

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 22 AUGUST 1872**

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## LEGISLATIVE ASSEMBLY.

*Thursday, 22 August, 1872.*

Adjournment—Mineral Lands.—Witnesses' Compensation Bill.—Homestead Areas Bill.—Telegraphic Communication with Europe.—Close of the Session.

## ADJOURNMENT—MINERAL LANDS.

Mr. GROOM said that he was desirous of making a personal explanation to the House, and would conclude it by a motion. It would be in the recollection of honorable members that when the Estimates were under consideration, he had thought it consistent with his duty to make certain statements in respect to the manner in which business was conducted at the Mineral Lands Office at Stanthorpe, in accordance with information he had received on the subject, and which he had every

reason at the time to believe to be authentic. It appeared that, since then, the honorable member for Western Downs, Mr. Ramsay, had received a communication from a gentleman who was then referred to, denying the charges which had been made. He (Mr. Groom) might state that he made a point of never bringing forward any charges against any person without mentioning the name, and he did so in that instance; thus giving the gentleman an opportunity of defending himself; so that he thought no honorable member could charge him with being guilty of hypocrisy. Honorable members would recollect that when he made the charges, he did not make them as being correct, but that he had merely mentioned them to the House to give the honorable Minister for Lands an opportunity of saying whether they were or were not true, inasmuch as there were a great many persons at Stanthorpe who were under the impression that such charges were perfectly true; and were anxious to know whether they were true; because, if they were not, they would then feel more confidence in investing money in machinery for working their claims. Now, he had not read the document which had been laid on the table of that House by the honorable member for Western Downs, but he believed that the honorable member had stated that there was not a word of truth in what had fallen from him, Mr. Groom. Now, that honorable gentleman had frequently made use of similar words in reference to statements made by him, and he believed that the honorable member had done so purposely to do him injury in a political point of view. He might, however, tell the honorable member that such a course would have very little effect outside of that House, as he knew the opinion the public entertained of any statements made by the honorable member, and also their opinion in regard to the matters he now brought under the notice of the House. He might say that, if any statement he had made to the House on a previous evening was inconsistent with the facts, and had been refuted satisfactorily to the Government and to that House, he was quite willing to acknowledge his error and apologise, so as to vindicate the character of the officer in question. But he might at once inform the Government that the public would not be satisfied with the mere bald denial contained in a letter of the charges which had been made. He might say, that if only one-fourth of the statements he had heard made respecting the way in which things were done at the Mineral Lands Office at Stanthorpe were true, a greater sink of iniquity than that office did not exist in the colony. It was broadly stated that hard-working men—men willing to go to work—had put in applications at an earlier date than others, and that they had been elbowed out, and ignored altogether, and their claims given to gentlemen in Brisbane, who had never been

near the tin mines, and who, if asked to-morrow, could not say where those claims were. Persons at Stanthorpe did not hesitate to say, that the persons who gave those claims were the parties who made the necessary surveys—who were paid by the Government for making them; and if it was not so near the end of the session, and he had had an opportunity of doing so, he would have moved for the appointment of a select committee to inquire into the management of the office at Stanthorpe. It must be confessed, that a member situated as he was, was placed in a somewhat difficult position in the matter. He quite agreed with what had been said by the honorable the Premier, that when a member came forward and made charges against public officers, they should not be indistinctly made, but should be clear and definite, so that a Minister might be able to proceed upon them; but, at present, men who had grievances of the kind were afraid to come forward and make direct charges, for fear that the applications they had sent in for other claims, which were under the consideration of the Commissioner, would be treated in the same way. It was not many days since that he had met at Stanthorpe some gentlemen from Ipswich, who asked him if he had heard any of the complaints which were being made; and they said, at the time, that what they intended to do was, to put the name of the honorable member for Ipswich, Mr. Cribb, into an application; because, if they were elbowed out, that gentleman would have the courage to bring the matter before the House, and see that justice was done. He agreed with them, and suggested at the same time that it would not be a bad plan to put in the name of the honorable Minister for Lands himself. He did not intend to charge Mr. Hume with any of those crimes and misdemeanors in connection with his office as commissioner, and it appeared that when he last brought the matter before the House, he had made a mistake in the name. He was not aware at the time that there were two commissioners of that name, or that they and the Chief Commissioner, Mr. Gregory, were brothers-in-law; but it appeared that they all belonged to the same happy family, and that the whole office was in the hands of the three brothers-in-law. He thought it was likely to give rise to complaints outside, when it was found that a district like that of Stanthorpe was wholly in the hands of three brothers-in-law; and that the public would imagine that partiality was shewn. There were surveyors in the district who had been servants of the Government, and who had discovered tin lands, and, it was said, that they had received from persons in whose names applications appeared in the published list, a bonus of £25, and also a percentage of tin ore, in consideration of the information they had given respecting selections. It was quite within the power of the honorable Minister for Lands to make inquiries and

ascertain the names of those persons. It was well known on the tin mines, and, in fact, he had noticed the same thing in an Ipswich newspaper, that some miners had been so disgusted with the treatment they received at Stanthorpe, that they had crossed the Border into New South Wales, where they expected to get impartial treatment; but he believed that they would find the same state of things there; as he had read in a paper that two clerks in one of the Government offices there, had been suspended in consequence of having given information. He had felt it to be his duty to state what he had stated. He would again say that persons had given him the information, although he quite agreed with the honorable the Premier, that such information should be reduced to writing, so as to justify the honorable Minister for Lands in taking immediate action. One of the gentlemen from Ipswich, who had spoken to him in the matter, told him that the honorable member would be addressed on the subject; and also that the honorable gentleman had already received several complaints, but that no notice had been taken of them. He would again state, that if only one-fourth of all the complaints he had himself heard, were true, a greater sink of official iniquity than the mineral lands office at Stanthorpe, did not exist, and that the sooner the Government appointed some impartial gentleman there the better. It was a district which was daily growing in importance, and in which there were industries that were likely to be of very great benefit to the colony; therefore, the Government should do all in their power to assist the miners in getting justice. It was a most extraordinary thing that if a person looked over the published list, he would not see ten of the real names of those who had made the first applications; but the first applicants had been elbowed out by some means unknown to them, by persons who had never been near the mines; and he thought that the sooner a state of things like that was brought to an end the better. He might again say before sitting down that he had no wish to say anything against Mr. Hume to do that gentleman an injury. The name of Hume was given to him, and he had not known at the time he last mentioned it that there were two gentlemen of that name. Since he had been to Stanthorpe he had been told that Mr. Hume had not only large selections, but that he was the manager of a tin mine, and that since then he had been employed to make surveys; also that other good surveyors had been elbowed out to make room for a member of that extraordinary family, whose lot, from all he had heard, had fallen into pleasant places. He did not regret anything that he had said in that House on a former occasion, relative to the question he had raised, because it had directed attention to the matter, and he was sure that when the charges were brought

under the notice of the honorable Minister for Lands he would see that action was taken—

**THE SECRETARY FOR PUBLIC LANDS:**  
Against whom?

**MR. GROOM:** Against the officers in the mineral lands office at Stanthorpe. The great thing was, that the public did not even know the names of the surveyors. Parties could not employ their own surveyors—they simply placed their money in the hands of the land agent, and nothing more was heard of it for some time. It might be two or more months between the date of paying the money and when anything further was heard. He should like to have some information as to how the mineral selections were dealt with, and with that view he would move the adjournment of the House.

**THE SECRETARY FOR PUBLIC LANDS** said he need not use the trite expressions generally used on such occasions as the present—that the Government would be happy to investigate the matter referred to, as he considered it was the duty of every Government to root out anything like corruption; but unless he could find out the person against whom a charge was made—unless some person came forward and made some direct charge—it was impossible for him to root it out. He had heard a great many complaints in the form of vague rumors, but nothing sufficiently definite to enable him to take any action. Somebody had called upon him when in Ipswich, and talked a great deal on the matter, but when he said to that person “Well, I suppose you will make some charge against the Commissioner,” he said “No, no, I do not mean exactly to make any charge;” and that was the way he was treated. He heard any amount of rumors, but all amounted to the same thing, that he could not get any direct charge against anyone. All he knew was, that there must be something wrong, but unless anyone would point out to him where it was, he could not do more than he had done. The honorable member for West Moreton, who had been to Stanthorpe, although he said he heard of rumors, could not make any specific charge which he (Mr. Thompson) could deal with, and thus matters stood.

**MR. GROOM:** The honorable member was afraid to, as it might injure his chance of selections.

**THE SECRETARY FOR PUBLIC LANDS:** Unless, as he said before, some one brought a direct charge, he could not possibly do more than he had done. They had been first of all told that Mr. Hume had been receiving £25 bonus for giving information to applicants. Then, all at once, it was discovered that it was not Mr. Commissioner Hume, but another Hume, who finding it would be more profitable to him to take up selections than to remain in the Government service, had resigned his appointment.

Mr. GROOM said he did not wish to withdraw what he had said about Mr. Hume, as he had since heard that what he said was perfectly true.

**THE SECRETARY FOR PUBLIC LANDS:** He would like to know the name of the selector who paid the £25 to Mr. Hume, and also some person who had paid that gentleman a percentage on the tin ore. What he had before him in the matter was Mr. Hume's explanation, which was:—

"Before I was appointed Sub-Commissioner, on the 13th July, my duties were those of inspector of surveys in the district of West Moreton; consequently, had not the opportunity of discovering tin mines, or of receiving a bonus of twenty-five pounds for so doing.

"I am not at present interested, directly or indirectly, in any tin selections whatever, nor have I been at any time, and challenge proof to the contrary."

Now, he knew that Mr. Hume got no leave of absence from him; but he was there two or three days on business of the Surveyor-General when the tin mines first broke out. It would be seen, too, that Mr. Hume challenged any proof that his statements were not correct. He went on to say:—

"The honorable gentleman before referred to probably alludes to my brother, Mr. Washington Hume, who, being a licensed surveyor, was engaged in carrying out the surveys of some selections in this district, but who, finding mining was more profitable than surveying, relinquished the latter (prior to my arrival) in order to give his whole time to the former."

Now, what more could the House have? Mr. Washington Hume was a contract surveyor who was employed by the Government—it having become known that they declined to employ any surveyor, who dabbled in tin.

Mr. GROOM: But he dabbled in tin.

**THE SECRETARY FOR PUBLIC LANDS:** Well, that was not a proper thing to do, and he should act accordingly. Now, the first contract surveyor he had declined to employ—for which the Government were very much blamed at the time—was Mr. Robert Austin, as they found that that gentleman had openly declared himself to be the agent of certain selectors, and they considered, therefore, that he would be likely to have a bias. He would do the same in any other case that was known to him. As to there being any corruption on the part of Mr. Commissioner Gregory, he did not believe a word of it—nor did he indeed believe that there was any on the part of Mr. Hume; but if anyone would put him on the track he would not require that person to appear in the matter, but would himself institute an inquiry, and take the whole responsibility. Unless he found it absolutely necessary he would not disclose the name of the person giving the information. He thought he could not say more than that, and if parties would not come forward and make complaints of a direct nature, it was not his fault that cause for such complaints existed. There

was no one more anxious than he was to root out anything approaching corruption; and wherever he had found any contract surveyor interested in the tin mines, he had taken care that he should not be employed any more. He could not dismiss such persons, as they were not Government officers, but merely contract surveyors. He would take the opportunity of saying a few words in regard to those surveyors. When first the tin had been discovered the Government sent up two surveyors, and if they had been kept to the work they would have been able to keep pace with the selections, but he had to send away one surveyor; and one by one as they were appointed, they became interested in selections themselves and of course had to be removed. He could not send incompetent men, as then errors of a most serious nature might have arisen. Of one thing he was quite aware—that surveyors had been paid for giving information, but if he had found it out he could not have dismissed them as they were not officers of the Government; and if he had sent them away, he could not have replaced them. All he could do was to decline to employ any man who was known to be interested in selections. Those were faults which arose from having to employ contract surveyors; but, after all, they were not so bad as the salaried officers in New South Wales, for, he had been informed, as rumor said, that some of those gentlemen had made fortunes; he thought, however, that honorable members might depend upon it that it was all equally unsubstantial as the reports in circulation in this colony. In regard to appeals from Mr. Gregory's decisions, he might mention that with two exceptions he had found the decisions of that gentleman perfectly correct. In the one case Mr. Gregory had admitted his mistake and rectified it, and in the other he had admitted his mistake, but it was too late to rectify it. That, however, was proved not to be a case of favoritism. Those were the only two cases in which Mr. Gregory's decisions had been found not to hold water. One thing was that Mr. Gregory had not had the time to go into any speculations; and another was, that he (Mr. Thompson) did not believe that if he had had the time, he would have done so.

Mr. J. SCOTT thought that there might be a great deal of hidden truth in the charges which had been brought forward by the honorable member for Toowoomba, but those charges were so generally and vaguely made that it was impossible for any Minister to take cognizance of them. The honorable member should have brought forward some specific charge, because, if there was anything in them they must refer to Mr. Gregory, as the head of the office at Stanthorpe; and, therefore, to bring forward vague charges which that gentleman had no possible means of rebutting, was hardly fair. The honorable member had, it was true, brought forward a

charge against Mr. Commissioner Hume, but that was proved to be utterly groundless, and was denied in the most emphatic manner by the gentleman against whom it was made. The honorable member had now brought innumerable charges against the Gregory family, and he (Mr. Scott) would have preferred that the honorable gentleman should have gone a step further and given one proof of any of those charges. He could not conceive it possible that men had been elbowed out of selections in the manner described by the honorable member, because, as he understood, all applications were taken down clearly in a book, and nobody coming afterwards could elbow out a man after a description had been clearly put down. But if people would send in applications on speculation, for land they could not find, miles away from the spot pointed to in the applications, then he would say that those applications could not hold good; but to say that a man, although he might be as poor as Job, could be shouldered out by people in Brisbane, after he had made a proper application, he (Mr. Scott) could not believe.

Mr. GROOM would remind the honorable member that descriptions were not entered in the application book; that, he had made it his business to inquire. The application book was one thing—it was merely a rough book, saying that a person had applied for such land; but the description book was another, and no person had access to it.

Mr. HANDY said he did not see how the Government, or anybody else, could prevent a licensed surveyor from investing his money as he chose; if he was a salaried officer of the Government, of course, it would be different. He would suppose, for instance, that a contract surveyor was sent up to survey some land; and adjoining to that, he saw some land which was rich in minerals, why, that surveyor, he considered, had a perfect right to apply for that land either on his own behalf, or on that of his friends. He thought it would be unfair to punish a man under such circumstances.

Mr. HEMMANT said he would take advantage of the motion for adjournment to put a question to the honorable member at the head of the Government. The honorable member for Fortitude Valley was reported by the *Courier* to have said, in the debate of the previous evening, that—

“He knew at the commencement of the session there were three honorable members among them who were treating with the Government when they affected to be following him.”

Mr. LILLEY: No.

The COLONIAL SECRETARY: The honorable member for Fortitude Valley did not say so.

Mr. HEMMANT said he was simply stating what was reported in the paper, and he thought that when the honorable member for South Brisbane published such reports as that, it was only right that they should be as distinctly contradicted: he noticed that

that honorable member had left the House as soon as he saw him (Mr. Hemmant) take up the paper. Now, there was not a word of truth in the statement. He had never spoken to the honorable member at the head of the Government but on two occasions; on both of which occasions it was on public business. The same remarks would apply to the other honorable members of the Ministry. He must say, in justice to the honorable member for Fortitude Valley, that he had not understood him to use the words imputed to him. He would now ask the honorable the Premier if it was true that honorable members on the Opposition side of the House—and more especially the three honorable members alluded to—had been treating with the Government when they affected to be following the honorable member for Fortitude Valley?

The COLONIAL SECRETARY said he had no hesitation in saying that no honorable member opposite had made any application to him. The honorable member for Fortitude Valley did not say what he was reported to have said; but what he did say was, that some members on his side of the House had been treating with members on the Government side.

The SECRETARY FOR PUBLIC LANDS: In regard to the question raised by the honorable member for Toowoomba, he wished to add to what he had stated, in order that there should be no misunderstanding on the matter, that if he received any complaints against any public officer, he should not think it proper to disclose the name of the person giving the information, without the consent of that person; he would receive the complaint confidentially.

HONORABLE MEMBERS: Hear, hear.

Mr. GRIFFITH said he rose to make a statement about himself. He found reported in the *Courier* of that day, certain charges and misstatements made against himself by the honorable member for Fortitude Valley, in the debate of the previous evening—which he had at the time carefully contradicted, and shewed to be not founded on fact; but he found that although the charges were reported, not one single word of his contradiction was reported. The result was, that it remained on record that the honorable member for Fortitude Valley had accused him of having done things which he really had not done; but, as his contradiction was not published, the public outside would believe that he had been guilty of doing those things. Now, although that might be the result of accident through one reporter leaving the gallery to make room for another, it was not fair that such a report should remain uncontradicted. It had been stated that he was in favor of “old ways,” and that there was not one progressive measure that had been brought forward that session on which he had not shewn that he was in favor of those “old ways.” That statement, he thought, should

be most emphatically contradicted, as he had never opposed a progressive measure, except in the solitary instance of the resolutions of the previous day, and then only because they gave too much power to the Government of the day.

Mr. FYFE said he had been the first to leave the Opposition benches, and he believed that by so doing he had caused a breach in the phalanx of that Opposition, and to the breaking-up of the party.

Mr. LILLEY: Not in the slightest.

Mr. FYFE: He could say, however, that for three weeks he had not voted against them, but when he found at last that they would not take his advice, he considered it to be his duty to leave them, as he thought they were becoming a factious Opposition. That was the only reason why he had left them. He had found since, that he could work much better for the interests of his constituents with the Government party than with that party of progress, which was now broken up. There was no fear, however, of his ever voting against any measure for the development and consolidation of the interests of the colony; and, he might take that opportunity of saying that he believed the honorable member for Fortitude Valley and the honorable the Premier had done all they could for the constituency he had the honor to represent.

Mr. LILLEY said he never complained of reporting, or misreporting, or non-reporting, in the newspapers; but if he ever had occasion to complain, he must say that he thought he had on the present occasion a right to complain of being unjustly treated, inasmuch as his rejoinder to the honorable members who had answered his remarks on the previous evening had not been reported at all, although the honorable members who replied to him had been reported. It was nonsense for honorable members to complain about the honorable member for South Brisbane in such matters, because he knew that that honorable member had nothing whatever to do with the reports; and he must say that he was not at all surprised that, after such a lively scene, at a late hour of the evening, the reporters had found it necessary to abridge their reports. He thought it was due to those honorable members who were reported to have been in treaty with the Government, to say, that he had never accused them of such a thing. That was incorrect, but, no doubt, it was perfectly unintentional. What he did say was, that there were honorable members on his side who had been treating with honorable members opposite. The statement of the honorable member for Rockhampton, that by his desertion he had broken up the Opposition, was so untrue as to be absurd; and he certainly was not disposed to congratulate the other side on the accession of that honorable member to their ranks. He did not care a fig for that honorable member's presence on his side of the House, and he was perfectly at liberty to sit where he pleased. He had simply valued him for the sake of his con-

stituents, who belonged to that side of the House. There was not the least heart-burning with him on account of the honorable member's departure from it. He believed after the statement he had made on the previous day, that the public would not think that he regretted losing anybody. He had merely sought to serve the public, and had no personal desire in view. He certainly had not sought for office, as honorable members opposite, as every honorable member, in fact, well knew; and he had no desire to take any honorable member with him. He had merely done his duty, and had had no personal object to gain in pleasing any honorable member on his side of the House. He was sorry that the matter had been again revived that day; at the same time, if any honorable member thought that he was annoyed by what had been said, that honorable member was very much mistaken. He had always been very much delighted at having a struggle on the floor of that House, when it was for the public benefit.

The COLONIAL SECRETARY said he also had a grievance. He flattered himself that he had made some very good hits on the previous evening, and yet they had not been reported.

The question was then put and negatived.

#### WITNESSES' COMPENSATION BILL.

Mr. HANDY moved that this Bill be now read a second time. He said he would not occupy the House for more than a few minutes in stating the object of the Bill, which was to enable persons giving evidence in indictable offences previous to their trial, to get expenses from the public. He thought, in common justice, that such people should be paid. They were not public prosecutors, but only private persons who assisted to bring persons charged with crime to justice—they therefore conferred a benefit to the public at large, and he considered should be paid by the public. The subject was rather a dry one to many honorable members, but as it would have the effect of protecting property by affording greater facilities for bringing criminals to justice, he thought the House would bear with him when he shewed them, in a few words, why the Bill should be carried through. In all superior courts, witnesses were allowed some expenses; and in criminal summary convictions, the justices had power to grant costs. Under the Justices Act, No 1, there was power given by which, if any money was found on a prisoner on his being arrested, the constable could pay the expenses of taking the prisoner to gaol out of such money, and also his own return expenses; but beyond that there was no provision for defraying the expenses of witnesses in preliminary investigations at the police courts. As far back as the reign of George the Second, it had been the practice in England to pay witnesses' expenses in cases of felony by the Acts 27 George II., chap. 3; 18 George III., chap. 19; and 58 George III., chap. 70; but

those Acts had been repealed afterwards by 7 George IV., chap. 64, which extended the payment of witnesses to several cases of misdemeanors. Other cases were subsequently provided for by 1 Vict., chap. 44, &c. He would read, with the permission of the House, what Sir Robert Peel said on the subject in the House of Commons, as reported in "Hansard," 14th vol., second series, page 1,232:—

"If we were legislating *de novo*, without reference to previous customs and formed habits, I for one should not hesitate to relieve private individuals from the charge of prosecution in the case of criminal offences, justly called by writers upon law—public wrongs. I would have a public prosecutor acting in each case on principle, and not on the heated and vindictive feelings of the individual sufferer on which we mainly rely at present for the due execution of justice. Such feelings are rarely the fit measure of the propriety of prosecution. They are apt on the one side to overrate the wrong committed; on the other, still more apt to subside after the first impulse of revenge, and coupled with the just fear of trouble and expense, to lead to disgraceful compromises in which the interests of justice are altogether overlooked.

"I would therefore make the prosecution of these public wrongs much more a matter of public concern than it is at present. I would (taking at the same time all proper security against the encouragement of undue litigation) indemnify parties more liberally from the pecuniary charge which the trial of a public offender entails, and I would by the appointment of a public prosecutor guard against malicious or frivolous prosecutions on the one hand, and on the other, I would ensure prosecution in cases in which justice might require it."

So that the fact was, that almost every case was provided for in England, so far as the payment of witnesses was concerned, except that of assault, and in that, the person who committed the assault had to pay. In this colony, there was, however, no provision at all, and he thought that experience had shewn that it was extremely desirable that there should be some legislation on the subject. It might be that the Executive could make some provision by minute, as had been the case heretofore in regard to District and Supreme Court trials. He firmly believed that owing to such an omission on the part of the law, many criminals escaped punishment; and he would ask honorable members acquainted with the outside districts, whether it was not a fact that stock-holders would sooner lose cattle than incur the loss entailed by prosecuting? He could mention one case especially—that of Jenkins, who was convicted of sticking-up and robbing the Ipswich coach some years ago. The driver of the coach in question, who was in the employment of Messrs. Cobb and Co., was, after the robbery, transferred to the Roma line, and shortly afterwards went on to a station near Roma. Well, that man had to go all the way to Ipswich, to the preliminary examination of Jenkins by the magistrates, after

which he went back to Roma; and then, on Jenkins taking his trial, the man had to come all the way down again. Now, all that man received to reimburse him for his loss of time and money was tenpence a mile, for one way only, so that he was a considerable loser. There were similar cases which had occurred in the Mitchell district, which had come under his own knowledge, in one of which a witness had to go from Tambo to Rockhampton, where he was detained for six weeks, the expenses of which he had to bear himself. That was too much to expect from any man, and it was not surprising that men should prefer knowing nothing of a case, to having to suffer such a loss of time and money. The Bill before the House would do no harm, but a great deal of good. It was very short and simple, and, as honorable members would perceive, care had been taken to prevent any man from making a living out of giving evidence. He would not detain the House longer, but would move the motion that the Bill be read a second time.

The ATTORNEY-GENERAL thought that the House might agree to the Bill being read a second time, as the principle it contained was only one that could be objected to on the score of expense; and, if the House thought it was worth the expense which it would involve, he had no doubt that it was a measure which would assist in the administration of justice. There was at present great difficulty in getting witnesses to come forward, owing to the great expense to which they were frequently put, and criminals often escaped punishment, from persons being unwilling to lose time and money in looking after their property, and attending the court to give evidence. He thought, with the average amount of crime at present in the colony, the expenses under the Bill would amount to about £3,000 per annum, as the expenses of paying witnesses in preliminary trials at the Police Courts would be about double the costs of taking witnesses to the higher courts. In regard to the details, it struck him that there was something wrong in the second clause, as it would be necessary to provide against witnesses appearing at courts when it was never intended that the prisoners should be tried. The measure as it was, might lead to some dilemma, and it would have to be amended in committee. He thought it very questionable whether the Bill could be carried through all its stages during the present session, and he would put it to the honorable member whether he should not be satisfied with the House simply affirming the principle of the Bill by agreeing to the second reading.

Question put and carried.

Mr. HANDY said his principal object, on the present occasion, having been to get the principle of the Bill affirmed, as that had been done, he would, with the permission of the House, withdraw the Bill, with the understanding that if he had the honor to hold a seat in that House next session, he would



then endeavor to get it passed. He would therefore move—

That the Bill be discharged from the Paper.

The COLONIAL SECRETARY said that as there was not likely to be any business before the House for the next few hours until some Bills came up from another place, he thought that they might as well proceed with the measure before them. He liked the principle of it, himself, perhaps because "a fellow-feeling makes one wondrous kind"; and he had on several occasions suffered from such a principle not being in force. He remembered that on one occasion in New South Wales, he had to travel two hundred miles to attend a court, merely to prove that a cheque had not been signed by him; and he had to pay all his expenses. There was another grievance which frequently occurred, that a man by merely happening to pass on the road a man who was concerned in a murder case, but who knew nothing about the case otherwise, might be compelled to travel at his own expense, to give that little bit of evidence, all the way from Cape York to Brisbane. He knew as a fact that many men in the interior, who had once experienced the loss of having to go some hundreds of miles to prosecute people for cattle-stealing, had often said that they would take very good care that they would never prosecute men again. He would strongly recommend the honorable member to go on with the Bill, as at all events he would by so doing be able to learn some amendments that might be necessary.

The SECRETARY FOR PUBLIC LANDS said that the difficulty which had presented itself to the honorable Attorney-General in regard to the second clause was rather a serious one, and would necessitate having a new clause. He would therefore suggest that the Bill be withdrawn till next session; and he would mention to the honorable member that if he relied on his own brains rather than on the English statute, he would draw a much better Bill next time.

The ATTORNEY-GENERAL thought it would be better to withdraw the Bill for the reasons stated by his honorable colleague, the Minister for Lands.

Question put and passed.

#### HOMESTEAD AREAS BILL.

The SPEAKER informed the House that he had received the following Message from the Legislative Council:—

"MR. SPEAKER,

"The Legislative Council having had under consideration the Message of the Legislative Assembly of the 21st instant (on the Homestead Areas Bill), on the Council's Message of the 20th instant, have reconsidered the matter, and do not insist upon their former Amendments, new clause 13, or in the proviso in clause 14; beg now to intimate the same to the Legislative Assembly.

"M. C. O'CONNELL,

"President."

"Legislative Council Chamber,

"Brisbane, 22nd August, 1872."

#### TELEGRAPHIC COMMUNICATION WITH EUROPE.

The COLONIAL SECRETARY said that he had much pleasure in informing the House that he had that day received a telegraphic message from the Chief Secretary of South Australia, stating that through telegraphic communication with Port Darwin had been established at 1 p.m. He had been further informed by the Superintendent of Telegraphs, that news from Port Darwin, dated August 21, had been received, and that the sea cable was still interrupted. He had sent a message to the Chief Secretary, acknowledging his message, and congratulating him upon the successful termination of their exceedingly plucky enterprise.

HONORABLE MEMBERS: Hear, hear.

#### CLOSE OF THE SESSION.

The COLONIAL SECRETARY rose and said, Mr. Speaker, Sir, in moving that this House do now adjourn until Tuesday next, I have to inform honorable members that their attendance will not be required on that day, as before then the prorogation will probably be out. I think, sir, I may congratulate the House now, at the close of our labors, and notwithstanding the very stormy appearance of the commencement, that during the session more Acts, tending, I hope, to advance the prosperity of the colony, have been passed by this Parliament, than have been passed in any previous session since the first after Separation. I sincerely hope that the legislation we have carried through this session will tend to the permanent benefit of this colony. I can answer for myself, and, I believe, the honorable gentlemen who have been acting with me, and I think, in this matter, I may speak also for the honorable members of the Opposition, that the great end and object of all our legislation has been to promote the credit and interest of the colony. Although we may differ as to the best means of attaining this prosperity, I hope the result of our labors will be to increase the prosperity of this our adopted country. I have to thank both sides of the House for the invariable courtesy I, as leader, have always met with from them. In the bitterest fights we have had here during the hottest period of the session, I think I may say I have met with nothing but courtesy. I may say I don't mind one bit for a few hot words uttered in the heat of debate. I pass them by as nothing. I thank honorable members on both sides for the courtesy they have shewn me individually. I thank honorable members who have supported the Government and given us their assistance, and, I believe, a conscientious support during the session; and I hope that when we shall all meet here next year, our legislation will, if possible, be of an improved character.

HONORABLE MEMBERS: Hear, hear.

The COLONIAL SECRETARY: I now move, sir—

That this House adjourn until Tuesday next.

Question put and passed.

#### PROROGATION OF PARLIAMENT.

The following proclamation appeared in a *Government Gazette Extraordinary*, published on Monday, 26th August, 1872 :—

“ QUEENSLAND, } Proclamation by the Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of  
to wit. } Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave,  
all in the County of York, in the Peerage of the United Kingdom; and Baron  
“ (L.S.) Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a  
“ NORMANBY, Member of Her Majesty’s Most Honorable Privy Council, Governor and Commander-  
“ Governor. in-Chief of the Colony of Queensland and its Dependencies, and Governor of the  
Islands within sixty miles of the coast of the Colony of Queensland.

“ In pursuance of the power and authority in me vested as Governor of the said Colony, I, the GOVERNOR aforesaid, do hereby Prorogue the Parliament of Queensland, until TUESDAY, the twenty-sixth day of November now next.

“ Given under my Hand and Seal at Government House, Brisbane, this twenty-sixth day of August, in the year of our Lord one thousand eight hundred and seventy-two, and in the thirty-sixth year of Her Majesty’s Reign.

“ By Command,

“ A. H. PALMER.

“ GOD SAVE THE QUEEN!”