland, after the Parliament has lasted for six years? The fact is, the Government were losing their supporters; they were losing ground; they felt they were becoming weak; and it was very natural that the honorable Colonial Secretary should attempt, as well as he could, to provide for his friend and chum; and it was a grand idea to attempt to give him an appointment for life. But it certainly did appear astonishing that nothing less than £1,200 a year should suffice for this gentleman; which would, in point of fact, have placed him over the Colonial Secretary himself and his colleagues, who have at least equally important duties to perform. But the fourth wheel of the coach was to have a higher salary than the head of the Government! Now this determination must have been well considered, and must have been the result of an Executive minute. Then, I say, why should this motion have been tabled? Can any honorable member swallow such a strange assertion as that which has been advanced, that the motion was placed on the paper, pending the reply of the

Honorable John Bramston? This House and the public were to be alarmed by the announcement of a change in the Ministry, which had not even been decided upon. Why did not the Government wait until they were acquainted with Mr. Bramston's decision before they allowed him to take office? I say, it would have been far better if they had done so, without tabling this motion, and without having to make the announcement, which I am happy to hear, that the honorable member for Fortitude Valley has been appointed Attorney-General, and that his appointment will be untrammelled by any other duties. But I must tell the Government that they will have to look about for some little pocket borough, where only kangaroos are represented, for that honorable member; for, believe me, he will never again sit in this House as member for Fortitude Valley, although I am told by the honorable Minister for Lands and Works that I am a bad prophet. If there were no other person to oppose his return, I would resign my seat for North Brisbane, and I would thrash him—I pledge myself to do so. I look upon him as an able man, and I have a personal esteem for him, but I say he will never be returned as the member for Fortitude Valley.

The COLONIAL SECRETARY: You are jealous of him.

Mr. BLAKENEY: No, sir, the honorable member knows very well, and no one better, that I have always proved myself to be consistent ever since I entered into this House, and I trust I shall never tarnish my name by taking office and sitting with a Ministry whom I have always strenuously opposed. I could not do it. I should forfeit my own esteem, and that of those honorable members who have voted with me. I regret, sir, that the honorable and learned gentleman who has been sitting with me for so long, should have been stolen from our ranks by the Government. They have baited the hook and have succeeded in enticing him. The Minister for Lands and Works was the first—

The COLONIAL SECRETARY: And you will be the next.

Mr. BLAKENEY: Indeed I shall not, I hope I shall never live to see that day. Could I accept office with the present Government? Let us reason fairly together—could I hold office after what has occurred during this unpleasant session? Could I sit upon the Government benches without being taunted, and justly so, and covered with shame and degradation, if I attempted to support, for the sake of pelf and place, the principles I have consistently denounced, the abuses which I have sought to crush, or the lavish expenditure I have endeavored to check? Could I, as a matter of opinion, could I as a man of right feeling, act in unison with the present Ministry? I regret that the honorable member for Fortitude Valley is not so pledged; he has not placed himself in such a sore strait, or at

any rate he has not expressed himself in such strong terms. But the hook has been baited, and he will now have to be re-elected. In this respect, however, I am afraid the Government are reckoning without their host—they will have to find some unrepresented electorate in the far west, or else send him down to the Chamber of Horrors. I think, sir, it is very fortunate for the Government that they have taken this step at the close, instead of at the beginning, of the session; and I quite concur with the honorable member for the Burnett, Mr. Mackenzie, that they should give us some distinct pledge as to the course they intend to pursue in this matter, before the House will be justified in suspending the standing orders or bringing this session to a close to-day. I think it will be better to go on with the business which remains. There is very little besides the Appropriation Act, and I think it is in very bad taste to legislate in this hurried way. What is the result?—the Jury Bill meets with the same fate it encountered last session; there is no time to get through with it. There is the Health Bill, a most useful measure, and several other measures—more innocents slaughtered. This is the case session after session. I think, sir, it would be better for the House to continue to sit a few evenings more, and then there would be no occasion for the observations which fell with such truth and force from you the other evening, that the hurried mode of conducting business in this House towards the close of the session was becoming almost illegal. I hope you will have no further occasion to address the House upon that point. Even supposing that some of the country members cannot remain, there will still be a sufficient number to carry on the business of the country for a few days longer.

Mr. PRING said he rose to make a personal explanation. He was not aware that in his speech he had in any way questioned the ability of the Honorable John Bramston, who had been appointed Attorney-General; he had merely expressed his opinion that it was not right to appoint a gentleman *pro tem.* to discharge the duties of that important office.

Mr. DOUGLAS said that after the pathetic appeal made by the honorable member for North Brisbane, Mr. Blakeney, he thought it was hardly possible for the House to approach the question with those feelings of calmness and discretion which it was desirable to impart into a debate of this nature. This was something more than a personal question—something more than a party question. It was one which really attached to the wellbeing of the country, and that of the administration for the time being. He had no doubt that the House was very well satisfied with the gentleman who was temporarily appointed Attorney-General, and that he had performed the duties of that office to the satisfaction of the country. He was sure, at any rate, that he was a gentleman who had been actuated by the best

motives. But, the real question was this: How was it that gentlemen pretending to guide the country could be so vacillating in their conduct? Why should they, without consulting Mr. Bramston on the subject, table a motion, the effect of which would be to revolutionise the present judicial administration of the country? It did not appear that the Government had consulted the present Attorney-General, Mr. Bramston, because if they had, they would have refrained from tabling this motion. Some remarks were made by his honorable friend the member for the Burnett that this conduct betokened, what was becoming a prevalent opinion, that the Ministry were fast breaking up, and that the proof of that would be seen in the change that would take place next session. Now, if the Ministry were breaking up, as appeared to be the case by the many indications they gave of a want of coherence amongst them, why should they be allowed to go on any longer? The business of the session might be said to be over, and the Estimates had been passed; and, therefore, if the Ministry were to be turned out, it would be better they should be turned out now than at the commencement of next session. If they met again seven months hence and were then to be treated to a political crisis, a considerable delay would be caused in transacting the business of the country. He thought that, judging of the present condition of the Ministry, as far as it was apparent, honorable members would themselves like to be relieved from office. He said this from what he observed of their general policy. It might be that the honorable member at the head of the Government was satiated with office. He might think that he had had the honor and glory of office sufficiently long, and that it was now time to retire. He did not wish to see any obstruction to the career of the honorable gentleman, but he thought it might conduce to the advancement of the honorable gentleman if he were to retire. Then there was the honorable the Secretary for Lands and Works who had committed himself to the bringing in of a comprehensive land measure at the commencement of next session. Now, if the honorable gentleman were to have the probability of being thrown out of office at the commencement of next session staring him in the face till then, he would be prevented by that apprehension from performing his duty. The idea that he was to be removed from office would be sufficient to produce a dislike to the duties of office during the recess. The honorable gentleman had promised to give them a comprehensive measure, but he (Mr. Douglas) very much doubted if he would be prepared to fulfil it, for a feeling of apprehension resting on his mind for so many months, must to a greater or less extent unfit the honorable gentleman for the performance of the promise. Then, passing to the honorable the Colonial Treasurer, he had also got satisfac-

torily through the duties of the session. He had induced the House to believe that, in a financial and commercial point of view, the colony was going on most prosperously. He had painted the condition of the colony in colors dipped in richest dyes. Well, he would be sadly pained if next session he had to present another and very different picture, and tell the House a harrowing tale of despondency. Now, then, there were three members of the Ministry who would be glad to be relieved from office. The Attorney-General, Mr. Bramston, said he did not desire to throw in his lot with such a set; and they were told that the office was to be taken by the honorable member for Fortitude Valley. Well, if so, that honorable member would have to throw up his seat, and there was no certainty that he would be re-elected; and it would be hard that he should sacrifice his seat, or that he should be shelved, if he would only be in office for a few months. They knew that not only was all that the case, but they also knew that there were honorable gentlemen in the House prepared to take office. There was his friend the honorable member for the Burnett, whom the Opposition had always looked upon as their guide. That honorable member was a safe and substantial person, and answered very much the description he gave the House of those who ought to be in office. There was no one he was sure more to be desired by honorable members. Of course the Opposition could not expect to have it all to themselves; but would have to look to the other side for aid. Well, if the honorable gentleman having charge of the Lands and Works Department were to retire from public life for a time, for the enjoyment of a little leisure, the honorable member for the Western Downs might be prevailed upon to accept the vacant office, and co-operate with the honorable member for the Burnett. That honorable member was well acquainted with the land laws of the colony, and would not allow his mind to be biased.

Mr. TAYLOR: If the honorable member was referring to him, he was much mistaken. He had no desire to take the office of Lands and Works.

Mr. DOUGLAS: Well, the honorable member might take the treasurership; but he was looking to that office being given to the honorable member for Ipswich. However, matters could, no doubt, be arranged between the honorable members themselves. It would be sufficient that they were both in the Government. There could be no doubt as to who the future Attorney-General would be. For there was only one gentleman to take that office, and he had that day well exemplified his capability for it. Besides, that honorable member had this advantage over anyone else, that he could go to any constituency in the country and contest it with success with any other man.

Now that was a matter of serious consideration. For himself and his honorable friend the member for Maryborough, it was well known that they would be quite content to accept the position now occupied by the honorable members for the Western Downs, and be the *arcades ambo* of the future ministry, whose benignant mission it would be to protect and defend them, as it was that of the honorable members he had alluded to, as regarded the present Ministry. Those honorable members, he believed, exercised a considerable influence on the present Ministry, and he and his honorable friend the member for Maryborough would be glad to exercise a considerable influence on the next Ministry. More than that, he and his honorable friend did not desire to have anything to do with office. He might have been illustrating the position of affairs with too much levity, but he would say, with all seriousness, that the question was one which might be worthy of consideration—whether the Ministry should be allowed to continue any longer in office? They were dissatisfied with themselves and with each other; they were without hope as to a policy for the future, and were not anxious to retain office. On the other hand, there were a number of honorable members who were happy amongst themselves, who had a defined policy, who had no fear to go before their constituents, and who were ready and willing to take upon themselves the responsibilities of office. Now, under all those circumstances, he thought it would be better to decide the whole question on the motion for adjournment, and he would therefore vote for it. He thought that, in view of the position of the office of Attorney-General, it would be desirable to adjourn, in order that the Ministry might have an opportunity of making such arrangements as would satisfy the House as to the future. It would be better for them to decide the question on this motion, and see if they could not bring about a better state of affairs. At any rate, they should not commit themselves to a vacillating policy like that of the present Ministry.

Mr. JONES said he was heartily glad the motion had been withdrawn, and, indeed, it had always been a matter of astonishment to him that it could be proposed. Lawyers, as a rule, were conservative in their views, and he for one looked on the proposed abolition of the office of Attorney-General with regret, merely with reference to his own profession. He thought that, seeing how admirably the duties of the office had been performed by the honorable gentleman who held the office first, and which few had better opportunities of witnessing than himself—he thought, from the way that honorable gentleman had discharged his duties, there was nothing that should induce the youngest colony of Great Britain to abolish the established office of Attorney-General, or to

render it non-political. He also thought that it would have been hard for the Ministry to persuade their friends if the arrangement proposed had been carried out that the office, as a permanent office, was not made to suit the wants of an individual; and he said this without any wrong feelings towards the gentleman himself: but he thought it would have been difficult for the Ministry to persuade their friends that the office was not made to suit the Honorable Mr. Bramston. It was a matter of astonishment to him that the Ministry should have made up their minds on this matter subject to the approval of a young man—for it was plain to him that if the Honorable Mr. Bramston had concurred in the arrangement, it would have been carried out. The policy, therefore, of the Ministry in this matter rested on the opinion of the Honorable Mr. Bramston. It redounded to the credit of that honorable gentleman, and very much to his credit, that he had shewn the office was not made for him; and for shewing that the country would have been wrong in supposing, had he accepted of the office, that it had been made for him. Now, while he said this much, he also desired to say of the honorable gentleman, Mr. Bramston, that a more zealous and conscientious person he did not know, or one who, if he continued to hold the office of Attorney-General, would more faithfully attend to the duties of the office. He had always had that opinion of the honorable gentleman. With reference to the last-appointed Attorney-General, he hoped the honorable gentleman would discharge the duties of the office as well as the first Attorney-General had done; so that when the time came for him to resign office he might be able with confidence to say that he had discharged his duty with equal fidelity as the honorable gentleman who first had the honor of holding the office.

The COLONIAL TREASURER said he should not have been so much surprised if the proposed changes, so amusingly referred to by the honorable member for Port Curtis, had been submitted to the House at the commencement of this or of the next session, as he was at their being mentioned at the close of the session. It might, he had no doubt, be more agreeable to honorable members on the Opposition side of the House to come down with such a motion at the end than at the beginning of a session. Seeing that the whole of the business was almost all satisfactorily settled, it would be a very pleasing thing for them to enter upon office at the close of the session, as for several months before the meeting of the next session they would have nothing to do. A change of ministry, under such circumstances, would no doubt be very pleasing to some honorable members. No doubt, it suited those honorable members very well, to challenge the Government at that stage of the session, when many of the supporters of

the Government had left town, and gone away in the belief that all the particular business of the session was concluded. No doubt it was a happy thought for the honorable member for Port Curtis, and other honorable members on the same side of the House, at such a time to attempt, and hope to succeed in the attempt, to carry a motion that amounted to a vote of want of confidence. But, he asked, was it handsome of them to do so? Were those the circumstances under which a ministry should be turned out; and was it proper in such a way, and at such a time, to treat a ministry who had so far successfully carried on the business of the session? He could have admitted the fairness of such a motion, if it had been brought forward at an earlier period of the session. However, he did not think that the motion was seriously put forward by the honorable member for Port Curtis, as he seemed to treat the matter in a spirit of levity, till he was prompted by the honorable member for Maryborough, and it was only after a whisper in his ear by that honorable member, that he instilled a few words of gravity into his speech. As to what fell from the honorable member for the Mitchell, he had heard it said that there was a prevailing opinion amongst honorable members on the ministerial side of the House, in favor of the continuance in office of the Attorney-General, in the same way as hitherto. But, admitting that to be the case, he asked honorable members, if a motion, such as had been tabled by the honorable member at the head of the Government, was not one in which the House must feel a deep interest?—if it was not one the House must acknowledge to be of much importance? He could only say, it was one on which honorable members, with whom he had conversed on the subject in the course of the day, had expressed very decided opinions. The motion was one which, when the proper day came,—he was not prepared to say that the present was the proper time, or that it was necessary to bring about such a change at present,—would be admitted to embody a subject deserving the full and fair consideration of the Legislature. One of the effects of the motion would be to bring about a separation of the duties of the grand juror of the colony from the office of a political member of the Government; and that, he maintained, was a subject well worthy of the consideration of honorable members of the House. Whatever objection members of the legal profession might have to such a change—however much it might affect legal gentlemen rising in their profession—the subject was one of such importance that he believed it would not be long before it would be gravely considered by the House. The subject, he thought, had not been treated fairly, but rather the reverse; for it was stated by the honorable gentleman at the head of the Government, when he tabled the

motion, that he brought it forward for the purpose of obtaining the opinion of the House upon it—not the political portion of it, but that portion of it on which honorable members had expressed an opinion. The honorable gentleman (Mr. Bramston) who had held the office for a short time, and who did not desire to hold it permanently, was told that his appointment was only temporary, and he accepted it on that understanding; because the duties of the office were such as required immediate attention, and because on account of the approaching assizes, it was necessary at once to appoint some one to the office. Under those circumstances, he thought the course that had been attempted was one that was not fair to the Government.

MR. BROOKES said he was not willing to allow the debate to pass without taking the opportunity of expressing his opinions with respect to the question involved in the motion. He did not wish to add anything to the personal feeling which had been imported into the debate, but he had a very strong impression that honorable members who sat on the Opposition side of the House were not to blame for it. He had listened attentively to the speech of the honorable the Colonial Treasurer, and he must say that that honorable gentleman had failed to remove from his mind the impression that the motion should never have been tabled. It was not long ago since the honorable the Colonial Secretary taunted honorable members on the Opposition side of the House with not putting their complaints against the Government in a specific shape and form. He felt, at the time, there was something in that; and felt that it would be better for honorable members, instead of indulging in complaints of a vague and indefinite character, to give them a specific shape. But he now felt himself relieved, and the honorable the Treasurer had saved honorable members the trouble of doing what the honorable the Colonial Secretary, a short time ago, recommended them to do; for the honorable the Colonial Treasurer had said all that could be said against the present Ministry. The Government had not succeeded in shewing that they were the proper Government for the country; and he might say, without professing to have an intimate knowledge of legal matters, that there was something extremely indecorous in the motion under discussion. There had been a growing feeling, since the motion was tabled, that whenever a vacancy occurred, some friend or relative got in; and a grosser case could not have been brought forward than this one in reference to the office of Attorney-General. He did not wish, nor did any other honorable member wish, to say anything personally with respect to the honorable gentleman (Mr. Bramston) who now filled the office; but honorable members felt, from what had taken place, that there was not that good feeling

and satisfaction between colleagues of the same Government as should have existed between the honorable the Colonial Secretary and the late Attorney-General. It was not disguised, that an ill-feeling existed towards the honorable gentleman, and that the Government were glad to get rid of him. They did not seem to have borne in mind, or, if they did, to have given any consideration to the long term of his services. Whether the honorable gentleman might himself forget such treatment or not, the colony would not soon forget it. The honorable gentleman, the late Attorney-General, might take to himself the satisfaction of believing, if he was not served exactly right and treated in a gentlemanly manner, which he (Mr. Brookes) contended he was not, that whatever might have been or was now chargeable to him by the Ministry, who with such alacrity and delight got rid of him, the time would come when full justice would be done to him for having done more than any other man in the colony for the administration of justice. The honorable gentleman had done more for the clearing up of the administration of justice, and of all matters connected with the administration of justice, than all the other members of the Ministry put together. Now, he thought that honorable members should not allow the Government to go into recess till this matter was settled. They all knew what governments were during a recess—that they did as they liked, and made regulations that contravened Acts of Parliament and acted upon them. The consequence was—and he would be borne out by others who took an unbiassed opinion—that their assembling in Parliament had been merely an Assembly in name rather than an Assembly for the purpose of legislating for the colony. He was, therefore, disposed to resist the attempt to close up the present session of Parliament with this question remaining in its present shape. It was all very well to say the motion was withdrawn; but it remained for honorable members who sat on the Opposition side of the House, and other honorable members who held independent opinions, to act decisively, and to get rid of the superstition, for it was nothing but a superstition, that there were no other gentlemen in the colony but those composing the present Ministry capable of carrying on the Government.

MR. MACKENZIE: You said so yourself.

MR. BROOKES: He never said so. He said he was willing to let the present Ministry hold office as long as they were able to do things decently and in order; but the present Ministry had so greatly outraged the feelings of the country since then, that he was bound to consider the time had come when they might safely leave office, and let the colony see if others could not be found to fill their places. He further thought the time had come when they might approach this matter in a much more collected and a calmer

manner than they did before. He thought it might be said of the Ministry that they had thrown up the game. They had lately been too vacillating, and the head of the Government had even gone so far as to table a motion which the honorable the Speaker could not put, and a motion which the honorable the Colonial Secretary could not risk to be put, and, therefore, he withdrew it, without risking the opinion of the honorable the Speaker upon it. For those reasons, he thought it would be well for the House to consider what action they should take, in order not to allow the Ministry to go into recess in such a state of affairs.

Mr. SANDEMAN said he took it that honorable members were now called upon to look on the motion before the House as one of a vote of want of confidence in the Government. He would, therefore, state at once that he could have no difficulty whatever in recording his vote against it, and he would do so on the ground, if there were none other, that it was unfair to the Government, at this period of the session, to bring forward a motion having such an object. A motion of such a nature was one that should be considered and dealt with by a full House, and not at a time when many of the usual supporters of the Government were absent. The House was supposed to represent the country, and the country should be represented on so important a question as the present, and it would not be so, as it should, in a limited Assembly, in the absence of those honorable members who had left. It was, therefore, he repeated, unfair to the Government, and might be prejudicial to the country, to bring forward such a motion at the present time. He would not go into the question of the merits of the Ministry on this occasion. He had not coincided with them in all their views, but whatever his own views with respect to the Government might be, he would not be a party to such a course of action. The sentiments which had been expressed by some honorable members, produced upon his mind the impression that there was a great deal of personality in the matter, and he, for one, would not support an attack upon any Government that was induced by personal motives. Certain honorable members, until very lately intimately connected with the Ministry, in addressing the House, had ignored their previously expressed opinions, and, therefore, he could not believe they were sincere, if this question, in the shape it had taken, was to be looked upon as a vote of want of confidence. He could not believe that those honorable gentlemen could be sincere in voting for the motion on its merits. If the Government were to go out, it should be on some great question—on some question in which the policy of the country was involved,—and not on a question like the one before the House. The question which led to the debate now before the House was one on which honorable members entertained

various opinions; and that being the case, he did not think they would be justified in turning the Government out of office on such a question. If they left matters as they were till next session, and allowed the policy of the Government to be then propounded, honorable members would be able to make up their minds, and that on a measure worthy of the occasion, as to whether they could support the Government or not.

Mr. PUGH said he utterly disclaimed the statements of the last speaker as regarded making this a personal question. There was no honorable member in the House who took more pride in the elevation of the honorable and learned member for Fortitude Valley than he did. He denied the statement of the honorable member for Leichhardt, Mr. Sandeman, that it was unfair to the Government to bring the motion forward as a vote of want of confidence; and he did not hesitate to say that, if carried, it would have that effect against the Government. It was a motion that had been forced upon the Opposition side of the House by the circumstances of the week; it had not been meditated by any honorable member on that side. He maintained that so long as sixteen members assembled in the House, exclusive of the Speaker, and constituted a quorum—let the others go away to the country or to Sydney—they had a perfect right to say how the business of the country should be conducted. There were yet sufficient members in and about the town to make a quorum. The business of the session had been unnecessarily prolonged; but honorable members knew where to lay the blame of that. Of course, the right of speech could not be controlled; but while there was a quorum they had no right to be told that it was unfair to bring such motions as the present one forward. This motion arose out of the motion put on the paper yesterday by the honorable the Colonial Secretary. The Opposition were not trying to turn out the Government by a fluke; and, although the motion was a formal one, it was a serious one. He was sorry that some degree of ridicule had been thrown upon it by his honorable friend, Mr. Douglas. The honorable the Colonial Treasurer had told the House that the motion was simply tabled for the purpose of obtaining the opinion of the House upon it. He (Mr. Pugh) presumed that all motions were tabled in that way. The House had found two motions tabled by the honorable the Colonial Secretary, both of which had to be withdrawn as in contravention of Acts of Parliament. The motion that had just been withdrawn was in contravention of an Act of Parliament. There was some truth in what fell from the honorable member for the Mitchell—that the Attorney-General, by the arrangement proposed, would be placed in a most anomalous position; as Attorney-General, he would be at the head of the bar of the colony, while he would be a perfect dummy

in court. There had been remarks made that charges had been urged against the Government time after time, and that the Opposition had been unable to prove them. The idea of the honorable the Colonial Secretary was, that a charge was not proved if he had a majority to vote against it: that was the logical force of his remarks, but as an argument it was utterly unsound. When he had a majority, the honorable gentleman was perfectly safe in saying what he liked. The fallacious principle on which he acted was, that unless the Opposition were strong enough to turn out the Ministry, no matter what the Ministry had done—no matter how many Acts of Parliament they set aside by resolutions of the House—they were right.

The COLONIAL SECRETARY: You cannot have any other form.

Mr. PUGH: That was what they thought.

The COLONIAL SECRETARY: It is the only way.

Mr. PUGH: It might be in the abstract, or in a political point of view; but in a moral point of view it was utterly false. He gave the honorable gentleman credit for withdrawing his last motion in consequence of the action of the House on the two motions which he had previously been obliged to withdraw. A great deal had been said about a dissolution. He imagined that the honorable gentleman at the head of the Government would follow the usual practice, and if so, he would not be able to dissolve Parliament a second time. But in these days, Ministers did not always adhere to precedent, and it might be that the Government would strike out a new course for themselves rather than not adhere to office. Let them stick to office and have a dissolution—he (Mr. Pugh) had no objection. The jocular arrangement for a new Ministry, made by the honorable member for Port Curtis would be altogether wrong, unless the honorable member for Western Downs, Mr. Taylor, was in the position of Treasurer. He would like very much to see that honorable member at the head of the Treasury department; for the colony was drifting into a position that few could foresee the full import of.

The COLONIAL TREASURER: This is the time to alter it.

Mr. PUGH: It would be found in a few years that the public expenditure, which certain honorable members had been endeavoring to check, and in the Opposition to which the honorable member for Western Downs, Mr. Taylor, had taken the leading part, would be the cause of placing the country in a very unpleasant and insecure position. If a crisis in European affairs should occur and thus cause a sudden change in the English money market the value of the Queensland debentures would be so much depreciated that the colony would be in a fearfully awkward position. He should have more confidence in the honorable mem-

ber for Western Downs to avert the evils of that position than in the honorable gentleman who now, with all due respect to him, filled the office of Treasurer. Whether the motion for adjournment should be carried or not, he had come to this conclusion—that, as three motions which bore illegality on their face had within two days been tabled and withdrawn by the Ministry, it was only right for the House to give some expression of opinion upon such conduct.

Mr. WIENHOLT said he disagreed with the whole of the remarks of the honorable member who spoke last, and he coincided with those made by the honorable member for the Leichhardt. No doubt honorable members on the Opposition side of the House were taking a very mean advantage: they saw that a great many honorable members who usually supported the Government were absent, and that was their reason for bringing forward their so-called motion of want of confidence. It was rather amusing that honorable members on that side should say the time of the House had been taken up by the Government. Indeed he was surprised to hear such remarks when he considered what time had been lost by the speeches made on that side. They were aware that many honorable members on the other side were anxious to go home to attend to duties which could not be performed without their presence—that, seeing the end of the session close at hand, many honorable members had already left, believing that everything was quiet and settled—and the Opposition turned round and in a surreptitious manner brought their motion forward.

Mr. MACKENZIE called the honorable member for Warwick to order for using the word "surreptitious."

Mr. WIENHOLT said he could not express his feelings carefully, but he did so clearly and from his heart, and he would act accordingly. It was not often that he took up the time of the House, and he should not detain them on this occasion. There need be no further discussion; the honorable the Colonial Secretary had withdrawn his motion, and the matter should terminate. He regretted that such a discussion should have taken place. It would not have taken place had not the late Attorney-General retired from office. That honorable and learned gentleman must be fully aware—and he was a personal friend, a great friend of his (Mr. Wienholt's), and it was with extreme regret he made those remarks—that he was compelled to adopt that course, that he had no other alternative; and therefore it was unfair that that honorable member should come forward to say that the Government had not done well in filling his place. As regarded the Honorable Mr. Bramston, he (Mr. Wienholt) did not think the Government could have selected a better man. It was well known he was a man of great ability, and a conscientious man, and fitted for the position

in every respect. It was with exceeding regret that he had heard the honorable member for North Brisbane, Mr. Blakeney, make the remarks he had made; they were not called for, and were not worthy of him. He had no hesitation in saying that he was anxious for the Ministry to retain office. He did not wish to flatter any one, for he was no sycophant, and he was independent of the present or any Ministry; but, if the country should unfortunately lose the services of the honorable member the Premier, it would suffer materially. This colony had prospered under his administration in an extraordinary degree. Look at the neighboring colonies! Look at New South Wales and Victoria! Had they got on as well as this colony? He maintained that, if there had been another man at the head of affairs, this colony would not have gone on as well as it had, and everything would not have prospered. The Colonial Secretary had made the colony, and if anybody else came into his place, he might do a little with what that honorable gentleman had made, but he would not remain long in office—he would very soon be kicked out; and the country would appeal to the honorable the Colonial Secretary to take office again. He (Mr. Wienholt) read the papers, and he got ideas as well as other people. He did not wish the motion to be carried, and he did not think any one had the slightest idea that it would be carried. If it should be, he trusted that the honorable the Colonial Secretary would not for a moment think of ratifying the wishes of the minority of the House, and certainly the minority of the colony—for he believed they were utterly despised by the colony—by vacating office. He trusted that if anything should happen by this fluke, that the Colonial Secretary would take no notice of it. The end of the session was at hand, and the motion was brought forward in the most unpardonable and underhand manner: it was a dirty advantage that the Opposition were taking, and he (Mr. Wienholt) was ashamed of them.

Mr. R. CRIBB observed that so much had been said that his head was confused. The question was, that the House do now adjourn. He thought they had some business to do. Last night they were anxious to get it done; they met early this morning, and it was now after twelve o'clock noon; the motion for adjournment had merged into an attack on the Government. On the whole, he had supported them, and he intended to do so as long as he saw that they did moderately well; because he did not think that a better Government could be got; and he did not wish to change unless the change would be for the better. He did not think the motion that the honorable the Colonial Secretary had had on the paper, respecting the Ministerial arrangements, was of that importance which some honorable members appeared to think it was; nor that it was an evidence of

the vacillation of the Government. It was said that the Government would do all sorts of things, if they were allowed to wield power during the recess. There was one thing that they did not do during the last recess, for which he blamed them very much; and it was that of which the honorable members for North Brisbane approved. Last session, nine money votes were taken conditionally: eight of them were paid, and one was withheld. For withholding the one, he blamed them; for it should have been paid like the others. Some of them were for a few months of past service; some for matters in the future; but the one that was not paid, was for many years continuous service to this colony. So much for the consistency of certain honorable members. The only exertions that the honorable member, Mr. Pugh, had ever made in keeping down the expenditure of the country, were in supporting the withdrawal of £1,000 that had been previously voted by the House for Dr. Lang. With reference to the great charge against the Government, about the Attorney-Generalship, all the learned gentlemen in the House agreed that the office should be a political one; and they took exception to the appointment of the Honorable Mr. Bramston because the Government were likely to appoint him as a non-political officer. If the Government had done wrong, and if now they did right by retracing their steps, was that to be a very serious charge? He could not understand the great talk that had been going on about it. His own opinion was, that the Government had acted injudiciously. He had thought they knew human nature far better than they seemed to understand it. He would tell the House what he would have done, had he been head of the Government, when the late Attorney-General left office. He should have asked the honorable gentleman to hold office until his successor was appointed. Then the House and the country would have seen all the legal gentlemen wistfully looking at the gilded cherry held up to them! They would have seen what good boys the lawyers could be. The session would have been allowed to close quietly. If the Government would have only kept the Attorney-Generalship open, they would have got over all the present difficulties, and by-and-bye the cherry could have been disposed of. He should oppose the adjournment. The House had work to do, and he trusted they would now get it done.

Mr. WALSH, in reply, said he felt that it was necessary, after such a serious discussion, to answer as briefly as he could a few of the remarks that had fallen from honorable members. He was well aware of the importance of the question when he moved it, and he felt deeply that we had arrived at a very serious phase of our political existence. He felt that owing to the disasters which had befallen the administration during the past

week, something more than common was about to occur, and that it would be unbecoming of honorable members to permit recent proceedings to pass over without recording, in some shape, their opinions upon them. Nothing, he thought, could be more detrimental to the welfare of this country than that it should go forth through the length and breadth of the land, that on the last day of the session the Government were in a very weak position, and were existing—that they were permitted to retain office—entirely on the forbearance of the House; that they had, by their conduct, shewn beyond dispute their inability to carry through the House their several and special measures; and that their admitted weakness was shared in, was connived at by, or was not known to, the Opposition. It was well, therefore, that such an expression should have been given as would shew that there were members on the Opposition side who were not only alive to the weak position of the Government at this time, but who saw the necessity for some change and were prepared to take upon themselves the responsibility of it. He was very glad to have heard it, because during the session it had been too generally admitted that the present Ministry were inevitable, because of the incapacity of the Opposition. The victories gained over the Government during the past month shewed that there was no incapacity; and the country could be assured that if there were able men on the Treasury benches and on the benches filled by the Government supporters, there were abler men on the Opposition side of the House; and, having testified to the accuracy of that by the weakness, the defeats of the Government, it was just as well that it should be reported to the country that there were men on the Opposition side who were prepared and able to take upon themselves the responsibilities of office. The honorable the Colonial Treasurer taunted them with bringing forward a motion of want of confidence on the last day of the session. But they could not have brought it forward sooner. Was it not the past few humiliating days that had brought it about? Was it not the last straw that broke their confidence in the Government and the power that backed the Government? The motion of this morning had settled everything. Could the Government bear a greater load of disappointment than they had to submit to bear during the past week? Twice, last night, were they defeated, and in such a way that, after it, no other honorable member in the House would have consented to hold office. They had been obliged to confess, on the motion which embodied the darling project of the honorable the Colonial Secretary—the emigration motion, in which he (Mr. Walsh) was sorry he could not side with the honorable gentleman—their helpless weakness. They should have been defeated upon it earlier in the session, when it was

ably argued by the honorable member for the Burnett, Mr. Mackenzie; but the House saw the impropriety of it last night, and so did the Government. The honorable the Colonial Treasurer had used another very fallacious argument—that now the work of the session was over, the Opposition were willing to take upon themselves the duties, and to receive the emoluments of office. That argument applied to the Government themselves. They were anxious to retain the ignominious position they occupied. He (Mr. Walsh) blushed for his country, when it could support a Ministry that could use any such argument as that! What was it that induced those honorable members to put up with such defeats as they had been subjected to? What was it that induced them—if he might quote an expression made use of by the honorable member for Warwick—to eat so much dirt during the past week? It must be their love of power, or of pay. There was no doubt that they felt, after so many defeats, they could bear a few more, for sake of the repose and the interest of the recess. It had been objected, that his motion was an improper one. He knew that other motions brought forward by members of the Opposition were regarded as improper. They had been too often brought forward, and too often carried, this session, for the comfort of the Government. Was his motion not necessary, as following the motion which the Colonial Secretary had withdrawn? Could independent members submit to the withdrawal of that motion without expressing their opinions on it, and, in the name of the country, demanding that Queensland should have a more consistent Government, and one more alive to their own dignity than the present Government? There was no doubt that had not the honorable the Colonial Secretary withdrawn that ill-advised motion—that had the Speaker not ruled that it was unconstitutional, and could not be put—the Government would have been defeated on it, and they would not at this moment be in office. It was to escape the just retribution which would have overtaken them, that it had been withdrawn. He (Mr. Walsh) was perfectly astonished at the honorable member for Leichhardt, Mr. Sandeman, using the arguments that he had placed before the House, knowing his sentiments. He knew that that honorable member, like himself, was aware of the weakness of the Government;—but he would not humiliate himself by replying to him. He felt, that for the remainder of the session, the Government would have to appeal to the forbearance of the Opposition, to let them finish the business. He felt that if the Opposition had tabled a motion of want of confidence, instead of giving the Ministry the opportunity of avoiding that ordeal, the Ministry would have been compelled to go out of office.

Mr. TAYLOR: No, no.

Mr. WALSH: It had been urged that because the present motion was not a substantive motion of want of confidence, they would not support it. That was a loop-hole—although the Government had not been aware of it—through which the Government could escape, and it was on account of that loop-hole that the motion would not be carried. But whether it was carried or not, he felt that the Government must rely for the future on the forbearance of the Opposition. He hoped that the Government would not, in their expiring moments, put the Opposition to the test. So far as he was personally concerned, he wished to see no change in the Government; but so far as the credit of the country was concerned, as an English colony possessing representative institutions, he held the opinion that a change was requisite, and that it could not long be averted under the present state of things. He begged, with the leave of the House, to withdraw the motion.

The COLONIAL SECRETARY insisted on the motion being put.

The question was then put and negatived.

APPROPRIATION BILL.

On the motion of the COLONIAL TREASURER, the Appropriation Bill was read a second time. The honorable gentleman then moved that the Speaker leave the chair for the consideration of the Bill in committee of the whole. This was opposed on the grounds that it was desirable to dispose of all other business before the control of the public funds was accorded to the Government; and that the Appropriation Bill was the only guarantee the House could hold for the good faith of the Government in dealing with other important measures which had not yet passed through all their stages in both branches of the Legislature.

The House divided on the motion for going into committee.

Ayes, 15,		Noes, 8.	
Mr. Herbert	} Tellers.	Mr. Mackenzie	
„ Macalister		„ Walsh	
„ Bell		„ Pugh	
„ Royds		„ Edmondstone	
„ R. Cribb		„ Brookes	
„ Jones		„ Stephens	
„ Sandeman		„ Blakeney	
„ Forbes		„ Douglas	
„ Coxen			
„ Fitzsimmons			
„ Miles			
„ Wienholt			
Dr. Challinor			
Mr. Watts			
„ Taylor			

EXISTING AND PROPOSED LINES OF STEAM COMMUNICATION.

The COLONIAL SECRETARY: Sir, I now rise to move the adoption of the report from the Joint Select Committee on Existing and Proposed Lines of Steam Communication. I regret that, owing to my desire to forward

the passage of Bills through this House, I have been compelled on several successive occasions to remove this notice of motion to a lower position on the business paper than it would have occupied in due course; and I have to thank the honorable member for Port Curtis for having repeatedly given way in reference to the motion standing in his name, which should have followed my notice of motion on the general subject of steam communication. I trust that honorable members in this House will have derived so much advantage by the delay that they will have had time to read the report and the evidence to some considerable extent. If so, I believe I shall do well not to go through this very voluminous document in detail, but to touch upon its general features. It will be seen at a glance that the select committee devoted a considerable amount of time and attention to this question—that they sat a great number of days and called a great many witnesses, and that they exerted themselves to the utmost to obtain satisfactory information on the several points which appeared to them more particularly to need elucidation. I think I may state that the members of the committee were unanimous in assenting to the general principles of the report brought up upon the evidence submitted to them. The subject matter of the inquiry, as stated in the report, appeared to the committee to resolve itself into three principal questions: first, as to the practicability of establishing steam communication with the Eastern Archipelago, by way of Torres' Straits; secondly, the most speedy and efficient mode of conveying the mails between Europe and this colony; and, thirdly, the carriage of mails coastwise to the several ports of this colony, and to and from New South Wales;—the third subject involving questions of considerable local interest, although, of course, of minor importance compared to the other two. To be as brief as possible, I may say that the evidence fully convinced the committee that there will be no signal difficulty in establishing steam communication, *via* Torres' Straits, towards India, China, and Singapore. The evidence which the committee were fortunate enough to obtain was that of practical men whose testimony may be relied upon—men who have been through Torres' Straits, and are familiar with the dangers to be surmounted in establishing steam communication by that route, and of persons who have visited the different countries which it is desirable to bring into communication with this colony, and also documentary evidence not accessible to members of Parliament and the public generally, which the committee considered it desirable to attach to their report. It is, then, the opinion of the committee that there is no difficulty—no insurmountable difficulty—to good ships and skilled seamen in establishing this route; that the commercial interests of the colony

urgently demand it; and that the rapid development of the resources of the colony, and especially of the northern districts, would be greatly assisted by the promotion of a trade, which would be very remunerative, between this colony and the British and Dutch possessions lying to the westward of Cape York. It will be a very important thing for this colony to single itself out from the other colonies by initiating and carrying out such a practical and beneficial scheme. There is no doubt that, whenever steam communication be established by this route, for all practical purposes it will be the shortest route between Queensland and Europe; and when the telegraph is in operation in connection with steam communication, all Government messages and questions of importance will be transmitted by it, and a vast amount of business will thus be thrown into the telegraph offices, which will make them much more remunerative than at present. It has also come to my knowledge that a great many persons are desirous of travelling by this route, and that the expense of maintaining steam communication will be to a great extent liquidated by the moneys received for passages and freights from those persons who will take advantage of it. To go a little more into the details of this northern route, I may say it appeared to the committee that the most important question was to establish the most economical route. But it did not appear desirable to the committee to recommend that the service which might be absolutely the cheapest should be employed, because such a service might be comparatively incomplete, and less attractive to commercial men, or to passengers likely to patronise that route. The shortest distance at present unconnected by steam communication is that between Port Denison and Coepang; but the Dutch service to Coepang is of a very inferior order, the regular service depending more upon the will of the Dutch Government than upon any demand for punctuality on the part of passengers or traders. There is no great accommodation for passengers in Coepang, or facilities for commerce; and the committee are of opinion that the diminution of business done by the Government, if that route was established, would be a set-off against its comparative cheapness. The evidence led the committee to conceive that the service to be established, in the first instance, should proceed from some port in this colony to the island of Java—to the further end of Java, where the town of Batavia, the capital, is situated. Because, although Sourabaya, at this end of the island, possesses dockyards and foundries for the refitting of steamers, it would not answer the same purpose in bringing this Government, or persons interested in commerce, or travellers, into the same communication with the Government of the Netherlands India. However, that is a question for consideration, and the object in view would certainly be attained if

this colony were connected by steam communication with the eastern end of Java. In the fifth clause of the report, the committee recommend the steamer "Platypus." That is a suggestion on the part of the committee which they have no desire to insist upon; and there appears, since she has made a voyage to Sydney, some doubt whether she is adapted for this service; and, therefore, that part of the report is not urged by the committee. I believe a great saving may be effected by chartering a large steamer, as the "Platypus" would not be found large enough to carry such a quantity of coal, or to accommodate as many passengers as it might be necessary to convey. The sixth clause points to the desirability of establishing a friendly understanding with the Government of the Netherlands India; and in connection with this question, I desire to call the attention of the House to a somewhat quaint but very important document, from certain merchants and shipowners of Batavia, members of the Chamber of Commerce established in that place, which has been printed as an appendix to the evidence. It is exceedingly interesting, because it shews that, even before we commenced our deliberations on this subject, the leading men in that town had expressed their wish to the Netherlands Government to open up some direct steam communication between Batavia and Brisbane; and the interest which those persons possess is so great that it is only reasonable to suppose that a large sum in the shape of an annual subsidy—it is mentioned as £8,000 in the appendix—would be obtained from that source; that their Government would give a favorable answer to any reasonable request which might be preferred by them. There are so many questions of detail in reference to a matured scheme of steam communication, which it would take years to arrange, that I believe the commerce between this country and Java would be greatly furthered if a steamer could be sent at once with as little expense as possible, in order to pioneer the route, as otherwise the great difficulty in settling matters of detail will postpone this very important service until comparatively a distant day. Even if steam communication be established at a very early day, I fear it will take at least a year to place the service upon a proper footing; but in the other case it would take several years. The sixth clause also suggests, and I think the suggestion will be approved by the House, that the Government should invite tenders, during the approaching recess, for the whole monthly service, as well as separately for a service from Brisbane to Cape York, and from Cape York to Batavia—not to be acted upon until the House meets again—so as to allow either of the local companies in Australia, and the Dutch companies in Java, or the P. and O. Company, or others trading in the eastern seas, to make tenders either for the whole or a portion of

the service. The various tenders can then be laid before the House, and the House can decide which is the wisest course to adopt—whether to place the whole of the service in the hands of one powerful company, or to subdivide it and give a portion to a local company. There is every reason to suppose that the cost of working a moderate sized steamer going and returning as often as possible, without undue acceleration of speed for the next twelve months between this country and Java, would be somewhere about £8,000 to £9,000—at all events not more than that sum, and a large proportion of that would be returned in the shape of fares and freights. The commercial men with whom we have communicated, have assured us that we should recover a large portion of the expense in that way. In the eighth clause an opinion is expressed to which I have previously adverted, that whenever this communication is established, it will become an express mail communication for the whole of Australia of a very high order; and it is presumed, that as soon as that fact is practically demonstrated, the southern colonies will be willing to contribute their share of the subsidy. The Government and the Parliament of New South Wales have expressed their willingness to contribute generally to all practical propositions for steam communication which may be directly or indirectly of any benefit to that colony: and there is no doubt that the commercial colony of Victoria would also be much benefited, and that if they subsidised any line it would be this one, rather than the line by way of Cape Leeuwin. The ninth clause suggests the extension of telegraph to some point on the Gulf of Carpentaria. I need not touch any further upon this point, as the House has already given its assent to that proposition. But there is a further proposal that the Government of South Australia be invited to co-operate, and to continue the line from the western frontier of Queensland to the port nearest to Timor from which telegraph messages could be forwarded by steam, pending the laying of a submarine line. The tenth clause recommends that the port of Somerset which may not improbably become the centre of a considerable traffic with the Chinese, Malay, and Polynesian traders, be constituted a free port. Honorable members will understand that this will not interfere with the rest of the colony, as nothing can be carried overland for some time to come, owing unfortunately to the bad nature of the intervening country. The evidence goes distinctly to shew that we cannot hope to get these commercial advantages for our northern settlements at Cape York from the Asiatic traders, if we subject them to any heavy harbor and light dues, or impose those restrictions which Europeans are accustomed to submit to—for there is always a difficulty in persuading the Asiatic that these restrictions

are not imposed specially upon him; that is the distrust which they always entertain. The proposal can do no harm, and I believe that even within a very few months after Somerset has been proclaimed a free port, a very large trade will be established. The eleventh clause deals with the second question submitted to the committee, viz., the general provision which may be made for the next few years for the carriage of mails between this part of Australia and Europe. The committee could not avoid coming to the conclusion that it is expedient for this colony to continue to make a rateable contribution to the service, supported by the wealthier and more populous colonies. If we succeed in establishing our own service from the northern part of this colony, we shall have a strong claim upon the other colonies to assist us. The amount of correspondence between this colony and the mother country is comparatively small, and we should not suffer any injury by having to pay our rateable proportion. It is not desirable that we should pay any subsidy to the proposed fortnightly service *via* Cape Leeuwin. But if the figures and arguments employed by Dr. Featherston, on behalf of the New Zealand Government, and laid before Parliament sometime ago, are to be trusted, it appears that a very admirable service may be organised by causing a steamer to leave Sydney for Panama and another for Suez, alternately, every fortnight. I believe a fortnightly service so established would be obtainable at a very moderate cost; but whether that scheme will be carried out, I think, is somewhat doubtful. But the rateable proportion which this colony would have to pay would not be much, looking to the cheaper rate at which the contract for the service to Suez has been accepted by the Government. The twelfth clause refers to a question which has occasioned some little difficulty, and that is the conveyance of mails coastwise. The committee thought they would have neglected their duty if they had not taken advantage of their sitting to ascertain whether the local steam companies could be induced to abandon that system of opposition which has been so much deprecated. And although the committee did not consider it dignified to make this inquiry officially, some of the members of the committee communicated privately with the companies, in order to find out whether such a promise could be obtained. I regret to say that at the last it was not found practicable to come to any satisfactory arrangement; but the committee have agreed to an arrangement, a portion of which will be universally approved of—that it is desirable to retain both companies in the colonial trade; and it is proposed that the conveyance of letters by the company not subsidised which appears to amount to £3,063 per annum, be abolished, and that a subsidy of £3,500 per annum be paid to each of the companies now carrying the mails, on condition that they run at dates approved by

the Government. If that suggestion be carried out, instead of the steamers starting on the same day of the week to go northward, they will leave on alternate weeks, and the public will be twice as well served, while the increase of subsidy will be very moderate. The feeling of the committee was, that unless the contracting parties agreed to abide by these arrangements they should not receive any subsidy from the Government, and that fact should be notified. The conclusion of the report refers to the carriage of mails between Brisbane and Port Denison; and that brings me to the motion of the honorable member for Port Curtis, which I think it will be unnecessary to press, for this reason,—that, as the sum of £3,500 has already been voted to the Queensland Steam Navigation Company, for carrying the mails to the northern ports, the opinion of this House may, I think, be expressed with advantage that that sum should be voted to them for conveying the mails as far as Port Denison. It appears to me that this colony should not pay a subsidy for taking them to Rockhampton, now that there are two steamers running side by side; they might carry the mails for nothing, but if a subsidy were given to one company for conveying the mails to Port Denison I think the money would be well spent, as that service would not otherwise, at present, be remunerative to the company who undertook it. With regard to the route, I do not think it is at all necessary it should be direct from Port Denison to Brisbane; the steamer might call at Rockhampton if it were found necessary, though I am inclined to think it would be equally convenient to go to Gladstone; but that is a matter of less importance, and the petitioners may be very well satisfied in either case. All that the people of Bowen require, as far as I understand their wishes, is to obtain regular communication with some other port in the colony, and they mentioned Rockhampton because they have always traded with that place. But they desire to get out of the hands of the Sydney people, and not to be dependent upon a company, who may put a steamer on and take it off again, to suit their own convenience. They fear, that after having established commercial relations with Rockhampton and Brisbane, which require constant intercourse, those relations may be broken off, and they may find themselves in a worse position than if such commerce had never existed. I hope the honorable member for Port Curtis will not press for a further vote of £1,500, because I think this vote may very well cover the expense. I do not think it is desirable to go into the evidence on this occasion. I trust I have given a sufficient explanation of the report. The question is, whether the House will agree to the chartering of a steamer—a screw steamer—at the least possible expense, to run from here to Batavia, monthly, until the next session, in order to pave the way for the

establishment of a complete and effective service. This will also pave the way towards a more rapid communication with England than at present exists, and will extend the advantages of steam communication with the northern ports. I now move, sir, that the report of the committee be adopted.

MR. DOUGLAS said he thought the House was not disposed to discuss this question, which was one of great importance, and one upon which all that could be said had been said by the honorable gentleman who moved the adoption of the report. That honorable gentleman had distinctly stated what were the feelings of the committee and what were the conclusions they had arrived at. A perusal of the evidence would, he felt satisfied, be gratifying to honorable members, as it would shew them the interest that was taken in the project by gentlemen connected with commercial and maritime affairs, and who were anxious to see this line of communication opened up. There seemed to be a strong feeling on the part of commercial men to see a vast enterprise with the southern seas carried out; and when it was effected, a grand future might be anticipated for this colony. His own anticipations as to the results were very great indeed; and he was impressed with the belief that when they succeeded in opening up intercourse with the countries referred to in the report, this colony would fall very little short of that importance which was imparted to the colony of Victoria by the discovery of the gold fields, and he further believed that the advantages of the intercourse so opened up would be of a more lasting and valuable character than the discovery of gold in Victoria might be. He trusted that the chartering of a steam vessel for two or three trips between this colony and the Dutch colonies would result in obtaining complete information as to the more intricate and dangerous portions of the Torres' Straits route. The evidence adduced before the committee disclosed, that with a few beacons—the dangerous portions of the route being so well known—the passage might be made as safe as any other known to navigators; and it further shewed that with such precautions, the passage might be rendered quite safe to merchant ships at any time of the year. It was stated before the committee, and by competent seamen, that merchant vessels might beat against the trade winds even through Torres' Straits. The only difficulty of any consequence was, that the passage was through an unknown sea, which caused a doubt as to trusting ships to proceed by so precarious a passage. But when it was known that ships could pass safely through the straits, wool ships leaving the north-east coast of Australia, instead of encountering the stormy passage of Cape Horn, would adopt that route and go by the Cape of Good Hope. That was the opinion of competent seamen.

Though what they had learned from witnesses as to Somerset was not encouraging, especially as the country seemed to be of a barren character, there seemed to be no impediment to the settlement of a commercial station there. Somerset commanded one of those points that might be made a great maritime port, and if the inhabitants of the Archipelago could be induced to exchange goods, a large trade might spring up with that quarter. Such had been the case with Singapore. In the appendix to the report there was some valuable information as to the rise and settlement of that port, by which it would be found that it was owing to the fact of Singapore being a free port that the natives of the adjacent islands took their produce there, and obtained commodities in exchange, and hence the advancement of the port. It was probable that, under a similar course of policy, Somerset might become an important seat of commerce; and merchants, as the commerce of the place was developed, might find it to their advantage to take their manufactures there and exchange them for the products of the East, making thereby an exchange of the products of this country for the products of the East. He would now simply advert to the matter that particularly referred to the motion on the paper in his name, relative to the granting of an additional subsidy for the development of a direct steam communication between Brisbane and Bowen. As that question bore upon the one now before the House, it might be necessary for the House to decide upon it at once. There seemed to be a growing desire on the part of the inhabitants of Bowen to have more direct communication with the capital of the colony, and that feeling could only be met—so it appeared by the opinion of those interested in the matter—by subsidising one or other of the existing companies. That, of course, was a matter of detail for the consideration and determination of the Government. It would be for the Government to decide as to the best terms upon which they could effect such an arrangement. The honorable gentleman at the head of the Government had said that it could not be done for less than the present subsidy. Well, there was a growing desire on the part of many of the inhabitants of the east coast settlements to maintain the wholesome communication that at present existed. But it was admitted that the competition, as at present carried on, would be ruinous. There was, however, no reason to suppose that the competition might not be carried on, and that on better terms than at present existed, if the competing companies would raise their freights to something reasonable. The public, he believed, would prefer that one or other of the present companies gave way. Now if some such an arrangement as that could be effected by voting an additional £1,500, which it was the object of his motion to place at the disposal of the Government for

the service, the benefit he considered would be cheaply purchased at that amount. He was sure the honorable gentleman at the head of the Government would not grudge that amount in addition to £3,500, in order to secure regular communication between the ports; and the object of his (Mr. Douglas') motion was to place the honorable gentleman in the position of being able to make such arrangements as he would be enabled to make by having such an amount at his disposal—to procure by that additional sum that wholesome competition which it was generally desired to see exist between the two companies. The honorable the Colonial Secretary had spoken of the possibility of having this service performed *via* Gladstone, and that there was no necessity for the steamers going to Rockhampton. Well, if such a proposition resulted in one of the companies subsidised opening up communication through the "Narrows" between Gladstone and Rockhampton, by means of a small steamer, a very great benefit would be secured. The "Clarence" was a vessel of considerable size, and was capable of carrying a large freight. If she called at Gladstone, there was no reason why the company should not open communication thence to Rockhampton for passengers, by vessels such as plied on the Brisbane. Such an arrangement would be much more convenient for passengers than having to go by Keppel Bay to Rockhampton. The passengers would not, he was sure, object; and as to cargo, there would not be more difficulties than at present existed in the transfer of cargo from the Sydney steamers to the Ipswich steamers. He, therefore, agreed with the honorable gentleman at the head of the Government that such an arrangement would be advantageous to passengers, while it would not deprive Rockhampton of the benefit of goods traffic. He should be glad if effect could be given to his motion in that way; and he should feel it to be his duty to press such a motion; but it would be for the House, of course, to decide upon it. He should like to see the motion standing in his name on the notice paper carried out; and he must say that he did not see there could be any reasonable objection to its being carried out, especially as the Government had no objection to it.

Mr. FORBES said he did not think there was any ground for establishing a comparison between Singapore and Somerset, as the islands to the eastward of Somerset were peopled by a race of ferocious savages, who were incapable of civilization. The only trade he thought it was likely would be established at Somerset would be with a few Malay proas at certain seasons of the year. The only way by which he thought it would be possible to establish a passage for merchant vessels through Torres' Straits would be by buoying the more dangerous reefs, and erecting a number of lighthouses along the coast. The lowest estimate, he found by the evidence, to

maintain a pilot service through the Straits, would amount to about £6,000 per annum; and the erection of the necessary number of buoys and beacons would amount to about £20,000. Now, such safeguards were absolutely required to assure commercial men that there was a safe channel through the straits, and to induce them to send vessels that way from Singapore and the Netherlands India. There was a great distrust to allow vessels to go through Torres' Straits, except at such periods of the year as they were sure of having a fair wind. The chief advantage of the establishment of postal communication with Java and Batavia would be gained by the country in the neighborhood of the Flinders River, and the country along the northern coast of Australia. He believed that for the whole course of the year there was a leading wind to Java and Singapore. The principal trade from those ports would, he believed, be obtained through the Chinese merchants resident there. The supplies that were now taken to the northern ports would, to a great extent, come from that direction; and he believed that when the country on the Flinders River was settled, a large trade would be established between it and Batavia. The evidence shewed that the distance between Batavia and the mouth of the Flinders or Albert Rivers could be accomplished in about ten days, but he believed it would be possible to go from place to place in even less time. He also thought that any settlement that might be established there, would be severed, as regarded commercial ties, from this colony, as commercial men would find they could carry on business there much more cheaply than here. He had himself been along the track, and had been at some of the places he spoke of, and therefore, from experience, he knew what the dangers of Torres' Straits were; and, from his own observation, he knew the character of the natives quite as much as any one who had given evidence before the committee, and he could testify that they were the most ferocious people in the world. As to the two offers of the Australasian Steam Navigation Company for the service, there was a very wide difference between them; and as to the nature of the commerce that was likely to be opened up, there was a great diversity of opinion. But he thought, that on this subject, there was more real information to be obtained from the correspondence of the Dutch merchants, which was appended to the report, than was to be found in the evidence; for the evidence of those merchants was that of practical persons on the spot, and of persons who were acquainted, not only with the navigation of the neighboring seas, but also with the best route for vessels, both as regarded safety and obtaining supplies. The trade which he thought this colony would have, in the first instance, by the opening up of this route, would be principally in horses, sheep, and cattle; but in the course of time

they would, no doubt, extend their commercial relations with the Netherlands India, and also establish relations with other places in that quarter of the world, and, especially, the whole of the British empire would be brought into closer contact, as the distance to the farthest extension of the telegraph would be greatly lessened. Not only would that be the case, but the opening up of this route would also give a new direction to the vessels trading with the eastern and northern portions of Australia, as it would be preferred to the route to Europe by way of Cape Horn. In Torres' Straits, the south-east trades prevailed for nine months of the year, and the south-west trades for the remaining three months. He considered that many and great advantages would result from the establishment of a postal communication by this route, and the amount required for the employment of a steam vessel would be well spent. In making a practical experiment of this nature, they might succeed in inducing ships coming from the westward to the east of Australia to choose the Torres' Straits route, which he believed would generally be preferred when the passage was better known to navigators.

Mr. FITZSIMMONS said he could not help expressing his approval of the admirable suggestion made by the honorable member for Port Curtis for the clearing of the "Narrows" inside Curtis Island. That matter, he believed, was brought before the House during the first session of its existence, and he could not understand how it came to be so long neglected. He had travelled through the "Narrows," and he could assure honorable members that four hundred yards only required to be cleared in order to admit of the largest steamers passing up. The expense of doing the work would be quite trifling compared with the advantages that would result, for vessels going to Rockhampton from the south would save twelve or fourteen hours if they could adopt that course. He hoped the Government would take the suggestion of the honorable member for Port Curtis into consideration.

Mr. R. CRIBB said he understood the reason why the sum of £1,500 was asked to subsidise steam communication to Port Denison was that steam vessels visited the port very irregularly, and also because the charges for freight and passengers were higher between Rockhampton and Port Denison than between Sydney and Port Denison—a distance of about a thousand miles more. The first year after Separation, the colony had to pay the Australasian Steam Navigation Company £5,400 to carry the mails to the north, and the vessels put on were those that were unfit for any other service. But for the establishment of another company, the colony would have been exposed to the same inconvenience and extortion still; but by the competition that had sprung up, the subsidy had been reduced to £3,500, and

vessels of a superior class were put on the line. Freight and passage rates had also been greatly reduced, and the consequence was that a large trade had sprung up between the whole of the east coast ports. This experience satisfied him that if they were to subsidise a company to trade regularly to Port Denison, a more than equivalent benefit would be derived. He did not think, however, that the proposition of the Government could be carried out because he could not suppose the Queensland Company would undertake to carry the mails to Port Denison and Sydney, and run at such times as the Government might direct, if they were not to receive a larger subsidy than was paid at present to the Australasian Steam Navigation Company for the service to Rockhampton and Sydney; and, as that subsidy would continue to be paid also, the effect would be to strengthen the Australasian Steam Navigation Company in its endeavors to run the Queensland Company off the line, for while both companies would receive the same subsidy, the one would be weakened in comparison with the other by having a great deal more to do. Now, he would not so much mind the crushing of an enterprise if it was not that it would give the Australasian Steam Navigation Company the monopoly again, and they would then charge as they liked and put on such vessels as they liked. That was how the recommendation, if carried out, would result, and he trusted the House would not consent to that. He thought the Government should endeavor to induce the other company to run a vessel once a fortnight regularly to Port Denison, for he was sure that the result would be of great advantage to the colony, and would be a great boon to the people of Port Denison, while it would tend to put a stop to the unfair rivalry that at present was carried on; for the Australasian Steam Navigation Company were doing all they could to run the other company off, but if they saw that they would not be allowed to again obtain a monopoly and charge extortionate rates, they would have to come to some arrangement that would enable both companies to carry on profitably, and yet at reasonable charges to the public. The honorable the Colonial Secretary had referred incidentally to the matter of harbor dues. He hoped that was a subject that would be taken into consideration by the Government on an early day, with the view of endeavoring, if possible, to make all the ports of the colony free to the commerce of the whole world. Whatever little taxation that would cause to the colony, would be more than repaid by the great increase of commerce that would result when the merchants of the world came to know how much the colony was advanced in the policy of international commerce. He trusted the day would soon come when all the restrictions on commerce would be removed, for he was satisfied that the public

in the end had to pay on their goods four times the amount raised by shipping charges. Now, if all charges and restrictions were removed, ships from all nations of the world would come here. He had only further to say that he fully approved of the establishment of steam postal communication through Torres' Straits, and, therefore, he would support the adoption of the report.

Dr. CHALLINOR said he had gone over the whole of the evidence taken on this subject before the committee, and had carefully examined charts of the proposed route, and the conclusion he had come to was, that it would be wise to initiate steam postal communication. With regard to Somerset not being a place of a valuable commercial character, as stated by the honorable member for the Warrego, he did not think that told much, especially when they took into consideration the case of Singapore, which rose into importance, not so much from any product of trade of its own, as from its becoming an entrepôt of trade, and exporting to other countries what had previously been imported. He must say, also, that he did not think the course by Torres' Straits was so full of dangers as the honorable member for the Warrego seemed to apprehend; for he knew that a gentleman well acquainted with the navigation of the Straits, had said that only one lighthouse was necessary, and even it was not absolutely necessary for safety, though it would lessen the time of making the passage, as vessels would not have so frequently to come to anchor for the night. Besides, with regard to merchant sailing vessels, it was proposed to establish a body of native pilots. Now, that was a feasible proposition, and was one that would meet the necessities of the case. The establishment of commercial communication with Netherlands India would be very favorable for persons settling down on the Albert or the Flinders; for by it they would be able to communicate directly with Java and the East; but till a railway was established between the Flinders and Brisbane, very little of the traffic that would thus spring up would come here. With regard to the nature of the trade that was likely to arise by opening up a regular communication through Torres' Straits, he thought, after the debate that had recently taken place as to the capability of this colony for the growth of sugar, they could not include sugar as an article of extensive import. He should be sorry if, in connection with this matter, the Government should be induced to take any steps the effect of which would be to damage the Queensland Navigation Company. He was not in any way interested in the company except as a colonist who felt an interest in the progress of the colony. He had no direct personal interest in the company, but he thought the company had been a great benefit to the colony, and had conferred advantages that more than compensated for any subsidy it had received. He was

satisfied that, if anything was done that would damage the company, the colony would, for years to come, be in a worse condition than it was previously; because, if that company were run off, the old company would take advantage of their monopoly to revert to their former high charges, and consult, not the convenience of the public, but its own. He did not think, therefore, that, under existing circumstances, they should take into consideration whether the mails could be carried cheaper than they are now or not, for the principal question they had to consider was, what would be the effect to the colony if they had to resort to the former state of things? There was no doubt that free ports were very valuable in some places. The freedom of the port from shipping charges and customs' duties had, without question, been the making of Singapore, and it might be the making of Somerset and Port Albany; but if all communities came to see that it was the best thing to have free ports, the special advantages of exceptional ports would cease. The general advantages of all places might then be increased, but the particular advantages of certain places would be diminished. If it were thought necessary that Port Albany should be made a free port in order to benefit Somerset, let it be made a free port. The communications of the Dutch merchants appended to the report shewed that those gentlemen were alive to their own interests. However, the proposition was a very feasible one, and he thought that efforts should be made to carry it into effect. It would ensure a great saving of time, and would involve comparatively little risk to adopt the suggestion of the honorable the Colonial Secretary to charter a vessel for the purpose of testing, by experiment, the practicability of establishing a line of steam postal communication *via* Torres' Straits. As they could not at once take steps to perfect a plan of steam postal communication by the Torres' Straits route, he would, with great pleasure, support the adoption of the plan recommended in the report. He was not thoroughly informed as to the proposed mode of subsidising both companies, but he hoped the old company would not be subsidised for the postal service in a way that would injure the new company, and so put an end to competition, and make way for the establishment again of a monopoly.

The motion was then agreed to.

APPROPRIATION BILL.

The COLONIAL TREASURER moved—"That the Speaker do now leave the Chair, and the House resolve itself into committee of the whole for consideration of this Bill in detail."

The motion was opposed by several honorable members, on the ground that if this Bill were passed, the remaining business on the paper would be hurriedly disposed of.

Mr. MACKENZIE moved—"That the question be amended by the omission of all

the words after the word 'That,' with a view to the insertion in their place of the words 'the consideration of this order of the day be postponed until the other business on the paper shall have been disposed of.'"

The question was put,—That the words proposed to be omitted stand part of the question, and the House divided.

Ayes, 13.

Noes, 11.

Mr. Herbert	Mr. Mackenzie
" Macalister	" Walsh
" Bell	" R. Cribb
" Jones	" Pugh
" Sandeman	" Douglas
" Miles	" Edmondstone
" Taylor	" Brookes
" Coxen	" Forbes
" Wienholt	" Pring
" Fitz-immons	" Blakeney } Tellers.
Dr. Challinor	" Stephens }
Mr. Watts	} Tellers.
" Royds	

The original question was then put, and the House divided a second time, with a similar result.

Whereupon, the Speaker left the Chair, and the House resolved itself into a committee of the whole accordingly.

OFFICE OF MASTER OF TITLES.

Mr. WALSH: The motion standing in my name, is one upon which I think there need be but little if any discussion. It is as follows:—"That in order to secure the efficient carrying out of the Real Property Act, the office of Master of Titles should be subordinate to that of Registrar-General; and, in accordance with the condition under which the salary was asked for, and voted for the next year, the Master of Titles shall be required to give his undivided attention to his duties." It will, he said, be in the recollection of honorable members that the Government, some time ago, came down to the House and asked for a large increase of salary for the Master of Titles; and in support of the motion, gave the very excellent reason that the gentleman who held the office would be required in future to give his undivided attention to the duties of the office. That was the proposition of the Government, and with such a good reason in support of it, the increased salary was voted unanimously. The Government, however, it would seem, have forgotten the fact that they placed the increased amount on the Estimates for 1866; and they must also have forgotten the reasons they advanced in support of the vote, for we find that in a short time afterwards the Government notified to the House that they had made arrangements by which the labors of the Master of Titles would be increased, and the time that he would be able to give to the discharge of the duties of his office greatly diminished. Now, there is an inconsistency in those two positions, which I would like the Government to explain. If the reason for increasing the

salary of that officer, on the ground that he was to give his undivided attention to the duties of the office, was a correct one, it must strike honorable members as somewhat inexplicable on the part of the Government to inform this House a short time afterwards that the duties of the Master of Titles were to be added to, and his attention in consequence further distracted. I am satisfied the Government were sincere about a month ago, when they asked that the salary should be increased—I am satisfied that it was then their intention that the gentleman who filled the office should give his undivided attention to the duties of the office, because they saw the necessity of his doing so; but I cannot understand the reason of the change that seems to have come over the intentions of the Government in the matter, so that they can propose to the House that the Master of Titles should have his labors increased by his being required to fill another and important office in addition to that of Master of Titles. There is an incongruity in the two positions taken by the Government, that naturally induces the House to ask for an explanation. I am one of those who believe that the better an office is attended to the better are the duties performed, and I hope it will be possible to find a gentleman who, for a salary of £600, will accept the office, and give his undivided attention to it. I have been informed by gentlemen who had business to transact with the Master of Titles, that they are greatly impeded by the gentleman who holds the office being occupied in attending to other business. I do not blame the Master of Titles for that, because, if he has other duties to attend to, he cannot help himself,—but what I now ask is, that the Government will take the present opportunity of rectifying such an unsatisfactory state of things. My motion, however, has another object in view, and it is this—that the Master of Titles should be subordinate to the Registrar-General. Such an arrangement, I believe, is necessary, and I understand it is one that obtains in New South Wales and in Victoria. I believe that in New South Wales the duties are so onerous that two gentlemen are required for their performance. Now, the duties here are likely to increase, and the officer should be well paid, but at the same time should be required to give his undivided attention to the discharge of the duties of the office. Those are my reasons for bringing forward this motion, which I hope will be carried.

Mr. R. CRIBB supported the motion, as he believed it was right in principle that the Master of Titles should give his undivided attention to the duties of the office. He believed that a gentleman might be got to fill the office for a lower salary than was at present attached to the office, for there was not much difficulty in the performance of the duties, and when any difficulty did arise

it was open to the Master to apply to the Supreme Court.

Mr. BLAKENEY maintained that the duties of Master of Titles were most difficult to perform; and he very much doubted if a gentleman, who was fully qualified by legal knowledge and experience, would be found to accept the office at a salary of £600. In the other colonies not only were there two such officers, but the salaries paid to them were much higher. No one was properly qualified to discharge the duties of his office except a barrister, who had given his attention chiefly to the conveyancing branch of the law: and he did not believe that a gentleman who had done so would give his services for £600. His own opinion as to salary was that the amount should be £1,000, and that the gentleman who accepted the office should be required to give his whole attention to the duties of it.

The SECRETARY FOR LANDS AND WORKS said the honorable member for Maryborough needed not to be under any apprehension with respect to the office of Master of Titles. It was now vacant, and would be filled by a gentleman who was competent for the discharge of the duties. Whether the salary of £600 was a sufficient sum or not, was a question he was not inclined to go into. He would only say that as this House had voted £600 a year as the salary for such office, the question in that respect was virtually settled; though looking at the position of the gentleman, as fixed by the Real Property Act, and considering what his duties were likely to be, he was perhaps entitled to more than £600 a year, particularly if he was to devote the whole of his time to the duties of the office. He could not however assent to the portion of the motion which proposed that the office of Master of Titles should be subordinate to that of the Registrar-General. No doubt the duties of the Master of Titles were required to be performed in the office of the Registrar-General, but by the 12th section of the Act it was provided that both he and the Registrar-General should work concurrently; and surely, therefore, the honorable member could not ask an officer to be subordinate to another, with whom he was required to act concurrently. By the 12th and 13th clauses of the Act, the honorable member would see that the gentleman who held the office of Master of Titles must be a member of one or other branch of the legal profession; and, therefore, as honorable members would see, it would not do to put a professional man under one who was not so, for the Registrar-General need not be a professional man. Then, again, if the honorable member for Maryborough would read the 14th clause of the Act, he would see by it, taken in connection with the two preceding clauses, that the office of Master of Titles was equal in position to the office of Registrar-General in the department—that, in point of fact, there were two distinct offices of equal

standing in one department. But if they went a little further, and looked out the 20th clause, they would find that in certain cases the Master of Titles was to give the Registrar-General instructions. Now, surely it could not be expected that an officer should be subordinate to one to whom he might give instructions, for that would be a reversion of the order of things. Then, by the 22nd clause, it would be found that the Registrar-General should, under the direction of the Master of Titles, do certain things specified in preceding clauses. That being the case, it would be seen that the Master of Titles only interfered to give his advice and opinion in legal matters. He did not suppose that officer was called upon to interfere in the minutiae of matters at all; but he was satisfied that his duties were of a character that did not permit of his being placed under the Registrar-General—that the office of Master of Titles was equal to that of the Registrar-General—and that, when he was liable to be called on by the Act to give directions to the Registrar-General, it would be out of the question to put him in a subordinate position. Those points, he thought, were made clear by the clauses to which he had referred; but suppose the honorable member intended to control the position of Master of Titles—suppose his intention was to make the Master of Titles subordinate to the Registrar-General—in reality, he could only effect that object by bringing in a Bill for the purpose, and having it passed into law. The course the honorable member proposed by this motion was one which he had sometimes accused the Government of taking. The course he proposed could not be carried out without violating an Act of Parliament. He trusted, therefore, the honorable member would at least amend his motion by withdrawing the first portion of it.

MR. PRING: Sir, I do not agree with the honorable member for Maryborough that the Master of Titles should be subordinate to the Registrar-General; but I do not come to that conclusion for the reasons stated by the honorable Minister for Lands and Works, for he does not appear to me to have touched upon the real question involved in this motion. I cannot endorse the statement of the honorable member for North Brisbane, that this officer, having undertaken certain duties for a certain consideration, should be considered as an assistant to the Registrar-General. I do not think he is exactly correct, because I do not think that any gentleman who is a member of the profession to which I belong, who undertakes to do certain work for a certain reward, can be placed in the position of a clerk. If I only get ten guineas for my work, and another barrister gets twenty guineas, I do not see that I lower myself at all by undertaking that work. The real questions we have to discuss are, whether the Master of Titles should be subordinate to the Registrar-General, and whether he should

give his undivided attention to the duties of his office. Now, we must consider, in the first place, who is the Master of Titles, and what are his duties; and I will proceed to inform the House his exact position, and the nature of his duties. When the Real Property Act was introduced, the office of Master of Titles was created—it was created by the Act; and the Act also created the duties which he had to perform. And if honorable members will refer to the 12th section of that Act—but to make myself more clear, I must inform the House that there are two distinct descriptions of property brought under this Act—land alienated prior to the passing of the Act, and land alienated subsequently to its becoming law; and these two descriptions of property are dealt with in different ways. Now, it was deemed necessary by the Government when the Act was passed, in order to ascertain that applications under the 16th section for bringing land under the Act should be properly investigated, that if a person possessing land prior to the passing of the Act wished to bring it under the Act, he should have a clear and distinct title before a certificate was granted. It was then thought necessary that some legal gentleman should be appointed to investigate these titles; and when he passed them to the Registrar-General, the Registrar-General should bring them under the Act. It was thought advisable that a member of the legal profession should be appointed, and his duties were confined to the investigation of these titles. And, therefore, the duties of Master of Titles is confined to bringing the land under the Act which was purchased prior to the passing of this Act; and, consequently, he has now very little to do—his functions have nearly ceased, because almost all the land has been brought under the Act. I am informed that the greater part of the duties of that officer during the last six months has been what is termed solicitors' work, assisting the Registrar-General, and not professional work under the 12th section of the Act. I know that a great portion of his work has been assisting the Registrar-General, and that the work became so arduous that he found he could not continue it for such a small salary; and, therefore, he gave up his office, but offered to continue it if he obtained assistance, which was accorded to him. I suppose that when he assisted the Registrar-General in the capacity of solicitor, such assistance was required; but I do not know that in the performance of that duty he could be called Master of Titles, because in that case he would be called upon to assist the Registrar-General in carrying out the entire Act, and that would be very different from bringing the land under the Act which was purchased prior to the passing of the Act. He would occupy a very different position; and, therefore, if a Master of Titles be appointed, he may turn round and say, "I will have nothing to do with any duties which are not

provided for under the 12th section of the Real Property Act." And the Government are not bound to appoint a Master of Titles, although I take it they can impose upon any gentleman filling the office of legal adviser to the Registrar-General the duties of Master of Titles. At the same time, I am clearly of opinion that no person who is called upon to advise the Registrar-General should be subordinate to that officer; and that, if the Registrar-General requires such advice, the two should consult together, both holding separate offices—the one should not be subordinate to the other; and if any difference of opinion exists they should submit the case to the Supreme Court. Nor do I think the country would suffer in any way by the office being made distinct from the Registrar-General's department; because, as it will now be created, it is a very different office from that of Master of Titles; though, as I said before, the duties of Master of Titles might be imposed upon the person holding it. I cannot concur with the first part of the motion, and I do not think the latter portion of it should be pressed, because it was distinctly understood, when the £600 was placed upon the Estimates for this officer, that he was to perform the duties of the office and not practise in his profession. Some honorable members have taken alarm at the motion placed on the paper by the honorable the Colonial Secretary, but that motion may be reconciled with the opinion he expressed at the time, because it is clear by the motion itself, that he must have intended to ask the sanction of the House, and if the House had sanctioned the amalgamation of those offices, the House would have been to blame and not the Government. I do not think, therefore, the Colonial Secretary has committed any breach of faith. I am disposed to think, with the honorable member for East Moreton, that a very good man may be obtained for the salary; as I consider, from my experience, that the most difficult part of the work is over—the investigation of titles of land alienated before the passing of the Act, where trusts have been created, and where the property has passed from hand to hand. These documents require to be sifted by a master-hand. But a gentleman, now filling the office, would have a comparatively less important duty to perform; and I conceive that a person may be found who would be qualified to advise the Registrar-General, and who would discharge his duties satisfactorily. If not, I have no doubt the House will assist the Government in providing a proper officer. But I do not think this motion will be of any benefit to the colony, though I think the honorable member for Maryborough has done right in bringing the matter under the notice of the House.

Mr. DOUGLAS said, that although he did not pretend to any technical knowledge of the duties of the office, he could not but

think it would be very undesirable to have two nominal heads in a department like that of the Registrar-General, which was a separate department under the Colonial Secretary. The Act which had been quoted described certain duties to be performed by a legal adviser or Master of Titles. But that did not prevent him from discharging certain duties under the direction of the Registrar-General. Divided authority was undesirable in any department; wherever it existed a certain power was lost. Supposing it to be necessary that the Master of Titles should be in constant attendance at his office, who was to control him? Were his functions to be of such a nature that he was to be able to set at defiance anything which might be deemed necessary by the head of the department, whether it were the Registrar-General or the Colonial Secretary, who was perhaps, strictly speaking, the head? He (Mr. Douglas) thought it would hardly conduce to the good working of the department if two gentlemen in contiguous rooms felt they were carrying on a sort of dual department. Of course, upon all questions of law, the Registrar-General would act upon the other's decision; but in many matters of detail in the actual work of the department, he was of opinion that the Registrar-General should have full power, and if that were understood it was probably all the honorable member who introduced the motion sought to achieve. Perhaps the wording of the resolution was a little too strong, but he thought all the honorable member wished to be affirmed, was that the Registrar-General should be in a position to command the best services of his legal adviser, whatever the title of that gentleman might be—whether Master of Titles or whatever he might be called. He believed it was well known that in New South Wales a similar question had been raised. Mr. Rolleston, who was Registrar-General at the time, had some difficulty with the solicitors who were appointed to execute the functions of the office under the Act, which were here ascribed to the Master of Titles. And upon a question of departmental detail, a decision was given in favor of the Registrar-General—that it was necessary in certain matters that these solicitors, or Masters of Titles, should not be considered absolutely independent of their legal chief. The Act prescribed certain duties to the Master of Titles; but the late Attorney-General (Mr. Pring) had shewn that those particular duties were decreasing very much, and that all that was now required was an officer to act in the capacity of legal adviser to the Registrar-General, and it was very desirable that such an officer should be kept up to his duties in all matters relating to the department. It would be better that the Registrar-General should know that he was not to interfere in matters specially appertaining to the Master of Titles under the Act; but that in the

ordinary routine and legal work of the office he should be considered the chief. And although the House did not legislate for persons, he (Mr. Douglas) might observe that the present Registrar-General had shewn considerable ability in the management of his office; and he thought he was certainly entitled to the position in which it was sought to place him by this resolution.

Dr. CHALLINOR said he could not agree with that part of the motion which required that the Master of Titles should be subordinate to the Registrar-General; but he did think there were some grounds for the latter portion of it. If the motion were put in an amended form, he would support it, but not otherwise.

Mr. TAYLOR said the question was, no doubt, a very important one to three-fourths of the population of this colony, as three-fourths of them were holders of property. No man was more anxious than he was to economise the funds of the colony; but he must say he did not think a competent officer could be obtained for such a small salary as £600. He had been accused of cutting down salaries, but he did not hesitate to say that he should have no objection to increase the salary of this officer. There was scarcely a pettifogging lawyer, who attended the police courts, who did not make more than £600 a year, and it could not be expected that the Government could obtain in the colony, or import from England, a good man—a man of character and ability—to undertake the duty at such a small salary. The honorable member for Ipswich, Mr. Pring, had informed the House that a master-hand was required to sift some of the titles of land brought under the Act, although the work might not be very heavy, and he (Mr. Taylor) quite agreed with him; for, if the title were defective, the individual would not only be a loser, but the country would suffer, and, by-and-bye, there would be a very heavy call upon the assurance fund. He believed the Act was a valuable Act, and he hoped it would be well patronised. He could not understand what was meant by details of office, in reference to the duties of Master of Titles. He maintained that officer had nothing to do with clerical work—he had only to see whether such and such a title was good or bad. He, for one, would never consent to make that officer subordinate to the Registrar-General; he stood, as it appeared to him, in the same position as the Attorney-General towards the Government as professional adviser. He should, for those reasons, decline to support the motion.

Mr. WALSH said it was very evident that the first part of his motion did not meet with the general approval of honorable members; and he was inclined to think that the difficulty which was, perhaps, experienced by the Master of Titles not being

subordinate to the Registrar-General would be removed by the fact that he would, for the future, have to give his undivided attention to the duties of the office. He was glad to receive the assurance of the Government that this would be the case, and would therefore withdraw the motion.

The motion was accordingly, by leave of the House, withdrawn.
