

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 28 MAY 1873

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LEGISLATIVE ASSEMBLY.

Wednesday, 28 May, 1873.

Meeting of Parliament.—New Member.—Provincial Councils Bill.—Opening Speech.—Address in Reply to Opening Speech.

MEETING OF PARLIAMENT.

The House having met at twelve o'clock pursuant to proclamation,

The Usher of the Black Rod shortly afterwards appeared at the Bar, and announced that he had been ordered by the Honorable the President of the Legislative Council, as one of the Commissioners appointed for the opening of the present session of Parliament, to request the attendance of the Honorable the Speaker and honorable members of the Legislative Assembly in the Legislative Council Chamber, to hear read His Excellency's Opening Speech.

The Honorable the Speaker and members of the Legislative Assembly then proceeded to the chamber of the Legislative Council.

The House resumed at half-past three o'clock.

NEW MEMBER.

Mr. Macalister, who was introduced by Mr. Thorn and Mr. Griffith, took the oaths and his seat as one of the members for Ipswich.

PROVINCIAL COUNCILS BILL.

The COLONIAL SECRETARY presented a Bill to Repeal the Provincial Councils Act of 1864, and to Establish Provincial Councils on an Elective Basis.

The Bill was received and read a first time.

OPENING SPEECH.

The SPEAKER reported that, at an earlier period of the day, he, with other honorable members of the House, had attended in the Legislative Council chamber, and heard His Excellency's Opening Speech read by the Honorable the President of the Legislative Council, one of the Commissioners appointed by His Excellency for the opening of the present session of Parliament. For the purpose of accuracy, he had obtained a copy of the Speech, which he read at length to the House.

ADDRESS IN REPLY TO OPENING SPEECH.

Mr. GRAHAM then moved—

1. That a Select Committee be appointed to prepare an Address to His Excellency the Governor in Reply to the Speech delivered by the Commissioners in opening this, the 3rd Session of the 6th Parliament.

2. That such committee consist of the following members, viz.:—Mr. Buchanan, Mr. Clark, Mr. Bramston, Mr. Ramsay, and the Mover.

Mr. BUCHANAN seconded the motion, which was agreed to.

The committee then retired, and on their return,

Mr. GRAHAM presented the following report from the committee, and moved that it be read.

The motion was agreed to, and the Clerk accordingly read the report, which was as follows:—

“To His Excellency The Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of 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 Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

“MAY IT PLEASE YOUR EXCELLENCY—

“We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of Queensland, in Parliament assembled, desire to assure your Excellency of our continued loyalty and affection towards the Person and Government of our Most Gracious Sovereign, and to thank your Excellency for the Speech with which you have been pleased to open the present Session.

“We shall bestow our earnest attention on the various matters brought before us.

“We learn with satisfaction that fresh and careful surveys of the line of the proposed Railway from Ipswich to Brisbane have been made, and we shall be prepared to give the subject our best attention.

“The report of the Intercolonial Conference, the Conditional Agreement with Messrs. Siemens Brothers and others for Telegraphic Communication with Europe, and the Contract for a Mail Service *via* Torres Straits, are subjects which demand, and shall receive, our serious consideration.

“The progress made in the extension of the Northern Railway from Westwood is a matter of congratulation, as tending to open the large and important districts to which it will be the outlet.

“We are gratified to learn that the Act passed last year, providing for Additional Settlement on the Land, has been largely taken advantage of, and we trust that the continued prosperity of all classes, on which we receive your Excellency's congratulations, will be maintained.”

Mr. GRAHAM said that, in rising to move the adoption of the Address which had been read by the Clerk, he would take the opportunity of making a few remarks upon the Opening Speech itself. Honorable members would notice that the opening paragraph of the Speech contained a statement which he thought would be approved of by all parties in the House and throughout the country. It was well known that the House had met for but a short session, and it was generally admitted that, in consequence of the Electoral Act passed last session, an appeal should be made to the country before they proceeded with any measures of political importance, or measures that were likely to occasion party feeling throughout the country. The Government, recognising that feeling, proposed not to introduce any measures of a party nature during the present session, but to confine themselves to measures which, while of much importance, were not of a political nature, and to some other measures which had been before the House on former occasions, and which, though they had been admitted to be necessary, and would when passed be useful, had been set aside through the conflicts of party and the pressure of other business. He thought, therefore, that both sides of the House could not fail to agree with the determination of the Government, not to introduce any measures of a party nature during the present session. By the House endorsing this course, they might be able to pass some valuable measures, and avoid making the session an excitable one from party feeling. Amongst the measures proposed in the Opening Speech for the consideration of the House during this session, was a Bill to remove all doubts as to the power of the Governor in Council to appoint an Acting Judge or Judges of the Supreme Court during the illness, absence, or incapacity of any of the present or future judges of the Supreme Court. To those throughout the country who were engaged in lawsuits, it must be seen that a measure of this nature was of the highest necessity, because of the great delay and expense that was occasioned to suitors under the existing state of things. The measure which would be brought in, would be directed to provide against the recurrence of such difficulties as had arisen; and with a Bill having such an object, he thought no one could find fault. The next clause in the Speech related to the railways that were now in progress. It had been stated by a large railway contractor, and it had almost become a household word, that a few thousand pounds spent in the making of additional surveys of a line, often resulted in

the saving of several thousands in the cost of construction. Now, when they knew that the Government surveyors had been making careful surveys of the southern and also of the northern line, he thought the House could not but approve of the conduct of the Government in this respect. Those surveys had been attended with the most satisfactory results. They had led to the making of deviations and the adoption of new routes in some instances, for which the consent of the House would be asked. The adoption of those deviations and new routes would, he believed, not only cause a great saving in the cost of constructing the lines, but would add to the convenience and usefulness of the lines when constructed, and enable a great saving to be effected in the annual amount required for maintenance and repairs. This was not the time to enter into particulars as to those surveys, which would be brought before the House for consideration on a future occasion; but he thought from the fact that the Government had given so much attention to the matter as they had done, and having required the surveyors to give a great deal of time to the prosecution of those surveys, every honorable member must approve of their conduct in the matter, and, for himself, he must say that it was such as he approved of most heartily. He did not see any mention made in the Opening Speech about the Northern Railway, except that considerable progress had been made in its extension from Westwood towards the Comet River; and he might here inform the House that, from all he had heard on the subject in the North, the line was being advanced in a way that would be of great advantage to that part of the colony. He believed the engineer was carrying out the works in a way that must be satisfactory to the House and to the colony. He considered, therefore, that the House must approve of the way in which the Government were carrying out those railway works. Now, he must also say that he could not but approve of the conduct of the Government in appointing the engineers of the respective lines to superintend the works and be responsible for their proper construction. If that course did not prove as successful as it was desirable it should be, honorable members, he thought, would admit that their experience in the past was sufficient to prove that the course now pursued could not be less satisfactory in its results than that of employing large contractors. The fifth paragraph of the Speech stated that the report of the proceedings of the late intercolonial conference held at Sydney would be laid before the House. He had frequently heard it said that those intercolonial conferences were of very small advantage, and that the colonies did not reap any great benefits from them. Well, he must admit that such was the case to some extent; still, he was not prepared to admit that those conferences were altogether fruitless of benefit, and he

might say that, as to the late conference, the honorable gentlemen who attended it from Queensland fairly represented the colony, that they carefully protected its interests and advocated them as ably as could be done. He should certainly have been sorry to have seen Queensland unrepresented at a conference of the kind that had been held—a conference composed of representatives from all the Australian colonies. As to the action that had been taken on matters arising out of that conference, he would not say anything at the present time, as the several questions would subsequently be brought before the House for their consideration and determination. However, he thought there could be no great reason existing why they should not approve of the action taken by their representatives at the conference. On the subject of telegraphic communication with Europe, he thought the whole of the colony must be agreed as to the necessity for its completion. They had already, in a most satisfactory manner, carried out their line of telegraph to Carpentaria, but it would continue to be comparatively useless until, by laying down a deep sea line, the means of through communication with Europe was completed, which would enable them to supply not only this colony, but the whole of the Australian colonies with European intelligence. He was glad to see that the Government had entered into negotiations for the carrying out of this work; but the terms of the agreement he was not particularly acquainted with. However, it was not necessary, he thought, that they should go into the consideration of that matter at present. If it should be found that the conditions of the agreement were satisfactory, he had not the slightest doubt that the House would vote the necessary funds for the extension of the line. The establishment of a mail service *via* Torres Straits, had occupied public attention for some time, and he was glad to find that the Government had taken some action in the matter. It was true that, a few years ago, the establishment of a mail service by way of Torres Straits was attempted, but did not prove successful in a commercial point of view; but that, he considered, was owing in a great measure to the fact that it was known the service was instituted as an experiment; and honorable members must know that any line of steam communication, to be successful commercially, must be entered upon as a permanent undertaking. Mercantile men would not support a line that professed to be of only a temporary nature, though they might not hesitate to submit to some slight disadvantages at the outset, in order to secure a permanent means of communication. Now, he hoped they would not hesitate to provide for the establishment of a permanent line of steam communication with Singapore, which would secure to the colony the extensive trade between Australia and Singapore, and the East. As to the Estimates, he thought the Government had acted

in a most exemplary manner. When the Supplementary Estimates for 1873 were laid upon the table, it would be for the House to express an opinion upon them. They related to expenses that had already been incurred or were in the way of being incurred, and would therefore, of necessity, require to be voted. As to the Estimates for 1874, he was somewhat surprised that they were not to be pressed upon the attention of the House during the present session, as he did not see that the interests of the colony would be at all affected by their being dealt with by the present House. However, he did not see that any exception could be taken to the action of the Government in not pressing them this session. They had also the assurance of His Excellency, as set forth in the Opening Speech, that the new Parliament would be called together as soon as possible after the completion of the rolls. That was a matter of much importance, as many of their present laws required amending; and as the present Parliament was what was called a moribund Parliament, it was of the greatest importance that the new Parliament should be called together as soon as possible; and it was therefore gratifying to find that His Excellency had given the assurance that the new House would be called together as soon as possible for the despatch of business. It was also stated in the Speech that the facilities afforded by the Homestead Areas Act of last session had been largely taken advantage of, and that a considerable number of persons had been settled on the lands set apart for their use under the provisions of that Act. Now, it must be very gratifying to every honorable member to find that such had been the case. He was one of those who did not approve of small areas; but the measure passed through the House, and he was glad to find that, under its provisions, a large number of people had settled on the lands of the colony, and were cultivating them for themselves—people who would not have been there had the measure of last session not have been passed. In making these remarks in moving the adoption of the Address, the House would be aware that he was a supporter of the general policy of the Government and their administration. He considered that though the administration now in power might have defects, and might have fallen into errors and committed blunders, there was nothing in their career which they need be ashamed of; and, for his own part, he certainly thought that they might look in vain throughout the colony for abler men to take their places. He also thought, when he looked at what had been the policy of the present Government, and the Acts they had brought in, and their general administration of the affairs of the colony, that he could not but give them his support. In the northern districts, at any rate in that portion of them which he had the honor to represent, the administration of the Government was looked

upon as fair and just, and was therefore regarded as satisfactory. For his own part, he had further to state that he considered their legislation had been beneficial to the colony as a whole. Though he reserved to himself the right of dealing with any measure the Government might introduce according as he judged of it upon its merits, yet, looking at the measures that had been passed by them, he was quite prepared to bind himself to be a general supporter of the present Government. He would conclude by moving—

That the Address in Reply to the Speech of His Excellency the Governor, as read by the Clerk of the House, be adopted.

Mr. BUCHANAN said he had much pleasure in seconding the motion. After the able speech of the honorable member for Clermont, in moving the adoption of the Address in Reply, he would himself refrain at present from making any observations on the Opening Speech beyond saying that he cordially approved of it.

Mr. MACALISTER said that as no other honorable member on the Opposition side of the House had presented himself to address the House on the question now before it, he would take that opportunity of making a few observations with regard to the Opening Speech, and what he conceived to be its effect. But, before proceeding to do so, he must first congratulate the honorable member for Clermont on his excellent speech in moving the adoption of the Address in Reply. Though he differed from the honorable member in the observations he had addressed to the House, he could not but compliment him on the very fair and pleasant way in which he had dealt with the Opening Speech. But while he did so, he must add that he did not agree with him in some of the conclusions at which he had arrived. The honorable member had put forward as one of his reasons for urging that the Opening Speech should be approved of, that no measures of much importance, or such as were likely to give rise to points of strong political or party difference, would be introduced during the present session. The honorable gentleman had described this as a moribund Parliament, which had been called together for the purpose of dealing with one or two questions of pressing necessity, and passing the Supplementary Estimates for 1873, and a few unimportant measures, some of which had been before the House during previous sessions. Now, such a statement as that certainly did not agree with what had taken place on the part of the Government since the meeting of the House this afternoon; for since they had met this afternoon, they had learned that a most important measure was to be introduced this session by the Government, and yet they had no notice of it in the Opening Speech. He referred to the notice which had been given by the honorable the Colonial Secretary, for leave to introduce

a Bill providing for State education in the colony. He did not think there could be any objection to the introduction of a Bill for the purpose of rectifying certain defects that had been found to exist in the Supreme Court Act; and for his part he very much regretted that such a measure was not introduced last session, when the attention of the honorable the Attorney-General was called to the necessity that existed for it. Whatever inconvenience or delay had arisen since then was, he maintained, solely chargeable against the legal advisers of the present Government. For his own part he thought the measure should go further than, by the paragraph in the Opening Speech referring to the subject, seemed to be intended by the Government, and that there should be provision made, not only for the appointment of an acting judge or judges of the Supreme Court during the illness, absence, or incapacity of the present or future judges of the Supreme Court, but for the permanent appointment of a third judge; for until that was done there would be dissatisfaction with the constitution of the Supreme Court, both within and without the legal profession. But besides and beyond any objection he might have to anything that was stated in the Speech, he specially objected to it on the ground that there was no definite policy indicated in it on the part of the Government. Although they were told that this was a moribund Parliament, and therefore incompetent to deal with questions of great importance, and that such questions should be postponed till they had gone to the country, the Speech contained no policy for them to go to the country upon, though the present was a most favorable opportunity for the Ministry to advance a policy for such a purpose. It was all very well for the honorable member for Clermont to refer as he did to the satisfactory way in which the telegraph posts had been extended to the Gulf of Carpentaria, the desirableness of completing the communication with Europe by a submarine cable, and to the negotiations that had taken place with respect to the establishment of a steam mail service by way of Torres Straits to Singapore. Those things might be all very well, and very desirable, but they did not constitute an expression of policy on the part of the Government, upon which an appeal could be made to the country. The Speech contained no expression of a definite line of policy whatever. Neither did it contain any information about the past Acts of the Ministry. Now, it might have told them something about the number of law-suits in which the present Government had been engaged since the House last met. It might have told them also something about the sale of their debentures in England, and have given some information as to the probable reduction of taxation. He remembered that about four years ago the honorable gentleman now at the head of the Government intimated that he intended to go in for a reduction of

the *ad valorem* duties; and not only that, but he told them also the extent by which he and his Ministry intended to reduce those duties. Now, no doubt it was a most irregular course for a Government to take, to inform the country of anything of the kind, but at any rate they might have been told if it was the intention of the Government to go into the subject of the reduction of those duties at all; and the present would have been a very appropriate time for doing so, as honorable members would then have had an opportunity of considering the question before being called upon to deal with it in the following session. Then, again, they were not told if anything was to be done with respect to the various mining interests of the colony. There was no country in the world that depended so much upon mining as Australia, and no district in Australia that rested so much on mining as this colony did; and yet there was nothing said in the Speech regarding any required legislation for so important an interest. Again, they had no announcement made in the Speech if it was the intention of the Government to take any steps to remedy the glaring defects that had been found to exist in the Electoral and Re-distribution Acts passed last session. Why were they not told if there would be a measure brought forward to remedy those defects, and especially to remedy the requirement that every man should go before a magistrate and make a declaration before he could have his name placed upon the roll? In the district he represented many of the electors had been disfranchised under that provision, and he knew of other districts that had been largely disfranchised under it. Now, why was there no intimation in the Speech that provision would be made for the remedying of those defects? It was, he maintained, the bounden duty of the Government to introduce a Bill for the purpose of doing justice to those districts to which so much injustice had been done under the Redistribution Act of last session. He now alluded more particularly to the districts of Wide Bay and the Burnett, which had been deprived of their just share of representation in that House. But there was no mention made in the Speech of any intention on the part of the Government to bring in a measure to do justice to those and other districts that were similarly situated. If they were not to adopt the principle that was advocated on the Opposition side of the House, when the Bill was under consideration—the principle of making it self-acting in the matter of representation, of which principle he cordially approved—it was, he held, the duty of the Government to make provision that in some other way justice should be done to those districts that had suffered so much injustice. Then, as to the settlement of the lands. There was no question of greater importance to the colony, or in which the people of the colony took a deeper interest, than that of the settlement of

the lands. They had had a good deal to do with the land question in another place, and to that he might subsequently refer; but the land question was altogether ignored in the Opening Speech. They all knew that they had passed several Land Acts, but they were all characterised by defects of one kind or another. The Government had been brought face to face with the difficulties that existed in their Land Acts; and thus, knowing what those difficulties were, why did they not introduce a comprehensive measure that would place the whole of the lands in such a position that every man in the colony, who desired to do so, could take up land and settle upon it without either difficulty or danger? If the conditions were such that they could not be observed without difficulty, and operated in a way that retarded settlement, why not impose a land tax, or make the person taking up lands responsible for their occupation by cultivation or otherwise? Unless there was some amendment made in their present land laws, they would not be of much advantage to the colony, and he knew that they were not regarded with favor in the other colonies. He did not see anything, either, in the Speech with regard to the Gold Fields; but he was not astonished at that, because the Government might not have any great affection for the gold fields of the colony. He recollected that about three years ago, a Commission was issued by the present Government to inquire into and report upon the condition and requirements of the gold fields of the colony. A gentleman, a member of the bar, and who at the time was a member of the House, was appointed Commissioner to take evidence and to report to the Government. He did so, and a Bill was drafted by him also for the amendment of the laws relating to gold mining; but he (Mr. Macalister) was not aware that any measure had yet been introduced upon the subject. Now that being the case, this interest, which had been declared by the highest authority to be the back bone of the country, could not, he thought, expect to receive much at the hands of the present Government. He believed every one would admit that the Government had shown a most litigious character during the whole time they had been in office. From about a month after they took office, they had been almost continuously before the Supreme Court, in one or other of its jurisdictions. Now, he would like to know what amount they had had to pay in connection with those lawsuits. He would like to know what the country had had to pay in costs and otherwise in connection with all this litigation. The amount, he thought, must be something enormous. But it was not alone to the amount the country would have to pay that he objected; but what he chiefly objected to was, that the Government should always resort to the law courts for the settlement of their disputes. Now, he maintained that a Government where they had not an irresistible claim,

should not go into the law courts at all. They all knew that a man who was always found within the precincts of the law courts, in connection with suits in which he was personally concerned, was not generally regarded as a very estimable kind of citizen; and he thought he might say that much the same opinion might prevail with respect to a Government that had frequent recourse to the law courts for the settlement of disputes between themselves as a Government and members of the community. Now, if the Government had acquired such a character, what confidence, he would ask, would other colonies have in them? and he would like to know what confidence was felt as to the value of their securities on account of the Government having a character for litigiousness? The Government had not touched upon the subject of dummyming, and he did not expect they would; but he might as well touch upon it. He did not intend to go into the late suit between the Government and Mr. Davenport, because he did not know sufficient of the merits; but he must say that it did seem strange to him that a member of the Ministry should state, in a sworn affidavit, that the lands in dispute had been obtained by fraud—and yet the deeds were prepared in his own office, and were actually delivered. If the land was taken up by fraud, why were the deeds ever prepared? Whether the deeds were rightly or wrongly delivered, he would like to be informed why, if the land was taken up by fraud, they were ever prepared? The Minister for Lands having been so long in office before the deeds were delivered, he (Mr. Macalister) could not help wondering why the honorable gentleman had not within that time discovered that the land had been fraudulently obtained. He did not mean to say much as to the successful launching of their debentures at 4 per cent., of which there was no mention made in the Opening Speech. He would not, as he had said, deal much with that question, but would leave it to be dealt with by those who were better acquainted with financial matters than he could profess to be. However, he must say that it did seem strange to him that the Government should launch £100 debentures at 86, and yet afterwards send in tenders for debentures on Savings Bank account at 90. It seemed to him that such a course proved one of two things—either that the minimum fixed was too low, or that the Savings Bank tender was too high. He now came to another matter to which he wished to allude. He observed in a late publication of the *Gazette* that the criminal jurisdiction of the District Court at Roma had been suspended. Now, he must say that, to take away the criminal jurisdiction of a district court because twelve men did not return a verdict convicting a prisoner, seemed to him to be the very height of absurdity. But it must be remembered that the civil jurisdiction of the court was al-

lowed to remain; so that, in the district, if one man owed another £12, he could be sued at Roma, but if he committed an assault upon another, he would have to be brought to Dalby to be tried. Now, just look at the expense to the country of bringing a case of that kind such a distance for trial. But he thought the action of the Government was greatly in error in the matter; and they had no right, he maintained, to deprive the inhabitants of the district of Roma of the advantage of having criminal cases tried within the shortest possible distance, upon the ground upon which their action was based. Whether the verdict in question was one that was satisfactory to the Government or not, he had nothing to do with, but he had no doubt that the twelve men came to a decision that was satisfactory to themselves. It was not necessary that he should detain the House much longer in dealing with the Speech; for, as he had already stated, it really contained nothing; unless he went into the question of the railway surveys, which he did not intend to do, or referred to the proceedings at the late Intercolonial Conference, which he would also refrain from entering upon at present. Now, he wished, before resuming his seat, to repeat that it was the bounden duty of the Government in the Opening Speech of the last session of a Parliament to set forth a distinct and definite policy, in order that the people might be able to express their opinion respecting it when called upon to give their votes at the succeeding election. The Government, however, had not done so, and for that and other reasons it appeared to him that they really must have no definite policy to submit; and a Government that was in such a position was one, he maintained, that could not expect to retain the confidence either of the country or of that House.

The COLONIAL SECRETARY: Hear, hear.

Mr. MACALISTER: He was glad to hear the honorable gentleman say "Hear, hear" to that observation. He had been entrusted with the duty of moving an amendment upon the Address in Reply, and he proposed to omit the whole of the Address, with the exception of the first paragraph, and to insert by way of amendment, in the room of the words to be omitted, the following words—and the amendment was one that had been heard frequently in that House:—

We beg respectfully to submit to Your Excellency that it is essential, for securing satisfactory results to our deliberations, and for the proper transaction of the public business, that the Government should possess the confidence of this House and the country; and we deem it our duty respectfully to represent to Your Excellency that such confidence is not reposed in the present Advisers of Your Excellency.

After a pause in the debate for some minutes,

The ATTORNEY-GENERAL said he trusted it was not intended by honorable members to

cut short so interesting a debate, almost before they had commenced to consider the momentous proposal which had been moved by the honorable member who had just sat down. He had been particularly struck with two circumstances in the address which had just been made by the honorable member—first, by the motion which had been introduced so temperately and moderately, that he felt almost satisfied that, in his own mind, the honorable member would be loath to vote for it himself, and would regret being compelled to do so. The style of the honorable gentleman was almost as well known as his tone, and the House knew that if he had been in earnest he would have spoken for at least an hour and a-half, and have introduced into his speech some of those powers of declamation with which they were all acquainted, and some arguments to induce honorable members to support the amendment. Instead of that, however—instead of showing any reason for asking an assemblage of educated men to adopt such an amendment—the honorable member had only, and that in a faint and feeble manner, touched upon a few points of detail, on which he considered the Government had not acted properly. Beyond doing that, there was not a single instance in which the honorable member had shown that the Government had done anything to cause them to lose the confidence of the House or the country, or that they had forfeited the good opinion they had earned throughout the country. He felt that when the news of the debate went forth to the country, if it were possible to poll the inhabitants, there would be an overwhelming majority against the honorable member's proposal.

HONORABLE MEMBERS on the Opposition Benches: Hear, hear.

The ATTORNEY-GENERAL: Honorable members opposite were pleased to receive what he said with some incredulity, but he was not yet prepared to think that their incredulity would take the shape of an adverse vote of the majority of that House. The Government had a right to ask for better reasons than those given by the honorable member for Ipswich, and had yet to learn from other honorable members why they should be displaced by the amendment of the honorable member. The Government had now been in office for a term of three years, during which time they had endeavored to do what they honestly believed to be their duty to the country, and had acted in all ways in such a manner as to conduce to the prosperity of the colony. He might appeal, as some justification of what they had done, to the state of the country when the present Government first took office, and compare it with the state of it now. The honorable member who was the mover of the amendment, and the gentlemen who were with him when in office, had left to the present Government a tangled mass of difficulties, an exhausted Treasury, the seeds of inevitable litigation, and all the law

suits with which the Government had been charged; and who had had to bear the brunt of them, and to endeavor to save the colony from the ill effects of them. The fruits of their misgovernment were now only coming to light, and yet the honorable member came forward and asked the House to vote a want of confidence in the Government and to eject the Ministry from office. And for what?—what was the object of the honorable member? Why, in order that the honorable gentleman himself and his late colleagues might have another chance to reduce this prosperous country to the same state of mistrust, depression, and distress, and in order that he and his friends might again occupy the Treasury benches; but he believed that the House and the country, if they gave an honest vote, knew the honorable member and his friends too well to trust them with any such power. The Government were not afraid of the honorable member, who in his very mild speech touched upon questions of detail here and there, but without going into any one of them at any length—without giving any reason why the House should not support the motion which had been brought forward by the honorable member for Clermont. As the honorable member was speaking, he (the Attorney-General) had taken down one or two points to which the honorable member referred. First, the honorable gentleman accused the Government of the omission of any policy in the Speech. But what did the honorable member mean? Was the Government, at the commencement of every session, to put forward a new scheme—or what the honorable member had been pleased to term a “policy”? The Government were quite contented to be judged by their actions, and they were satisfied that their acts in the past were a sufficient guarantee of their good conduct in the future. Why, then, he would ask, should they be expected to put forward any new and elaborate scheme of policy; and where was the necessity of a Government, after having been in office for three years, being compelled to set before the country a statement of things only intended to be brought forward in order to justify them in retaining office? The honorable member had complained that in the Speech there was no mention of the Education Bill; but why was that?—simply because no such Bill had been brought forward as a Government measure. Honorable members would recollect that, at the close of last session, something was said by the honorable member at the head of the Government and the honorable member for Fortitude Valley, as to a consultation they would hold, during the recess, relative to the preparation of some such measure. His honorable colleague and the honorable member, Mr. Lilley, had undoubtedly together prepared a Bill which would no doubt be laid before that House immediately, and to which he had no doubt very great attention would

be given by honorable members; but it was a little too much to tax the Government with not having put forward as a ministerial measure a Bill for the framing of which they were to a very great extent indebted to the honorable member for Fortitude Valley. He would therefore say, that when the honorable member who moved the amendment, taxed the Government with a wilful omission of any mention of that measure, he only showed the weakness of his case. There was nothing in it. The proper time to consider that question was when the Bill was in print and before the House. It was far too important a measure to be forced forward as a party question. The education of the rising generation of this colony was a subject far too important to be treated as the honorable member seemed to wish the House should treat it—as a purely party question. Honorable members might approve or disapprove of some of the details of the proposed Bill, but he would say that whoever looked upon it as a purely party measure had no business to have a seat in that House; yet that was, apparently, the way in which the honorable member viewed it. He would next refer to the measures relating to the Supreme Court. Now the honorable member, in alluding to the Supreme Court Bill, asserted that there was no law in this colony giving power to the Government to place an acting judge on the bench in the Supreme Court. With that statement he (the Attorney-General) begged to differ, and as he had a decision of the Supreme Court on his side, he thought it was unnecessary at the present time to further argue the question. He could, however, assure the House that he had never hesitated in his belief that his recommendation to the Government to appoint Mr. District Court Judge Sheppard to sit temporarily on the Bench was a correct one, and there had been nothing to lead him to alter that opinion. But when Mr. Sheppard was unwilling to retain the office, and acting, as he (the Attorney-General) was bound to say, with the very best intentions, succeeded in throwing such doubt upon the administration of justice—when it was known also that there were several very heavy cases to come before the court—the Government felt that they would, under the circumstances, have been guilty of great dereliction of duty if they had placed another gentleman in that position after such a doubt was raised. It was of far more importance to the country that present suitors should be subjected to the temporary inconvenience of a few months delay, than that they should go before a court, respecting the constitution of which, and reasonably so, they might feel some distrust, and before which, most probably, some extremely important cases might have to be argued under protest. He was, therefore, satisfied that the course pursued by the Government on that question had been viewed as the most proper one, and one which would recommend itself to those honor-

able members of the House who would look at it dispassionately, and not as a party question, as the best the Government could have followed. The honorable member also went on to say that the time had arrived for the appointment of a third Judge; upon that question he would not follow the honorable member at present, as there would be ample opportunities for discussing it hereafter. At present, all that the Government required was, that power should be granted to them, and that as speedily as possible, to enable them to make provision for carrying on the business of the Supreme Court, which was now at a complete standstill. He might take the opportunity of stating that His Honor the Chief Justice and Mr. Justice Lutwyche had done their utmost to assist the Government in the matter by suspending the sittings of the court until the next Monday, by which time, if the House would assist the Government in passing the short measure proposed, they would be able to go on with the business of the court without further delay. The honorable member next went round to another subject—he was in fact like a man who did not care to touch anything with more than the tips of his fingers, fearing lest it might be too hot or at any rate not too safe for him to handle. The honorable member said he should like to know how many lawsuits the Government had been engaged in since they had held office. Now, really, that was a question upon which the honorable member himself, or anybody, could easily satisfy himself in a very simple way, as he had only to refer to the files of the *Courier* newspaper, or to ask the question of any officer engaged in the Supreme Court. But that was a matter which, in no possible way, could have a place in the Speech, or be referred to in it. It was unfortunately quite true that the colony had, during the last three years, been engaged in a mass of litigation of one kind or another; but for that the country had to thank the Government of which the honorable member himself was the conductor, or, at any rate, a very prominent member. They had to thank that Government, not only for the litigation which had arisen in connection with the railway contracts and railways generally, but also for the litigations in respect of the Land Acts. The honorable member had specially alluded to Mr. Davenport's cases; but he was not aware, most likely, that they were based upon titles issued under the Crown Lands Act of 1866, for which alone the honorable member and his colleagues were responsible.

AN HONORABLE MEMBER: No; Parliament.

THE ATTORNEY-GENERAL: He would repeat that the Act of 1866, which had since been repealed, was the Act under which those titles were obtained, and was an Act passed by the honorable gentleman and other honorable members, who were more responsible than the present Government were, for any defects in it which had since been discovered.

He had been attacked, as Attorney-General, in regard to that matter, but seeing that when the Act was passed he was not in the colony—not only that, but he had not been in it during the time it was in force—he thought it was an extraordinary stretch of argument and a little too much, that he should be made the scapegoat for the working of an Act of Parliament which was not in existence at any period when he was in the colony. He therefore thought he was perfectly justified in leaving the actions to the proper tribunal, namely the Supreme Court, and in not referring any more to them at the present time. On the subject of the sale of the 4 per cent. debentures, on which the honorable member spoke amid the cheers of his supporters, he would not dwell, but would leave the answering of it to honorable members who were better acquainted with it than either himself or even the honorable member for Ipswich; at the same time he believed that when the House heard the facts, they would not be so ready to cheer the remarks which had been made by the honorable member, or to blame the Government for any action they had taken in reference to those debentures. The next complaint of the honorable member was that the Speech contained no information in respect to mining matters in the colony. Now, he could not quite understand what question on mining matters the honorable member would wish to have mentioned in a Speech; in fact the honorable gentleman had taken particular care to avoid saying what he would have inserted on that subject in the Speech if he had had the framing of it, although when he attacked the Government for an omission of that kind, he should have been prepared to mention what should have been inserted. What was it in reference to mining matters that they ought to have brought forward? Were they to have reminded the House that last year a measure was introduced and passed, dealing with the whole subject of mineral lands; or should they have informed the House of the quantity of land taken up under that measure? On what subject should they have informed the House, or in what respect had they failed to discharge their duty? It was going a little too far to make general sweeping charges against the Government; but he had no doubt, that before the debate was worn out, the Government would hear what were the matters upon which they should have given some information, and also what were those upon which the honorable member wished particularly to be informed—whether it had been found that the measures passed last year had not worked well, or what. The honorable member had certainly told the House that the Act for the redistribution of electorates which had been passed last session, and which occupied so much of the attention of the House, was so full of defects that the Government should have announced their intention in the Speech to bring forward a measure for its amend-

ment. But he did not think that a greater reflection could be cast, not upon the Government, but upon the whole House, than that statement of the honorable member. The honorable member had asserted that that measure upon which the House had bestowed so much care and attention, had turned out to be extremely defective—that it required amendment—although it was a fact that not a single election had yet taken place under it. Of all the statements he had yet heard in that House, that he thought was about the most audacious. The honorable member had absolutely attacked the Government for not bringing in a Bill to amend the Act, before any election had taken place under the redistributed electorates; such a proceeding was really too strong for even that House to assent to. Why the honorable member himself was the only instance of an election under the Electoral Act of 1872, and surely he ought to be the very last to complain of it, seeing that to it he owed his presence in that House at that very moment—

MR. MACALISTER: What I said was from my personal experience of the Act.

THE ATTORNEY-GENERAL: Then he would hail the honorable member's advent with even greater pleasure than before, for now they would have amongst them a gentleman able to point out from actual experience, the weak points of a measure which the House in its wisdom was unable to do without his assistance. He believed that the measure was one which had received the universal approval of the House.

MR. STEPHENS: No, no. Disfranchising.

THE ATTORNEY-GENERAL: Surely his ears deceived him—did the honorable member really mean to say that the Electoral Act of 1872, which largely extended the franchise, did not receive the general approval of the House? He could not understand how the honorable member for South Brisbane could complain of such a measure.

MR. STEPHENS: Miners' rights—going before magistrates—disfranchising.

THE ATTORNEY-GENERAL: The honorable member was now complaining of some details—that voters had to make a declaration before a magistrate of the truth of their statements. Now, one would think that that was not only an improvement, but also an important convenience, inasmuch as it enabled a voter to transmit his claim and declaration by post, and obviated the trouble and difficulty of attending a revision court. If he was anxious to have his name on an electoral roll he should look upon being able to do so by making a declaration as a very great boon. If that, then, was a detail found to work with such extreme hardship, he must say that the honorable member had not made out a very good case, especially as they all knew how very easy it was to find a justice of the peace. In many instances, especially in the outlying districts, the system of making declarations would be found of the greatest importance,

as a man might, from various reasons, have to travel hundreds of miles from his own district; therefore it came with very bad grace from honorable members opposite to accuse the Government of having omitted from the Speech any intention to bring forward a Bill to amend the existing Act. Then, in regard to certain Wide Bay districts not having the representation to which they were entitled under the Redistribution Act, he contended that at the time the Act was passed they were not justified by their population basis to more representation; they might, however, be more entitled now, and so far he was willing to admit that the honorable member might have put his finger on the only grievance. If the population of those districts at the time of the Bill passing, had been a few more thousands, they would have been entitled to claim an additional member, and very probably the Government would have proposed to give them one. That question, however, was fully and fairly argued last session when the Act was under consideration, and it did appear to him very strange that on the first night of a new session that old worn-out debate should be brought forward as a ground of accusation against the Government. It only showed that the honorable member, in the speech he had made, had very weak grounds on which to make it, and that it might be summed up in a short and pithy sentence expressive of the feeling that he had been for some time out in the cold, and was anxious to again occupy a seat on the Treasury benches. It was not, however, the fault of the Government that the honorable member had not been in the House—it was a pity he was not, as he might have been able to remedy some of the defects of which he complained. If there were defects, and the honorable gentleman brought them forward at the proper time, the House would most probably grant him that fair attention to which he was entitled, not only for his well-known abilities, but also for the length of time he had been a member of the Parliament of Queensland. But the present was not a proper time—and he said it without any fear of contradiction—for bringing forward such matters as defects of detail in measures that had passed the House. They were not grounds for raising a vote of want of confidence in a Ministry. The honorable member should have brought forward, if he had them, some distinct accusations of weight. He should have convicted the Government, if he could, of some wilful negligence, or, if he could do so, of some wilful —

MR. STEPHENS: Incompetence.

THE ATTORNEY-GENERAL: Well, incompetence, if the honorable member liked; but there should have been something more definite than mere general objections. The honorable member for Ipswich also glanced at the Land Acts, and made some remarks respecting them. Now, those Land Acts were always brought forward by any member who wished

to have a growl at the Government, and he believed there never yet was a colony where such was not the case; in fact, the administration of the land laws would always be a prolific subject for the oratory of honorable members who wished to raise charges against a government, and he was satisfied in his own mind that it would continue so until every acre had been alienated from the Crown.

HONORABLE MEMBERS: Hear, hear.

The ATTORNEY-GENERAL: But as with the Electoral Act, so with the Land Acts, the honorable member in his speech had not told the House what the defects were that the Government ought to have remedied; if the honorable gentleman would do so, he was quite sure he would receive from the House that careful attention to which he was most undoubtedly entitled. Surely, however, the House was not going to upset a Government because the Land Acts of a colony were not so perfect as they ought to be, and were not liked by every body. The Government had not passed those Acts, but what they had passed, was a measure to extend the facilities for taking up land in small holdings, and for the encouragement of agricultural settlement. That was a matter upon which the Government were entitled rather to the gratitude of the House, than to be subjected to the attack which had been made upon them by the honorable member for Ipswich; because, as the honorable member had stated, the Land Acts were not what he could wish. The Land Acts would always be a fruitful theme upon which any member, desirous of so doing, could attack the Government of the day, until that day arrived when the last acre would be alienated from the Crown—a day which he believed would be one of the happiest ever seen in the colony. He wished every acre was alienated, no matter in what way it was alienated. It would be better for the public that every acre should pass out of the hands of the Crown into the hands of private individuals, rather than it should be held by the Crown, who were admittedly the worst landlords in the world. He should not be surprised if those last remarks were taken down by honorable members opposite, and made the subject of some accusation against the Government; but he uttered them in perfect good faith, as he believed that, if ever the day arrived when the whole of the lands of the colony were alienated from the Crown, that day would be the opening of a new and important era in Queensland. That day would lead to the prosperity of the colony being insured even more than it was now. He was quite aware that, when that day arrived, the vocation of honorable members of the Opposition would, to a certain extent, be destroyed, but until it arrived, honorable members might have passed from Government to Opposition; it was clearly an abstract opinion only that he had put forth. That the existing Land Act was, as a whole, beneficial to the colony, he was not altogether

prepared to say; but he could not help saying of the Act of 1868, that it had been found so conflicting and contradictory in its wording that it had been found absolutely necessary to obtain a judicial interpretation of its meaning, and he was happy to say that by so doing a large amount of litigation had been prevented; he was still of opinion that it would be many a day before all the knotty questions arising under that Act would be settled. Probably he had had more opportunities of unravelling those knotty questions than many honorable members; and he might say that he had given the Government the best advice he could in interpreting certain of its sections; but in every possible instance they had endeavored to give an honest, straightforward, and equitable interpretation of it; to do justice between rival parties, and to give the land only to those whom they considered were entitled to have it. The Government found that the public purse would have to spend a very large amount of money for the benefit of the profession to which he belonged, before they had settled all the questions which were bound to arise under that Land Act. At present the questions had not been so numerous as they would probably be. All he could say was, that it was only in the interests of the public that certain cases had been brought before the Supreme Court for its decision. The honorable member for Ipswich had found one other fault with the Government, or rather with the House—that they had not passed any measure based upon the various subjects reported upon by the Gold Fields Commissioner. Now, surely it was against every member of that House, that such a complaint should be made. The present Government was not in fact responsible for that Commission; its appointment was the act of a private member of that House, who at the time was not a supporter of the Government; the Government had no more to do with it than to select a gentleman to act as Commissioner, whom they thought would do the work well. Whether that gentleman's report was in all respects sound, was a question dealt with long ago, when it was brought forward for adoption by the House; and why then should the Government now be taken to task and ejected from office, as being unworthy of the confidence of the House, because the House itself had not thought fit to deal with the Gold Fields question? Two separate Bills on gold mining legislation had been introduced during the previous session, but instead of allowing the Government to deal with them, it suited honorable members opposite to occupy time by reading Acts of Parliament, and otherwise delay business, to the great injury of the public—to the inconvenience of many members of the House, and without arriving at any practical result. It was not right, therefore, for the honorable member, who was not in the House last year, to expect honorable members to support him on that point. Surely when a

minority of the House thought fit to waste three or four weeks of valuable time and to do nothing, it was not reasonable that any honorable members who took part in it, should now withdraw their confidence from the Government, because they had not been able to bring forward a measure of the kind referred to by the honorable member for Ipswich. There had been nothing in the honorable member's address to warrant the House in withdrawing their confidence from the Government, who, during a period of three years, had brought the country to its present state of prosperity. The last and culminating complaint of the honorable member was only another one of detail; he asked the House to eject the Government from office, because they had withdrawn from one town a district court for holding criminal trials. Now, he (the Attorney-General) maintained that that act was entirely a right one on the part of the Government, and necessary. They were bound to enforce the administration of justice if they could; it was one of the most important duties entrusted to a Government, and when they found, not in one case only, but repeatedly, that juries in a particular town disregarded the evidence put before them until juries in that town became a bye-word, not only throughout the colony of Queensland, but Australia generally, it was the duty of the Government to step in and act as they had done. He was sure that the power put into the Act was to meet some such case as that which had arisen at Roma, and that the act of withdrawing a criminal court from that town for two years, was one forced upon the Government by the conduct of the people there. He had no doubt that the honorable member for Maranoa would have something to say upon that subject, but he was prepared to defend the action of the Government at the present time, as he would be at any other time. It was, however, a matter of detail, as much so as all the others mentioned by the honorable member for Ipswich, and was not one of those on which the House should withdraw its confidence from the present Ministry. There was one point more. The honorable member had referred to the litigiousness of the present Government, and said that they should never go to law unless their defence was irresistible; but, he would ask, if the defence was irresistible, who would attempt to face it? Now, with regard to the numerous cases to which the honorable member had referred. There had been some questions which the Government conceived it was necessary should be taken before the Supreme Court, one of which was that of the right of an official assignee to lands held by an insolvent under the Act of 1868. It was a question whether they were to give away some thousands of acres of land to the official assignee, and the Act not being clear enough, it had to be determined by a court of law. It was one of the duties of the Government to protect lands from going into

the hands of those who were not entitled to hold them, and if the Government had given over that particular land to the official assignee of the insolvent estate in question, they could not have refused to do so in any other instance, and they would have been going beyond what the law authorised them to do, and granting to persons a title they were not justified in granting. It was such matters as those that the Government could not be blamed for taking before a court. There had been a decision on part of the case, but not on that part on which the official assignee based his claim; and the Government would have been neglecting their duty in every way, if, instead of going to the Supreme Court for its decision, they had handed over to a gentleman, not entitled to it, what might have been a large tract of very valuable land which it was their duty to protect. If the honorable member had any definite charges on which the House should withdraw its confidence, why had not he brought them forward in the way he knew so well to do, and in a way which, from what he had heard outside, he (the Attorney-General) fully expected the honorable member would do? Then there would have been a better means of knowing what were the particular counts of the indictment which he brought against the Government, instead of there being, as at present, only general and vague assertions. The honorable member said the Government had not the confidence of the House; let him, if he could, prove it, or bring forward some definite charge, and the Government would meet it. He must say that there never was a speech within his recollection which was so weak and so vague, and which terminated with so monstrous a proposition as that which had been made by the honorable member.

Mr. FIFE (who was very indistinctly heard) was understood to say that he must give the present Government credit for being very good administrators; at the same time he thought there had not been that legislation which the colony needed, and that nine months was rather too long a period for it to wait without the benefit of any at all. The Government had been a little too much administrative, although he could not find fault with them altogether for what they had done. He had only had the Address handed to him a few hours ago, and as there should be no secrets between a Government and members of an Opposition, when a programme like that was put forward, he thought further time should be given for the consideration of it. He did not hesitate, however, to say that, looking at the Address, there was nothing in it—nothing initiative. No man had done more for the North than the honorable gentleman at the head of the Government; but, at the same time, it appeared to him that that policy had been forced upon him by the Opposition, and it was impossible they could swallow that and remain in power. The question now was whether they had sufficient confidence in

the Government to believe that they would carry out a policy to secure the future interests of the colony instead of studying only paltry considerations. He must say, truthfully and honestly, that there had been no reasons for the litigations which had been referred to, and he must also condemn most strongly the action of the honorable the Attorney-General in ignoring the rights of trial by jury by depriving the people of Roma of a District Criminal Court. Such conduct as that would, he believed, have a very damaging effect upon the reputation of the colony at home. He thought they should legislate for the future—that a government should have an initiative policy—and should endeavor to do something of which the colony might be proud. He should vote against the Government, if he voted at all.

MR. KING: The Attorney-General, in his reply to the honorable member for Ipswich, took great objection to the latter for having brought charges against the Government without going into details. The honorable gentleman at the head of the Opposition was quite right in the course that he had taken, for two reasons:—In the first place, the charge of want of principle in the Government, or of their being actuated by principles hostile to the colony, was not only a very much greater one than any charge of detail, but it was also evident that, to bring charges in detail of maladministration against the Government would be of little avail; as, in the second place, the Assembly were not a tribunal before whom such charges could be tried—because, in debate, the charges would simply be made on one side of the House, and they would be met by denials on the other—a mere contention between the two sides of the House. For those reasons, the honorable member for Ipswich acted with great judgment when he brought forward his motion of want of confidence in the manner in which he had. If any instance went to show that he was right, it was furnished by the answer of the Attorney-General to one accusation which had been brought forward against the Ministry. The honorable member for Ipswich had charged the Ministry with having, during last session, passed an Electoral Distribution Act which did not, at the time it was passed, satisfy the colony; that it was not a fair measure at the time it was passed; that it needed to be amended at the first opportunity—this session, if possible. The Attorney-General's answer to that was, that if the population had been in those districts which had been referred to, it would have had additional representatives; that, although the population was within a few hundreds of being entitled to the sixth member, yet, being a few hundreds short, it was obliged to go without that member. Now, the facts were, according to the return which was placed upon the table of the House when the Redistribution Bill was brought in, last session—according to the basis of representation adopted by the Government

—that the population of the electorate of Wide Bay and Burnett was entitled, within a very few, to seven members. That was upon the basis of adult males. According to the population basis, those districts were entitled to the same number. He (Mr. King) had brought forward an amendment, in committee, for the purpose of giving an additional member to those districts; and the reason given by the honorable gentleman at the head of the Government for opposing it, was, not that they were not entitled to the additional member—because the honorable gentleman, and the whole of the Ministerial side, admitted it—but that it was impossible to divide the districts, according to the ideas of that honorable member. It was an extraordinary thing, and must be remembered by honorable members, that, after the taking of the census in 1871, a Bill was brought in for additional members, which Bill was founded on the census; and that that former Bill gave six members to the Wide Bay and Burnett Districts. That was the first Additional Members Bill of the present Ministry. It was only at a subsequent period, when the Mount Perry Mines had attained a great degree of importance—he supposed the idea had struck the Government that it was not prudent to count on that district as a safe one for a squatting candidate—when a large population had congregated, and a great increase of the wealth of the district was assured—that the number of members was reduced. That was the real state of things, as honorable members knew. The way in which the accusation raised by the honorable member for Ipswich had been met was a sufficient justification of his prudence in not descending further into details, but simply basing his motion of want of confidence upon general charges against the Government. It was certainly a grave charge against a government, that they had passed a measure of representation which should be amended even before it came into operation. The Attorney-General adopted a new line of argument, when he said that the fact of that question having been introduced last session, and of its being again introduced this session, proved that the claim was groundless, and that such claims were frivolous. Why, then, it would be ridiculous when brought forward by Opposition members, again, as it would be, whether in power or not, in this Parliament or in the next; because the House must be aware that the question of the fair representation of the districts of the colony must be settled before any satisfactory adjustment of parties could be effected. He (Mr. King) had a few remarks to make respecting the charge made by the honorable member for Ipswich, that the present Government had been at law continually from the time they entered office. The Attorney-General had met that charge by saying that the lawsuits were legacies from previous Governments. Well, he (Mr. King) did not think that the late Government

had introduced the action of "Helen Mackie." He did not think they had introduced the numerous land suits. Who, then, had introduced them? In 1866, the Agricultural Areas Leasing Act was passed. The Honorable Mr. Bell, the present Colonial Treasurer, was a member of the Macalister Ministry of that time. Soon after the passing of that Act, before the House met, he changed his office and became Minister for Lands, and he held that office until the Macalister Ministry was replaced by the Ministry of Sir Robert Mackenzie, which Ministry held office until the Act of 1868 was passed, which put an end to the operation of the Act of 1866. Anything that took place to lead to the land actions was at the time the Honorable Mr. Bell was Minister for Lands in the Macalister Ministry, or when the present head of the Government was Colonial Secretary in the Ministry of Sir Robert Mackenzie. Whatever might be the faults of the present Opposition members, the fault of having led to the initiation of those proceedings could not be charged upon them; although it might be well said that the Act under which some of those proceedings took their rise was passed when the Honorable Mr. Bell was at the head of the Lands Department; yet there had not been time to inquire whether all of its conditions had been fulfilled or not. Land had been taken up under the Act; but the Macalister Ministry went out of office in 1867, and the Ministry of which the Honorable Mr. Palmer and Mr. Prior were members, came in—and, it might be said, the same Government existed until the Act of 1868 was passed, by which the Act of 1866 was brought to an end. Therefore, any dummying which took place under the Act of 1866 was chargeable to honorable members who were in the present Ministry—either to the Honorable Mr. Bell, or to the Honorable Mr. Palmer and Mr. Prior, who held office in the Mackenzie Ministry up to 1868.

The COLONIAL SECRETARY: It all tells.

Mr. KING: But there was a question which still further told against the Ministry. In the second session of 1871-2, on the 17th January, the House were called upon to vote in the Supplementary Estimates the sum of £100 in the suit "Smith v. Tully." The item caused a great deal of discussion. Then it was stated that, since Smith had neglected to follow up the case—since he had surrendered his position, and retired from the field—the Government should take means to follow up persons similarly circumstanced, and put them out of possession of the land. The answer by the Minister for Lands was, that the Ministry were in a better position standing on the defensive, that the deeds for the land were not issued, and that they would not be issued. But the next thing he (Mr. King) came to was the affidavit put forward by the Minister for Lands in the case of "Davenport v. The Crown." The Minister

declared in the fourth, fifth, and sixth paragraphs of his affidavit, that the deeds had been prepared without his cognisance, that they had been sent to the Governor for signature without his cognisance and contrary to his directions. It might be said that that would exonerate the Minister for Lands from the charge of having issued the deeds. The honorable gentleman swore that he was ignorant that they had gone through all the processes which they had gone through. But, since he had assured the House that the deeds should not issue, was it not extraordinary that he should have issued no instructions about that?

The SECRETARY FOR PUBLIC LANDS: Read the affidavit about my instructions.

Mr. KING: He had read it, and it appeared that the Secretary for Public Lands did give instructions that those deeds were not to be prepared. If those instructions were disobeyed, whose fault was it? As far as he could understand it, one of the clerks was suspended for six weeks, having a holiday on full pay, and then went back to duty. If it was a fact that the clerks in the honorable gentleman's department, according to his affidavit, prepared deeds contrary to his instructions, and not only that, but without his knowledge, and without submitting them to him for his approbation, took them up to the Governor; he (Mr. King) might ask, How it was that those clerks were still in the office? That office must be in a strange position, if it was impossible to fix the onus of issuing those deeds upon any individual. If it was impossible, and if the Secretary for Lands had given the instructions which he stated in his affidavit he had given; if he found that the clerks had issued deeds which he had instructed them to retain—because he might know who prepared them, as they were signed by the present Governor, since he entered office;—if he was unable to fix upon the clerk who had violated his instructions; he should change the whole of the officers in his department, rather than allow the public to be violated in that way. Somebody was responsible, and he should have taken such precautions that an individual who played him such a trick should not be able to play it again. There was another question which affected the Government more nearly. In the fourteenth paragraph of the honorable gentleman's affidavit, he said:—

"I believe the said George Henry Davenport has obtained, and holds in fraudulent contravention of the law, possession of, and is attempting to get grants of Crown lands of the colony to an extent exceeding some thousands of acres the area of such lands to any one *bona fide* lawful holder, under the Lands Act of the colony."

He (Mr. King) wished to ask the Secretary for Public Lands to stand up and to say, when the honorable gentleman would reply to this speech, whether he was not cognisant that there were honorable gentlemen sitting

on the same bench with himself who held more land than they were entitled to, and more than Mr. Davenport, or any other man. If it was a fact that the land on the Darling Downs had been dummied, and that the law had been evaded by the manner in which the land had been taken up, there was not the slightest doubt that those honorable gentlemen had taken up a very much greater quantity than the man who was now being persecuted—because, simply, he was not a Darling Downs squatter. There was nothing which put the Government in so contemptible a light as the fact, which was widely known, that they persecuted an individual by repeated lawsuits, when the members of the Government comprised gentlemen who were believed to be the largest dummies in the colony, and who were certainly known to have obtained the fee simple of a larger amount of land than any other individual in the colony.

HONORABLE MEMBERS on the Treasury Bench: Name, name.

MR. KING: If the Minister for Lands was determined to prove the purity of the present administration, and to see the law carried out, he ought to have commenced with his own colleagues. He (Mr. King) imagined that the deeds of their land had been got long ago, and that no call had been made upon those gentlemen to return them—no *caveat* had been lodged to prevent them from disposing of or dealing with their acquisitions as they thought fit. This question, as affecting the dummied lands, he took to be of very great importance to the colony, particularly in the aspect now presented. In plain English, the whole of the titles on the Darling Downs were being unsettled by this most unprincipled attempt to persecute a man who was not an offender at all. It appeared to him (Mr. King), that in taking the course they did take, the Government were only following out what the Opposition believed to be their land policy. The Attorney-General had said that he wished that every acre of land in the colony was alienated. To whom?

The ATTORNEY-GENERAL: Anybody.

MR. KING: To the squatters, and no one else. Well, he hoped the honorable and learned gentleman would see the day when every acre of the land would be alienated—and he hoped that every acre would be alienated—to any man who was willing to pay the price the Government put upon it.

HONORABLE MEMBERS on the Treasury Bench: Hear, hear.

MR. KING: He thought it was little use of honorable members on the other side of the House calling out "Hear, hear." He meant free selection, when he said what he had just spoken. What was the meaning of the honorable members' cheers? He had heard similar sentiments expressed repeatedly by honorable members sitting on the Ministerial side, but what had they done to give effect to them? He submitted that when they held such sentiments, it was not their

duty simply to come down to the House and applaud a speaker, but to do what they could to pass the principle into law. He was afraid theirs was a practice of trying to "cheat the Devil." Honorable members attempted to make the public believe that they were willing to carry out the policy which they did not hold. There was not a word about the land policy of the Government in the Speech. He held that any Australian Government omitting to have a land policy were not a Government holding power legally from the people, but one hoisted into office by faction for their own ends. He did not care whether in New South Wales, in Victoria, or in Queensland, a land policy must be the most important part of the Government programme. The Attorney-General had said that whilst there was an acre of land unalienated, there must be a land policy. Then, the House must take it, that, as there was no reference to a land policy in the Speech, the Government were satisfied with their land policy as it existed. That was a sufficient reason for the House saying that the Government were unworthy of their confidence. There was one paragraph in the Speech, as follows:—

"I have much satisfaction in informing you that the facilities afforded by the Homestead Areas Act of last session have been largely taken advantage of, and a considerable number of industrious persons have been settled on the lands set apart for their use."

That was undoubtedly true; but not in the sense that was meant by the Government. Since it was a fact, as he believed it was, that the whole of the areas which had been resumed was immediately taken up, how was it that no provision was made for a further supply of land? There was no better proof that more land was required; yet, in the face of that, there was not the slightest intention of throwing open any more land to selection. He hoped that honorable members of both sides of the House would consider that the division to be taken to-night was a very grave one; because everyone knew that the result of the division would be to determine the land policy of the colony for the next five years. The Ministry had been in office three years; they had had two dissolutions, and they were now trying to get a third. If they should get that, they would leave no means untried to get a majority in the next Parliament. The two Loan Acts that had been passed would enable them to do a great deal. The country had been told by the Premier, at the Warwick Agricultural Show, that he would never consent to throw open the land for grazing freeholds; in fact, the honorable gentleman would not—he did not make use of the same words—turn out one squatter to make room for another. Well, honorable members on the Opposition side were in favor of throwing open large districts of the colony, if not the whole colony, to free selection. Those who believed in free selection would, he (Mr. King) hoped, consider well what they

had to do by their votes on the present occasion. If they gave their votes to keep the Ministry in office, they would put off free selection for the next five years. Perhaps there would not be another resumption of land equal to that miserable resumption of last session as long as they remained in office. But he would say no more upon the land question, though it was one upon which much might be said. The Attorney-General had said that the engineers were responsible for the construction of the railways. If they were responsible for the completion of the works in a given time, or for a given sum, then the House were entitled to know——

THE ATTORNEY-GENERAL: The honorable member must pardon him; but he never mentioned the construction of railways at all.

MR. KING begged the honorable and learned gentleman's pardon, but he did so, in answering the observations of the honorable member for Ipswich; and he used this expression—"That the engineers were responsible," and being struck with it, he (Mr. King) took it down. He now wanted to know what security the engineers had given?

THE ATTORNEY-GENERAL: He never referred to the matter.

MR. KING: They all knew that if the railways were constructed by contract, the contractors must make a profit out of their work; they also knew that in other countries where railways were carried out by companies, and not by Government, the cheapest way was to let them out in large contracts, for a given sum, to be constructed in a given time; and then there was the satisfaction of knowing how much the work was to cost and how long it would take to complete it; and it was thus found worth while to spend a little money to be enabled to come to that conclusion. A man might build a house, himself, to save contractor's profits; but it was found better to let the work by contract than to take it into his own inexperienced hands and to have to gather men here and there to carry out the work. The Attorney-General had also said—it was to be hoped he would not deny this—that the prosperity of the country was due to the administration of his Government. That had been dinned into his ears by the Ministerial journals, and now he heard it in the House. He should go into details. Would the Attorney-General tell the House who discovered the Mount Perry copper mines?—who discovered the tin mines at Stanthorpe?—who discovered the extensive Northern gold fields? Which of the Ministers was it that created the extraordinary glut of money in Europe that gave such a rise in value to wool and other colonial products, and yielded so much in realised wealth to this country? If the Ministry took credit for the tin mines, which employed 3,000 people, for Mount Perry, which employed as many more, and for the Northern gold fields, which employed 9,000 men, they should let

the House know which of them deserved it. There was one other question which ought to have been mentioned in the Speech. No doubt honorable members on the Treasury bench had been exasperated by the opposition which was shown to them last session upon their Loan Bills, introduced to provide for the construction of public works, the interest upon the expenditure for which was to be paid out of the funds of the colony, while certain districts were almost excluded from any share of the expenditure. He (Mr. King) had thought, however, that, after nine months had passed, the Government would have had time to cool, and that in their calmer moments of reflection they would have come forward with a proposition to make a railway to facilitate communication between Mount Perry and the seaboard. There was no district in the colony, so small, which contained such resources as that district. A railway had to be made to Peak Downs, to bring down the copper to Rockhampton. He admitted that that was right. But Mount Perry was only sixty miles from the seaboard; yet nothing was to be done for that rich mineral district, which had already so far advanced that it was not at all problematical to say that Mount Perry would be second to no district of the colony in wealth and importance.

MR. W. SCOTT: Hear, hear.

MR. KING: The Government obtained loans for public works, and the people of Mount Perry, Bundaberg, Wide Bay, and Burnett had to pay the interest without receiving any benefit from the expenditure. He had thought that, if only for the purpose of taking the wind out of the sails of the Opposition, they would have done something for the benefit of that district. Now, the last objection which he should make to the Speech, or rather, one reason which he had to give for supporting the amendment, and voting to show his want of confidence in the Ministry, was one which had been touched upon by the honorable member for Ipswich: it was, that on the eve of a general election, the Government came forward, and, in the Speech from the Throne, enunciated no policy. He believed it was generally acknowledged to be desirable and even necessary that, in any country where Parliamentary Government was carried on, there should be two sides in the representative House, and that each side should have a distinct policy, in order that whenever the members should go before the country, the electors should know that in voting for certain men they were voting for a particular policy. He was sorry to see that the plan of putting forward a policy had not been adopted by the Government. There was one time only at which they had put forward a policy, and then they pledged themselves to it in a manner in which Governments seldom did. He referred to the time when the Minister for Works pledged himself that the Ministry

of which he was a member would never make the railway to Brisbane.

The SECRETARY FOR PUBLIC WORKS: I deny that I ever said so.

Mr. KING: He was speaking of what he had heard, himself. He had heard the Secretary for Works say at the nomination for Wide Bay, that, if the Government brought in a railway policy, he would not be a member of that Government for forty-eight hours.

The SECRETARY FOR PUBLIC WORKS: I deny it; and the honorable member knows that what he is stating is not true.

Mr. KING: The honorable gentleman has not only contradicted me —

The SPEAKER: The honorable gentleman has denied the statement, and his denial ought to be accepted.

Mr. KING: The honorable gentleman has not only contradicted me, but he has charged me with stating what is untrue—what I know to be untrue. I rise to a point of order—

The SPEAKER: The statement having been denied by the honorable gentleman, must not be repeated.

Mr. KING: I will take the honorable member's denial for what it is worth.

Mr. STEPHENS rose to speak to the point of order. The honorable the Secretary for Public Works had charged the honorable member for Wide Bay with saying what he knew to be untrue. Perhaps, Mr. Speaker would give his ruling upon that.

The SECRETARY FOR PUBLIC WORKS: He would state to the House what he had said, and as he had stated it before, in the House, when misrepresented, as he was now. The honorable member for Wide Bay had charged him —

Mr. STEPHENS: Order.

The SECRETARY FOR PUBLIC WORKS: Did the honorable member for South Brisbane think he could monopolise the attention of the House? Did he think he had attained such magnitude that he could lecture them on a question of order? If the honorable member thought so, he (the Secretary for Works) was one who did not think so, and one who would not submit to him. He would repeat that he denied the statement which he was charged with having made at Maryborough. What he had said, was, That until a committee of the House had decided that a railway should be made between Brisbane and Ipswich, and until he was satisfied that the country could afford the railway, he should belong to no Ministry that introduced it.

Mr. KING: He could only allow the honorable member's observations to go for what they were worth; and he hoped they would be reported, in order that the people who had returned him to the House might have their previous opinion of his character confirmed. But he thought it could not be denied—he did not care whether it was or

not, because honorable members knew the fact—that previous to the last election the Ministry were pledged in no common manner not to construct that railway. The Government had constructed it.

The COLONIAL SECRETARY: No.

Mr. KING: They had commenced to construct it. He should now read a few remarks which were made by the honorable member for Maryborough, on the 19th November, 1868:—

"The honorable member for Eastern Downs had committed himself to the construction of a railway between Brisbane and Ipswich; and would the honorable member for the Kennedy [Mr. Fitzgerald], he would ask, agree to the carrying out of such an undertaking as that?"

"The Honorable A. MACALISTER said he must at once deny that he was in any way committed to the construction of a railway between Brisbane and Ipswich.

"Mr. WALSH: But would the honorable gentleman say he would not, if he succeeded to office, endeavor to have a railway constructed between Brisbane and Ipswich?"

The SECRETARY FOR PUBLIC WORKS: That was in the Assembly chamber, not at Maryborough.

Mr. KING: He did not think it was worth while to continue the argument any longer; because, as honorable members knew, the Government got a majority and got in office upon a pledge that they would not carry out the railway. But he objected to a Government coming forward as they did—one Minister before one constituency, asking it to return him, and saying the Government would pledge themselves to this policy; another going to another constituency and pledging the Government to quite a different policy;—in fact, the members of the Ministry were pledged before the country to two or three different, contradictory, and irreconcilable courses, and when they came before the House they threw their pledges overboard, and went in for the only policy which in their hearts they believed in, and which was—to stick to the Treasury benches whatever might happen. The electors of this colony had been taught by recent events that they could not rely upon the pledges given by leaders of party. In any country where personal honor was higher than, he was sorry to say, it was in Queensland, a Minister who went to his constituents upon the dissolution of Parliament and pledged himself to the adoption of a certain policy, might afterwards be convinced he was wrong in his policy—he might afterwards admit that he was wrong;—but he would not attempt to carry a policy in opposition to that to which he was pledged, without going to his constituents. Nothing could degrade the Legislative Assembly, or give the public a low notion of the House, more than that honorable members—who were not merely members of a party, but Ministers who had pledged themselves before the country to

oppose a certain policy—should come to the House and do the very reverse of that which they had solemnly pledged themselves not to do. It might be said that they could not so act now, as they had not advanced anything in the Speech. They ought to have promised something, in order to show the country that it should judge of the value of their measures, if they had any. The Attorney-General had said, that if the Government were blameable for not putting forward their policy in the Speech, or for not having a policy, why did not the Opposition state their policy? It was not for the Opposition to lay a detailed policy before the House. They had a policy, and it was sufficient that they stated its general principles. But it was for the Ministry not only to give the general principles of their policy, but to give details. The Opposition had a policy which they were ready to lay before the country, at the proper time; but, if they should go into details now, the present Government would steal it! As he said before, the land question was the question for Queensland; it was the one upon which the present battle was fought against the Ministry and their squatting friends;—it was the question to be decided by the division which must take place at the close of this debate. If the Ministry were defeated on this occasion it meant liberty for thousands of people to settle on the lands; it meant a large immigration; it meant increasing prosperity for the colony, the development of her commerce, the enlargement of her cities;—in a word, it meant civilisation for Queensland. If, on the contrary, the Government obtained the victory, it did not mean that they would be able to retain those runs which they guarded so jealously; it meant, simply, that this battle which had been fought during the last three years in the Legislature, was likely to be continued for the next five years. No man could imagine that this battle would be abandoned. The land was not the property of any particular class, but it must be held or disposed of for the benefit of the whole community. He (Mr. King) submitted that the continuance of the struggle would be productive of much mischief. As long as it remained for the House to settle, there could be no doubt that a violent party spirit must exist; and so long as that existed, there could be no calm discussion of other interesting topics. Session after session would be taken up, as the sessions had been before, in party fighting, in endeavoring to wring from the present dominant party those measures which they professed to be in favor of, but which they had not dared to introduce or give effect to. He hoped that the result of the division, to-night, would avoid all that trouble and difficulty, and that it would be the settlement of the land question upon a fair basis. He was not going to enunciate the details of a policy. As he had observed, it was enough that the Opposition should enunciate

the general principles of their policy. When he said that, he meant that he considered that the land should be thrown open for the benefit of all. It was not for him to point out the means by which those who might be displaced or disturbed should be dealt with, or by which the claims of those who had expended money upon the land might be met, without injustice. The land question was the one which had been the occasion of all the disputes of which the House had heard so much. All who wished to see it settled, to-night, ought to vote for the amendment; and those honorable members who were anxious to see legislation carried on calmly and smoothly in the House, should, at once, resolve to do everything in their power for the settlement of that question which had knocked on the head all legislation for three years, and which would continue to be an obstruction if not removed.

Mr. GROOM said that as he would not like to give a silent vote on this question as it now stood before the House, he would briefly endeavor to justify the course he was about to take respecting it. In the first place, he dissented altogether from the opinion expressed by the honorable the Attorney-General, that the speech of the honorable member for Ipswich was a weak one; but if it was so, the speech of the honorable gentleman was also a weak one. The honorable gentleman seemed to lay great stress—a degree of stress more than ordinary—on the observations that were made by the honorable member for Ipswich on the Elections Act of 1872. Now, perhaps the honorable gentleman was hardly aware that country members had had experience of the working of the Act. While the honorable gentleman was travelling in the South, and enjoying himself at the country's expense—other barristers being employed to do his work during his absence—

THE ATTORNEY-GENERAL: What the honorable member had stated was not in accordance with fact.

Mr. GROOM: He believed the honorable gentleman drew his salary all the time he was away, and that other barristers were employed and paid for conducting the law business of the Crown during his absence. He believed that the country had never before witnessed such a state of things as existed during the first three months of the present year, when the whole government of the country was left solely in the charge of one Minister, while all the others were away enjoying themselves. It used to be said by Sir R. Mackenzie, that Ministers spent the recess in hobnobbing down the Bay; but now it seemed that they generally spent it hobnobbing in the South. But to return to the question before the House, there could be no doubt that the Elections Act of 1872 was practically a disfranchising Act, and that hundreds of the electors throughout the

colony had been disfranchised under it; and so careful were the Government as to the period of registration, that if a man failed to have his name inserted on the roll on the 31st of March, it was wholly impossible for him to do so afterwards; because telegrams were sent to the various clerks of petty sessions informing them that not a single application for the insertion of a name on the roll was to be received after that date. He believed that what he now stated was perfectly correct, though he spoke subject to correction on the point. Now, there were hundreds of applications made after that date, and they could not be made before it because the applicants required to make declarations before a magistrate, and when they went in search of a magistrate, they could not find one to receive their declarations. In New South Wales quite the opposite course was pursued from that which obtained here of having the names of voters placed upon the roll. In that colony officers were sent round, and that to within a few miles of the borders, to collect the names of all those who were entitled to have their names placed upon the electoral roll, so that the electors were saved all personal trouble in the matter. But in this colony, even when the electors were desirous of complying with the requirements of the Act, they were, as he had already said, in hundreds of cases unable to get their names placed upon the roll, because they could not find a magistrate to receive their applications; and not only that, but, as he believed, some magistrates, when they were found, made it a practice to ask the applicants as to what political party they belonged—whether they belonged to the Opposition or to the Government side, and if they stated that they were supporters of the Opposition, then, in such cases, the magistrate would not receive the declarations. In those and various other ways hundreds and thousands of people had been disfranchised under this Act. He believed that in Victoria, from which the Act was chiefly copied, there was a strong agitation going on for the repeal of the Act in that colony on the ground that it had been found to operate injuriously by the disfranchisement of thousands of electors. In one district alone in Victoria, he believed, the number of electors was four thousand fewer than it was formerly. He believed the best course for them to pursue would be the one the honorable member for Ipswich, Mr. Macalister, had said should be adopted—that a short amending Act should be brought forward, doing away altogether with the declaration and the voter's right. As to the land question, the Attorney-General was, no doubt, correct in stating that so long as the lands of the colony remained open for alienation the land question would continue to be an eyesore with all who took any interest in political questions. But the cause of complaint at the present time was not so much with respect to the quantity of land now open for selection, but because of some persons being allowed to

take up enormous areas for their own use, and the means that were employed to obtain it. He had no doubt that the Minister for Lands was as fond of popularity as anyone else, and it seemed to him that the honorable gentleman was somewhat pandering to popularity in the course he had pursued in respect to the case of Mr. Davenport. But he could assure the honorable gentleman that he was not securing any share of popularity to himself at all by it; and that, on the contrary, he was producing a very strong feeling in the public mind in favor of Mr. Davenport. If the honorable Minister for Lands had wished to attack dummying—if that had really been his sole object in taking the course he had taken against Mr. Davenport, or if he had wished to do so for the purpose of obtaining popularity, he could have selected several other persons who had carried on dummying to a greater extent than Mr. Davenport had done, if he had dummied at all, and that in a far more brazen-faced manner.

THE SECRETARY FOR PUBLIC LANDS: Name.

MR. GROOM: Well, if the honorable gentleman would search the records of his office he would no doubt be able to find the names.

THE SECRETARY FOR PUBLIC LANDS: In searching the records they found but one.

MR. GROOM said he thought that anyone who had been three years at the head of the Lands Department must have been able to find out who had taken up lands on the Darling Downs under the dummying system; and a plan which he held in his hand showed some of the lands on the Downs which had been obtained from the Government by the dummying process.

THE SECRETARY FOR PUBLIC LANDS: By whom?

MR. GROOM: Here were names by the dozen, and if the honorable gentleman wished to examine the plan he could have it. He did not suppose, however, that the honorable gentleman would find the name of his honorable colleague in the Ministry, Mr. Ramsay, included in the list.

MR. RAMSAY: No, nor in any other list of the kind.

MR. GROOM: He was very glad to hear it; but he could assure the honorable gentleman that it was more than what he got credit for out of doors, and he could tell him that out of doors he was charged with getting lands in the same way as Mr. Davenport got his. In the list he had handed to the honorable the Minister for Lands he would see the names of some notorious dummies, who had got six hundred and forty acres in one place and another, and he would not be at all astonished to find that in many cases they did not know where some of the lands were situated. Now, in Mr. Davenport they had, at any rate, a man of capital and enterprise, and one who, if he had dummied, had on the other hand given employment to a very large number of men; and if he had

been a small dummy, it had been to keep a larger dummy out; and if he had got his lands by dummying, he was turning them now to a good purpose. Why Mr. Davenport should have been singled out for prosecution at the present time, he could not possibly understand; and, as the honorable member for Wide Bay had pointed out, the country and the House had a right to know by whose authority those deeds were prepared, and who was the delinquent in the Lands Office who issued the deeds contrary to the instructions of the honorable the Minister for Lands; for the honorable gentleman had stated in his affidavit that he had given instructions that the deeds should not be prepared. The honorable the Colonial Treasurer also was not quite free from the charge of dummying.

The COLONIAL TREASURER: He was aware that some people out of doors said a great many things that were not correct. Could the honorable member inform him if it was said that the honorable the Premier was included in the dummying list?

Mr. GROOM: No, and he believed the honorable gentleman at the head of the Government was above anything like dummying; but some of his colleagues were not held to be free from the charge; and that they had, in order to get possession of some choice piece of land, taken means to obtain it which, under ordinary circumstances, they would not have resorted to. Now, he believed that the only way by which they could effectually check dummying on the Downs, would be to bring in a Bill for the appointment of a commissioner, whose duty it should be to travel over the Darling Downs and inquire as to the amount of dummying that had taken place, examine the holders of lands suspected of having been obtained by dummying, and find out the names of the persons who had acted as dummies. By pursuing such a course they might arrest dummying in the mean time, while the commissioner might be able through his inquiries to furnish the Government with such information as would form a basis for future legislation on the subject. In that way he thought it might be possible to put some check on the dummying system; but, at any rate, if honorable gentlemen intended to deal with the dummying question at all, he thought that some other course should be adopted than what had been taken in the case of Mr. Davenport, in whose behalf a strong feeling existed in the public mind at the present time; so much so, that Mr. Davenport might yet, and that very shortly, have a seat in the House, and thereby be in a position to defend himself. With respect to the forthcoming elections, he must honestly confess that, judging from what he saw going on himself under the new Elections Act, he was not disposed to trust the present Government with the management of the next general election. He knew himself some returning officers who had been gazetted by the present Government, who were at this moment canvassing for elec-

tion themselves, in the interest of the Government, and when the proper time came, when the rolls had been properly manipulated, they would no doubt resign and go in for their own election.

The COLONIAL SECRETARY: Name.

Mr. GROOM: What he now stated was perfectly correct, and when the proper time came he would have no hesitation in giving names, and of that the honorable the Colonial Secretary might rest fully assured. Now, with respect to the prosperity of the country, he should like to ask, what the Government had done towards promoting it in any way? What, he would like to know, had they done towards the discovery and development of the tin mines? Not only had they not done anything whatever, in either respect, but, on the contrary, they had done a very great deal against the development and prosperity of the tin mines. On the other hand, the Government of New South Wales had done a very great deal to promote the prosperity of the tin mines in that colony; but the Government of this colony could take no credit to themselves for the present prosperous state of the tin mines. The whole of the prosperity of the tin mines, and of the other industries throughout the colony generally, was owing entirely to the energy and enterprise of the people themselves. During the whole of the late long recess no effort whatever had been made by the Government to promote the prosperity of the colony, for during the greater portion of the time the several members of the Ministry had, from time to time, been absent from the colony, or otherwise enjoying themselves. It was perfectly true that this was a moribund Parliament, and it would, therefore, be unwise for the Government to go on with any important measures at the present time. But yet they had only this afternoon had notice given by the honorable the Colonial Secretary that he intended to bring forward the important question of education. Now, he maintained that this House in its present state was incompetent to deal with that question; and it ought, therefore, to be allowed to stand over to be dealt with by a future Parliament, and the more especially so in view of an early general election, when there would also be an increase of members to that House. The honorable the Attorney-General had said that the question of education was one that ought to be dealt with not as a party question; but, considering the various and strong religious differences that prevailed upon the subject, it was one which, he maintained, could not be dealt with without party spirit being awakened. But there was more to be considered with respect to the case of the rising generation than merely the matter of ordinary education. There was the question as to how the boys were to be employed after they had been educated. What steps had been taken to promote new industries by which employment would be provided for

the youth of the colony after they had grown up and had been educated? He believed that Victoria was the only colony in Australia where anything was being done by the Government towards the encouragement of new industries and the providing of employment for the rising generation; and Mr. Gilles, one of the members of the Ministry of Victoria, at a recent demonstration in connection with a foundry on one of the railway lines in the colony where a number of engines had been constructed for the Government, said that what excited his interest in the establishment more than anything else, was the fact that there were from forty to fifty boys employed in it in the making of engines and in other mechanical occupations. Mr. Davenport, of whom they had heard so much, had sent up a number of boys to be industriously employed on the lands which he had taken up. Now, he thought that the Government should also do something with the view of introducing new industries into the colony and providing employment for the rising generation. It was true that they had passed, during a former session, a Bill providing for the granting of bonuses for the establishment of certain new industries; but no steps had yet been taken by the Government to give effect to its provisions, and it was already a dead letter to such an extent that he believed if Mr. Daintree, their Agent-General in England, were asked if any encouragement would be given in the colony for the establishment of new industries, he would not be able to answer the question affirmatively, and to inform his audience that a Bill had been passed—the Encouragement of Native Industries Bill—providing bonuses for the establishment of cotton and woollen manufactories in the colony. He should consider it to be his duty to vote against the Ministry on this occasion, and he believed that in doing so he would be acting in accordance with the views of the constituency he had the honor to represent. Neither they nor the inhabitants of the tin mines had anything to thank the present Ministry for. The Government seemed to have made a “set” against Toowoomba, in many ways. He was told lately of an unfortunate “gin,” who was brought down by a policeman from Maryborough by steamer to Brisbane, and conveyed to Toowoomba, to be there imprisoned for a prolonged period. Now, he could not understand why Toowoomba should be made the receptacle for all the drunken women in the colony. As to the suspension of the criminal jurisdiction of the District Court of Roma, he thought it would have been as well that the Government had, at the same time, struck one or two of the magistrates off the roll. He believed that the verdict, in consequence of which the criminal jurisdiction of the District Court of Roma was suspended, was given by the jury, not so much from any feeling of sympathy with the prisoner as to mark their disapproval of the unusual and

harsh conduct of the magistrates in not admitting the prisoner to bail when he was first brought up. He believed the verdict was given to express the feeling of the jury against the persecution to which they considered the man had been subjected. He would now conclude his observations by stating that it was his intention to vote for the amendment proposed by the honorable member for Ipswich.

After a lengthened pause,

THE SECRETARY FOR PUBLIC LANDS rose and said, that any hesitation on his part to address the House at once did not arise from any fear of not being able to answer the mass of charges which had been brought against the Government, and for which he might state he was somewhat prepared; but he must confess that he did feel some difficulty in meeting the various speeches that had been made, because no substantial point had been taken up to which he might address himself. True, there had been a combined attack made upon the Government, but it was conducted somewhat on the principle of a guerilla warfare. The statements that had been made were so numerous and varied, and at the same time so conflicting in some respects, that it seemed to him almost an impossibility to ascertain what the views of the Opposition really were. He thought that the first charge he would have to meet was, that the Government had no policy. Well, it appeared to him that if that were the case, the Opposition had no policy either, and he was pretty well confirmed in that opinion by the speeches that had been made by honorable members opposite. The honorable member for Ipswich, Mr. Macalister, who introduced the amendment, did so in a speech that was particularly moderate in its tone. Now that might have been owing to many reasons; but, for whatever reason, the honorable member might take credit to himself for the exercise of great discretion in the way he had brought forward the amendment; for it was almost impossible, with any degree of confidence, to make charges at the outset of a session, because the honorable member making them could not be aware of what amount of evidence there might be to meet them; and the honorable member was too old a campaigner to allow himself to be caught in any trap of that kind. Although it had been the practice to meet the Government at the commencement of the session with a vote of want of confidence, the practice was one, he thought, that did not tend to good government, or to the satisfactory settlement of party questions, or the allaying of party feeling. A vote of want of confidence was brought forward for a trial of strength, founded merely on the little bickerings which had taken place during the recess, or because of some real or fancied slight that some honorable members might suppose they had received at the hands of the Government. Then, again, there were some honorable mem-

bers who supported such a motion because they considered they had been long enough out in the cold; and that as they could get nothing out of the Government, it was high time they should be turned out of office, and replaced by members belonging to their own side of the House. But there were also others who would not support any policy or any Government of which they themselves were not members. Now, all that showed it was a very unsatisfactory thing in a public point of view, and having regard to the business of the country, that the Government should be attacked in this way at the commencement of the session, before they had an opportunity of stating to the House what it was their intention to do, and thereby enabling the House and the country to judge of what was to be their policy. The honorable member who introduced the amendment stated that the Government had no policy. Now, he thought that if there ever was a Government in this colony pregnant of policy, it had been this Government. Certainly they had not been prodigal of promises. They had been asked to make promises, but they did not make many, and so there were the fewer to be broken. But they did what was much better—they performed; for, he maintained, the present Government had passed more liberal measures, both in number and character, than any previous Government in this colony had done. They had succeeded in settling more people proportionately on the lands of the colony, than any other Government had done; and, he ventured to say, that they had passed through a more trying time, and had come out better than any of their predecessors. Whether that was solely to be attributed to the course the Government had pursued or not, he would not presume to say; but this much the Government could, at any rate, say, that they had kept the machine going, and that it was now in good working order, and effecting the object for which it was intended, the promotion of the general prosperity of the entire community. Now, it must be remembered that absolute perfection was not to be found in any Government, and ought not to be expected, for the power of a Government was limited, and the power of an Opposition was limited. He must say that he thought the Government had effected as much good for the country as any Government that had been before them; and he thought that no one member of the present Ministry would, as regarded the public welfare, see any cause to look back with regret upon those years during which they had remained in office. The stand they had taken on some occasions had been approved of by the highest authority, as well as by the neighboring colonies; and he believed they possessed the approbation of the whole of the colony. On the Education question one or two honorable members had said that in its consideration it must become a party question. Well, very recently it was made a party

question in England, and what was the result? Why, that it had to be changed from a party question, and brought in not as a party question. Then as to the Irish Universities Bill, that measure was treated as a party question, and resulted in the defeat of the Gladstone Ministry. Now, having such high precedent before them, and of such recent date, the Government, he maintained, was fully justified in adopting the course they proposed taking, in respect to the Education Bill, and bringing it forward to be dealt with by the House not as a party question. As they had responsible Government, and universal suffrage, and if they were to continue to have them, they must adopt a policy in the matter of education that would secure that the whole body of the rising generation would be fairly educated, so that they might guard against the one part of the future inhabitants of the colony—those reared in the colony—being ignorantly led by the other part. To his own mind, it followed as a necessary corollary, that where they had responsible Government, they must also educate all classes of the community. If the people of the future were to possess the power of ruling themselves, they must fit them for it by providing for them the means of obtaining an ample education. Viewed in that aspect, the question of education at the present time became eminently a political one, but at the same time, it did not necessarily follow that it should be brought within the arena of political warfare. But one honorable member, in addressing the House from the Opposition side, had asserted that the great question that would have to be dealt with during the present session would be the land question. Well, for his own part, he hoped that while the education question was under consideration, they would hear nothing at all about the land question. The honorable member who moved the amendment, referring to what took place in a previous session, said it was an impolitic thing to announce a reduction of taxation.

Mr. MACALISTER said he wished to correct the honorable member. What he said was that it was not a correct practice to announce the amount of a proposed reduction of taxation.

The SECRETARY FOR PUBLIC LANDS: Well, he maintained that it was a perfectly correct practice, when it was intended to reduce the burden of taxation, though it would not be so when it was intended to increase taxation. And, that was not only his own opinion, but it was the opinion of the Premier of New South Wales, as shown on the occasion when he announced that it was the intention of the Government to abolish the whole of the *ad valorem* duties. Now, as to the charge against the Government of having had frequent recourse to the law courts for the settlement of disputes, the fault, if any, did not arise out of the conduct of the present Government. It was not their fault, but it was their misfortune. The Government

did not wish to go to law, but it had been forced upon them to do so from time to time, on account of questions, in some instances arising out of the administration of their predecessors. The whole tendency of the law in modern times had been to enable questions to be easily tested in the Supreme Court. Now several questions had arisen during the time the present Government had held office, which could only be properly tested before the Supreme Court. One of those was as to whether lands held under the Act passed, on insolvency, to the Official Assignee, as in the case of other property. But that was not the only question on which the Government was forced into the Supreme Court. There was another case, in which the Government were required to issue certain deeds of grant, but they refused to do so. The case was defended by the Government, and on arriving at a certain stage it was not further proceeded with.

MR. MACALISTER: Who paid the costs?

THE SECRETARY FOR PUBLIC LANDS: The parties paid the costs. He now came to the question of the new Land Bill, and he must here state that this was the first time he had heard that there was to be a new Land Bill this session. The statement which had been made by the honorable member opposite was the first note of warning they had had of the intention on the part of any one to introduce a new Land Bill this session; and he ventured to assert that if it should be brought out in the way it was intended, no more dummying would be likely to take place, for land would be given to every one who wished for it. Now, that might have been a very good principle to have started with, but he hoped they were not to go back to the five shilling an acre system. He must confess that he could not conceive of anything that could possibly be more hostile or injurious to the welfare of the colony than a continual tinkering with their land laws. For his own part, he had thought that the last Act that was passed by the House would have settled the question for some years to come. Though the existing laws were in some instances difficult of interpretation, and that, perhaps, from being somewhat defective, yet by the firmness which the Government had manifested, and aided by the decisions of the courts of law, the difficulties that existed were being gradually removed, and many people were beginning to understand what they required to do in order to be able to settle upon the land; and from that circumstance the Act was now found to work satisfactorily by those who really desired to settle on the land. As to there being difficulties in the working of some of the Acts that had been passed, that was nothing new, either in this colony or elsewhere. Even in Acts that were passed by the British Parliament they would find that difficulties existed; and on their being discovered in the working out of the Acts, Bills for their amendment, and for the removal of those difficulties had

to be passed in subsequent sessions. Those difficulties, he thought, greatly arose in consequence of the way in which legislation was carried out; and from the way in which Bills were brought in and passed through committee. Now, he must say, that if ever any Act bore traces of the difficulties of the way in which it was brought into existence, it was the Land Act of 1868; but in course of time, and as they gained experience, all those difficulties would vanish. The dummying that had taken place under the Act of 1868 had been very little indeed. He had himself stopped some attempts at dummying under it, and others might yet come to his knowledge, and if so, he would take the opportunity of stopping them. Under the Act of 1868, persons applying for land were required to make a solemn declaration, and as the making of such declarations falsely was attended with penal consequences, people were not in a hurry in making them, but were very careful as to what they were about. The most of the dummying that had taken place occurred under the Act of 1866; and there could be no question that a great deal of dummying took place under that Act. It was the Government that was in office at the time when those dummying practices were commenced, that was to blame for not stopping them as soon as they came to their knowledge, by refusing to receive any more rents. But when he came into office he found that the dummying system had been allowed to go on so far, that it was not open to him to resort to that course in order to put a stop to it. Dummying, from the very nature of it, was necessarily a somewhat secret proceeding at the beginning, and it was not until it was to some extent worked out that the Government could become aware of what was intended by the parties; and it was only when they came to see what was intended that the Government could take steps to put a stop to its further progress; and that was what the present Government had endeavored to do. The honorable member for Ipswich, Mr. Macalister, had said that he hoped the time would come when land could be taken up without difficulty or danger. Now, he would ask the honorable member, what he meant by that? For his own part he did not see that any difficulty or danger existed, to the taking up of land at the present time. Occasionally some man wanted something he could not get—some water reserve that was required for general purposes: well, perhaps he could not get it, and then imagined that he had been treated badly; but those instances were very few. He at any rate would be totally opposed to any alteration of the law by which the Act of 1868 would be abolished, or the Act of last session. Now with regard to his having made charges of fraud against a certain gentleman, there was certainly some little misconception. An affidavit had been made by him, but it was one which could be made by anybody—it did not charge legal

fraud, and gentlemen who understood the law would know the difference between moral fraud and legal fraud. In the instance referred to, the fraud implied was a breach of an Act of Parliament—with a fraudulent acquisition of land. Now to show that he was justified in making that charge he would state the facts, and ask honorable members to follow him in so doing. If the land was not acquired by scheming, why was it necessary that some hundred and twenty persons should apply for it? Why should it have passed through three or four, and in some instances six hands? Why should a great number of the applications have been signed under power of attorney? Other things would perfectly have justified him in making such a charge, if the notorious fact had not been before him that there had been dummying. He would tell the House that he should never shrink from what he considered his duty, however disagreeable that duty might be. It might perhaps have been the best policy for him to have smoothed those things over, but his policy had always been to meet things full in the face. Now, he had been asked about a persecuted individual, Mr. Davenport—"persecuted" was the term used by an honorable member—who stated that the Government had persecuted him, but it was only right for him to say that Mr. Davenport did not consider himself persecuted at all; on the contrary, that gentleman had boasted that he would force his titles through the court. In fact, he had set the Government at defiance, and not the Government him; and was it because he was a large employer of labor and a capitalist, and had spent a great deal of money, that the Government were to let him pass, and then stop others? If that was the case, it would be better at once that some one took his (the Secretary for Lands') place, inasmuch as he would know nobody in office, and if one of his honorable colleagues went to him in the same way, he should keep him back. That led him to a statement which had appeared in one of the newspapers, that whilst he had refused one person his deeds he had given them to another, but he could not find that such had been the case, and he could not find that he had issued other deeds that he was not satisfied with; nor had he had numerous applications. That again arose from charges being made against him before the official returns were known to honorable members. Those returns had been laid on the table that evening, and had honorable members had an opportunity of looking at them, a great deal of talk would have been saved. He did not consider any one had a right to say that the Government had persecuted any person. If Mr. Davenport had capital, and chose to set himself against the Government in the manner he had done, it did not matter to him whether he was in office or not; he should always take the stand he had always done, that no grants under the Act of 1866 should go

out of the office. He thought well of Mr. Davenport, and should be sorry if that gentleman considered he persecuted him; but if he thought he was going to force titles through the court, he would certainly oppose him. It was a very different thing when a Government had to appear in a court as defendants, which was the position of the Government now; in fact he had made up his mind on taking office, that it was impossible for the Government to succeed as plaintiffs in any dummying case. The matter, however, was simply as follows, and he might preface it by saying, that in the best regulated machinery there would sometimes be found a break-down—machinery by the most eminent engineers would sometimes break down, as there would be mistakes in the plans of the most skilful generals. He recollected reading a short time ago that General Von Moltke, in speaking of the success of the Germans, said that they only succeeded because their mistakes were fewer than the French—not that they made no mistakes, but because the French made more. It might be said that if his officers made mistakes he was bound to dismiss them, but in that case he might have to dismiss all. Some of those gentlemen had been in the office for years, and were acquainted with every detail of the department, and therefore, unless the case was very urgent, no Government would be strong enough to dismiss them all. In regard to the deeds in question, he might at once state that they were passed through by a mistake of one of the officers, owing to a press of business; it was at the time of the mineral rush; the Governor was going away for some time, and in fact everything made it necessary that business should be done with great expedition. The officer referred to signed a letter he had no right to sign, and things were sent up to the Governor which should not have gone. Being appointed under the Civil Service Act, the officer, who was suspended for making the mistake, was entitled to have his case investigated by a board of enquiry, and the result was, that the board acquitted him of any blame; and as they thought it was one of those mistakes which were always liable to happen, they did not think he should be punished. He was perfectly aware that mistakes occurred every day in ordinary business, and he did not consider, after the decision of the board, that he should do anything to the gentleman in question, who really was a most efficient officer. He need not say that, of course, the gentleman would never be permitted to make such a mistake again. When he found that the deeds had been rushed through in such a manner, it was his duty to go to the courts of law and stop what at first blush appeared to him to have been an unwarranted issue of deeds. He had found considerable difficulty in sustaining his position, and the lawyers also found great difficulty from the fact that the Government were bound to accept the

position of plaintiff; but in the other cases which were being brought against the Government, the Government stood on the defence. All he could say was, that if the parties could get their titles they would certainly earn them, because the trouble they had taken over the matter must be something enormous, or if they had not trouble they had something else; but that did not now matter. As to his persecuting anybody, it was entirely a misconception. There was one great thing—that his greatest political enemy was the man he was supposed to have favored most—a gentleman who even declined to see him on business, not only private but official business. He was a bitter political enemy, but still he had to do for him what he would do for a brother; and it was no fault of his if that person chose to look upon him as an enemy. With regard to the imputation cast upon him by the honorable member for Toowoomba, all he could say was, that it must be incorrect, as he knew some of the names mentioned to be perfectly correct—one man he had met buying cattle in the neighborhood of Woogaroo; and another told him, when he could not possibly have known anything about it, that he intended to make his home in the colony, and that man he believed was on the land in question. Others made applications to him, and produced so many proofs of their genuineness, that he had to give them their titles. He was not supposed to know what went on privately between people, and it was possible that there were some dummy cases; but he was sure there were very few, and that very few were attempted. It would be almost impossible to stop dummying under the Act of 1868, for where persons had the hardihood to attempt it, they had the hardihood to conceal it; in fact it would be impossible for any Government to discover it. He should, perhaps, explain how the titles passed through. The Act of 1866 was placed under the administration of the Surveyor-General, by virtue of a power contained in the Act itself, and the practice had always been for the money to be paid into the Treasury, and the deeds issued on the strength of a Treasury warrant. When he became aware of that practice, which was perfectly correct in itself, and free from any objection except dummying, the grants would go up to the Governor for signature. He might mention that the Act of 1868 threw the entire responsibility upon the Minister, but the other did not, and unless there was something peculiar about the applications to make them attract special attention, they went through as a matter of course. Knowing, however, certain transactions which had come to light, he had given instructions to the Under Secretary to stop the issue of all deeds under the Act of 1866, and that gentleman thought he had made arrangements for doing so. But what happened? It appeared that the chief clerk was told by the Under Secretary that, owing to the great

rush of business in the department in consequence of the mineral applications, it would be necessary for him to take more responsibility than he had hitherto done in the management of the department, and thus allow the Secretary more time to attend to the press of business. Well, during the time the chief clerk was occupying that position, he took upon himself to sign a letter passing certain deeds—a duty which, up to that time, had always been done by the Under Secretary alone. Those very grants the Under Secretary had taken to him (the Secretary for Lands) for his authority to stop, which authority was given; and then it was that the Under Secretary afterwards discovered that they had been passed through. The explanation made by the chief clerk was that he had only received instructions to stop special deeds, and that he did not conceive the deeds under the Act of 1866 to be special—he thought that the Lands Office had nothing to do with them, but that they were under the charge of the Survey Office. The chief clerk was, as he had before mentioned, suspended, but the board of inquiry acquitted him of any blame, as they thought there had been a hitch in the machinery of the department; and he did not feel inclined to quarrel with the report and dismiss the officer—although it would have been quite competent in him to have done so—especially as they recommended that he should be reinstated in his office; at any rate, the recommendation amounted to that. It would not be out of place if, as they were now dealing with the subject, he was to read the report of the board. It was:—

“We are of opinion, with reference to the issue of certain deeds of grant for lands held under the Leasing Act of 1866, which gave rise to the following enquiry, that the policy or intention of the Government with regard to the so-called dummying selections was fully understood and discussed by the Minister for Lands and the Under Secretary, and was, to a certain extent, communicated to the Surveyor-General; but it does not appear to us that any other officer of either the Lands or the Survey Department had any such knowledge, direct or otherwise.

“From frequent communications with the Chief Clerk upon matters connected with the Crown Lands business generally, it appears to have been assumed by the Under Secretary, and doubtless upon what he considered sufficient grounds, that the policy of the Government with regard to lands obtained under the Leasing Act of 1866 was understood by Mr. Geary, and that the deeds of grant for such lands would consequently be specially referred to himself before they were allowed to leave the office.

“Although, however, we are of opinion that special instructions were issued with regard to lands obtained under the conditional purchase clauses of the Crown Lands Alienation Act of 1868, we are satisfied that no such instructions were issued to Mr. Geary or others, as to the manner in which grants under the Act of 1866 were to be dealt with; and, in the absence of

instructions to the contrary, these grants appear to have been treated, both in the Ministerial and Survey Departments, as ordinary deeds requiring no special reference.

"We are, therefore, of opinion that so much of the charges preferred against Mr. Geary as relates to the issue of deeds of grant under the Act of 1866, in violation of instructions, has not been substantiated. And we are further of opinion that the deeds especially referred to in these charges were issued in good faith, in the ordinary course of business, and without undue outside pressure of any kind whatever.

"The remaining portion of the charges submitted to us for investigation are of a less serious character than the foregoing, and have also, in our opinion, speaking generally, not been substantiated; and we feel it just to Mr. Geary to add that nothing has transpired during the course of this enquiry to lead us to believe that he has in any way disqualified himself to hold the office of Chief Clerk in the Department to which he belongs.

"We beg to append the evidence taken by us in the matter, together with the several other papers relating to the enquiry.

(Signed) "H. H. MASSIE,
"WM. L. G. DREW,
"JOHN McDONNELL."

Whether the report was justified or not, was not now the question. Of course the Under-Secretary was as much disgusted and annoyed as he (the Secretary for Lands) was, and he did not feel inclined to put the blame on that gentleman's shoulders. It was often a question as to where the blame was to be put, unless the military law was adopted of making some person suffer for every error, which was hardly required in the management of the Lands Office. It really was difficult to put the blame any where; it was a question of mistake, and one for which he could not consider the Under Secretary was to blame. It had been stated that three actions had been brought against Mr. Davenport, but such was not the case, they had merely put on three *caveats*, which that gentleman was going to put aside in a most summary manner; nor was it the intention of the Government in any case unnecessarily to oppress any one. All they wanted was a satisfactory settlement of the question, and, therefore, he was bound to do all he could against Mr. Davenport, and whether he took it kindly or unkindly was a matter of no consequence to him; and whether that gentleman would sit on one side of the House or the other, was equally a matter of very little consequence to him. Mr. Davenport certainly had a right to a seat in that House, for there had never yet been an election on the Downs when it had not been said, "Mr. Davenport is coming forward, you had better look out." After all, however, Mr. Davenport was not such an ogre, and he believed that, if elected, he would be a very useful member to the country. That, however, was beside the question. Any pressure brought upon him to forego the action he had taken would not induce him to change one

bit; nor would any of the slanderous statements that were made in the newspapers. Whatever the consequences might be, he would have the satisfaction of knowing that he had done what was right. It would always be satisfactory to himself, for had he acted otherwise he would know that he was doing wrong. He did not think he was standing in a very good position in addressing the House at that time when only one or two honorable members had spoken, unless indeed all the charges had been made that were to be made; but those which had been made were very contradictory, and the insinuations against him had been of a character which any one who knew him would perceive at once to be most false and ridiculous—insinuations which, if true, would make him an idiot into the bargain, for the action he had taken would not have the effect of making friends; nor would it, he expected, increase his popularity, which was not founded upon any special appeals; but, if he had any, it was founded upon the experience of those who had known him for the last fifteen years, and who knew the part he had taken in public matters. Many persons had said to him, "Why on earth let these matters come forward? they tell against your department." He considered, however, that that was the very reason why he should adopt the course he had done, as the public had a right to have every information as to what was going on. He had taken the very earliest opportunity of laying the papers relating to those matters on the table, and if, after perusing them, honorable members thought he was to blame, let them think so. He had not entered political life without knowing that it was necessary to have a certain amount of hard skin, and although, when a leading article in a newspaper appeared full of lies against himself he might feel annoyed, it was only for a few minutes. In fact, he knew it was rather a compliment to be attacked, and although those things might sting for the time, they could not change the course a man laid down for himself, with the firm belief that it was right; and if his feelings ran to obstinacy, it was a fault on the right side, and he would not step out of the right course for any person. He had been glad to have an opportunity of saying his say and defending himself, for he had felt for some time past that his own friends even, did not know how matters stood, and that it was necessary that he should at some time make a clean breast of the whole. Nor did he think that any of his supporters should be annoyed at the stand he had taken, because if they got fair dealing, it was all they could expect—that was all he should ask from any colleagues, and if his colleagues and his supporters thought that what he had done was from a conviction of right, they could not blame him. He might say that he had had the most cordial support of all with whom he was connected; there might be

grumblers, but then there always were grumblers at anything done by the Government. In short, if he could not go on straightforwardly and openly, he must give in. Another complaint which had been made by the honorable member for Ipswich was that no mention of the gold fields was made in the Speech. Now, he could not understand the objection, that there was no mention of this or that. The Government had mentioned the general state of prosperity of the colony and of the gold fields, and it did not make the matter one whit the better or worse to omit those things. Honorable members did not need to be told that mining was prosperous, and the Government were not going to fill the Speech with laudation of themselves—it was full enough as it was; it had been drawn as mildly as possible, and yet it sounded as if they were boasting. He believed that the gold fields were prosperous, and that the miners, as a rule, were satisfied with things as they were. Of course, occasional complaints would be made about a particular lease, or something of that kind, but they were very few; and if honorable members referred to New South Wales, they would find that in that colony there were a great many more. This colony stood a very fair comparison with that colony in regard to the administration of the gold fields, and also with the colony of Victoria, where not much was said, as things had settled down. Then, as to lawsuits; why, in New South Wales the Government were in the law courts constantly, and on the very question of the land. In fact, no government could avoid it; and if a government must be assured that they were right before they went into court, why then no one could succeed against them. But if there was any one thing more uncertain than another, it was law; no one could know what the result of a case would be: there was no case so bad that it could not be won, and none so good that it could not be lost. Many an action was brought, not so much to win a case, but to assert a principle; and if the only principle he had in view was accomplished, that those deeds should be kept back until decided in a court of law, he would be quite satisfied. He believed his object could be worked out, and he believed that it would be unwise to alienate lands unless there was a condition annexed. The cases taken into the law courts were no persecution; he could assure honorable members of that. In regard to the homestead selections, he believed it had been said that the very fact of their having been taken up so rapidly, proved the necessity of opening up more land; but he could assure the honorable member that that question had not escaped attention, but that there were resumptions of land going on every day, and there were also other modes of settlement. There was no fear of the homestead clauses being taken advantage of by persons not entitled to them, as actual residence was necessary, and improvements were

also necessary; so that, in fact, the man who complied with those requirements earned his homestead, as it supplied a man with a home for a long time, and improved the land; so that any dummyping under the Homestead Act was very harmless indeed. Honorable members might not, perhaps, be aware that the Government were continually forfeiting homesteads, taken up by speculators, where the conditions were not complied with. It had been rumored that it was intended to take advantage of the Homestead Act for large operations; but he had found that out, and although a gentleman had threatened first to have him turned out of office, and afterwards to have the Government put out, still he stuck to the precautions he had taken, and there the Government were in that House yet, as they were likely to be for another three years. When that gentleman lost his temper and pitched into him, he felt confident that what he had done was right, for he had always found that if certain people opposed him, he could be sure he was on the right track—that was the way he met that gentleman's opposition. Now, the honorable member for Wide Bay made some of those flying shots which were so hard to answer; he said that the Government were being kept in office by means of the Loan Acts they had passed. How the honorable member could say that, he could not understand, as there had not been a general election since the Loan Acts were passed. The honorable member also said that the Government were not in favor of allowing land to be taken up for grazing areas; but if the honorable gentleman looked at the map on the table, he would see that the greater portion of the land now being alienated, was first and second class pastoral, which was being selected in large quantities, by men with moderate capital, for grazing farms—that was not only the case on the Darling Downs and in East and West Moreton, but also in the North, where small farmers took up salt-bush country, and settled down with a few hundred head of cattle. That had been going on every day, and there had particularly been a great rush to the Upper Brisbane for grazing farms, which arose in this way. Men went up some time ago to search for copper selections; but not finding any to suit them, and seeing that there was good grazing land, they came down and took it up. Those people, he believed, who had a small number of cattle, would also go into a small amount of cultivation—as much as would suit and pay them—and thus the country would be covered with a good population—not a cattle-stealing population. A great many of those new settlers were retired military officers and others, who would take care of the education of their children—the poor man the same as those better off; and when there was compulsory education, which he hoped to see the law of the land before long, there would be no fear of those people lapsing into a state of ignorance. He would now refer to the rail-

way system, with which, by the way, he had very little to do, it not being in his department. He must say that he most cordially approved of the plan of having small contractors, which he believed to be a thoroughly correct system. The plan of not employing large contractors had, at all events, one great advantage, namely, that it did away with gigantic lawsuits, or arbitrations, which were worse. Nearly all the large contracts had ended in either one or the other, and the Government almost invariably lost the arbitrations. In fact, there was nothing so liable to jobbery and miscarriage of justice as proceedings by arbitration, as parties were not trained to arbitration or anything. Each arbitrator went with a free determination in favor of his friend, and they appointed an umpire who tossed up to see which way he should decide. Under the large railway contracts, there were arbitrations, but they would be got rid of by having small contracts; small capitalists would also be encouraged and enriched, instead of one large man being allowed to carry away sixty or eighty thousand pounds. Some persons were under the impression that the Government had been employing day work, but it was nothing of the kind. The engineer went out and let the work in piece-work—in such quantities as were within the reach of ordinary working men. He thus had a better supervision and check over them. It was more satisfactory in regard to the supervision; it was more satisfactory, as the Government knew how the money was spent, and was more satisfactory in every possible way. The advantage, formerly, of having large contractors was, that they could command the capital to supply the plant—that was the only ground upon which they were employed; but now, where a working man had not plant, the Government made it and supplied it to him. Honorable members might say that that was bribery and corruption; but if it was, all he could say was that the Government were proud of it, because it was the kind of bribery and corruption which would make every honest man in the country say it was the right thing to do, and accord the Government his support. That was the means the Government had of seeking popularity and that support of the country which he had no doubt they would have for years to come as they had at the present time, and that notwithstanding they did not subsidise newspapers, had no Government organ, and only one paper in their favor. Their game had been an up-hill game, but what they had done was to bribe the colonists by good works—that was the bribery and corruption of which they had been guilty, and of which they were proud. As to bribery, in its ordinary acceptation, it had not existed, and he defied the proof of any tampering with public officers or with electoral rolls; in fact, the very system of declarations, which some honorable members viewed as a hardship, would prevent tampering

—would prevent the names of dead men being placed on the rolls. Where was the hardship? The only one was that a man must not make a false declaration; on the other hand, it gave a man *prima facie* evidence that he had a right to vote, and after he had made the solemn declaration he was sure of that right. He would never vote for the abolition of the declaration system, and he would deny that it had ever had the effect of disfranchising any person. It might have disfranchised a number of dead men, and it might have disfranchised absentees and persons who had no existence in the colony. He knew of no way in which that Act had had a detrimental tendency; on the other hand, he knew that any man who wanted to get his name on the roll could do so.

MR. GROOM: No.

THE SECRETARY FOR PUBLIC LANDS: He did not agree with the honorable member, but it was a well known fact that it was very difficult to get some men to place their names on the roll under any circumstances.

MR. GROOM: They don't like the degradation.

THE SECRETARY FOR PUBLIC LANDS: He could not see where the degradation was in making a declaration—he certainly had not felt that it was a disgrace when he went to sign one. It might just as well be said that a man who wanted to take up land felt degraded in having to make a declaration. Then, again, the Government had been charged by the honorable member for Wide Bay with not making a railway to Mount Perry. Now, he could not see why they should have done so—there was no reason for such an undertaking at the present time, except for the convenience of a few persons; but at Peak Downs the case was different, as it was an old-established copper mine. A railway might have been made to Mount Perry if a certain private enterprise had been carried out; but it was needless for him to dwell further upon that, as it was no part of his department, and his honorable colleague, the Minister for Works, would no doubt reply to that charge. The honorable member went on to draw a picture—how, if the Government were not turned out, the land question would never be settled; but, if they were turned out, how it would be settled. Now, all that was beside the question—the honorable member had said he was not one to say that settlement meant the utilization of the land; but it was well known that the present Government had done more than any previous Government to promote, not only settlement, but the utilization of the land, and the honorable member had taken a great deal upon himself when he said he would do more. There was no difficulty in a man getting on the lands; if the honorable member thought there was, let him go and try. The honorable member had gone into the dummyming question, but he was as much in the dark upon that as upon any other.

He talked about persecution, also; but that was a mistake, as Mr. Davenport did not consider himself persecuted, but was quite capable of bouncing the Government. Then, the honorable member said something about a vessel in the law courts—and he must have referred to the recent Admiralty case; but the Government had nothing to do with those cases—they were instituted either by private persons or, as in the present instance, by officers in Her Majesty's navy, who got a share of the prize money. If honorable members would refer to England they would see that, there, each department had its own solicitor, and that the Government were continually engaged in lawsuits, with the view that they should take the law of the land.

MR. MILES: They generally abide by the decision of the courts.

THE SECRETARY FOR PUBLIC LANDS: That was a new question. Well, he did not know that he had not abided by the decision of the court hitherto, whatever he might do in future; in that he must be guided by his legal advisers, as he was not supposed to provide law for the department over which he presided. His honorable friend had been charged, that at the time he was in office in 1866 there was dummying, and that therefore he was to blame; but it did not follow that because there was dummying it should come to the knowledge of a Minister—he could not know of it unless some accident brought it under his notice—and he certainly objected to the present Government being mixed up with the errors of their predecessors. It was a common plan of the honorable member to hunt up the mistakes made by other Governments and put them down to the present; but although he (the Secretary for Lands) was quite willing to accept his own sins, he would not those of other persons. The honorable member, however, had so often done it that perhaps that was why he had now done it. Why should the present Government be mixed up with what had been done by Mr. Mackenzie or Mr. Macalister? They did not represent any section of the community in particular, but they represented all, and they would not be responsible for the errors of Mr. Mackenzie, or even Mr. Macalister, or in fact any other administration. The honorable member also asked why, after the result of the *Smith v. Tully* action, the Government had not taken other action? But he had already explained that the Government were averse to take the position of plaintiff, because if they stood on the defence their chance of success was much greater. He would never have thought of proceeding with those actions as plaintiff, and if the gentleman in question had not commenced an action against the Government he would have had to wait for some time without going to law. The little matter about the *caveat* had been twisted about in a variety of ways, but honorable members must not come to the conclusion that what they read in the

newspapers was right—was either law or common sense; if that was so the concern could not be carried on. In this colony, unfortunately, the press was at that low ebb that people did not care much for the opinions expressed by it. They might feel annoyed for a moment, but knowing that the writer was paid to write a particular article, the annoyance did not last. One man was paid to write this, and another that—not necessarily the policy of the paper—and so honorable members should not take leading articles and paragraphs without a grain of salt. They must not suppose that a man was persecuted because the newspapers said he was, or that he (the Secretary for Lands) had issued deeds of grant to persons, unless they could prove that he had done so. He thought the case of Mr. Geary would show that he had not done that. In regard to local industries, he did not know that the Government had done anything more than any other Government to foster them, except, as he said before, that they had employed the labor of the colony in doing the work of the colony; that they had not given their money to large contractors to import extensive plants, and to go away with large profits. An honorable member had said that the tin miners were not satisfied with the Government. The Government had supported the industry of the country on the tin mines. He (the Secretary for Lands) had information that the miners were very well satisfied, that they were delighted with the Government, and with what the Government had done. He did not know what else they could have done for the miners; they could not find tin for them; but, he was happy to say that the miners were finding it for themselves more extensively than ever. The Government had given them areas where they could; and he might say that when the tin discovery first broke out, the very first applicant was supplied with a special surveyor to go to the spot, so that he might develop that important industry without delay or obstruction. They had taken much pains that the discovery should have publicity, and that its development should be promoted in every way. He was happy to say that notwithstanding a temporary check tin-mining had suffered, renewed prosperity was dawning, and that tin was being discovered in large quantities, and in new places not before worked. He was not at all ashamed of what the Government had done, which compared very favorably with what had taken place on the other side of the border. He thought their administration contrasted in a remarkable manner with that witnessed in our immediate neighborhood. The Government had been charged with not spending money at Highfields. That was a matter of detail. Surely the honorable member who had made the charge was not going to vote against the Government because they had not spent £200! If that was the case, he (the Secretary for Lands) had as good a right

to vote against the Government as the honorable member, because they had not taken the railway where it would have suited his purpose, and where it might have benefited his pocket a few hundred pounds; but, instead, he had been placed at the disadvantage of having to go two miles to the railway from where he wanted it. But he would not, if in opposition, take a case like that as a justification for his voting against the Government. With the best of governments there would be small matters of difference, which could not be attended to at once. Honorable members did not take into account the enormous strides the colony had taken within the past few months. In all departments—he did not speak of the Lands', because the rush had been over some little time about mineral, he was speaking generally—this was noticeable. What had little things like that which the honorable member had complained of to do with the general policy of the Government? What right had it to be introduced in a debate upon a motion of want of confidence, or to be brought forward at all? Perhaps the honorable member was not so well informed, after all, as he thought;—he had not been in his own district for some time. The Government had made arrangements for the draining of the swamp at Toowoomba; and, at all events, the people of that town were very well satisfied with what had been done. The honorable member for Drayton and Toowoomba had a friend or two somewhere; but he must not trust them so much as he did. If he wanted information upon matters connected with the Government, he must ask the Government for it. He should not trust those who wrote the numerous letters which the honorable member said he received;—they must be something astonishing. He (the Secretary for Lands) was not a great letter writer, but he thought there was sufficient means open to the honorable member of getting information without trusting to what was written by friends. He thought he required to say nothing more in his justification. It was of little consequence to him whether what he had done met with the approbation or not of the public. If he met their approbation, he should be very much pleased. If what he had done brought condemnation, he should simply think that he was one of those who occasionally suffer when they ought not to suffer; and his would not be the only case in this colony. If such happened, there were numerous other instances of which the House were aware. He should take it as he was bound to take every other event in life—as one of those occurrences which a man could not foresee and which he was not responsible for. He thought he should have been very weak to have allowed anything of this to be slurred over. Honorable members who took exception to his action ought to be the last to do so. For years there had been an outcry against the monopoly of land; for years Government had

been told that they had done nothing in the matter. A time came when it was forced upon the Government to do something—when they could not help it; and immediately the whole press of the colony said they were wrong. They were unjust to an individual; sympathy was excited for him, because he had spent a lot of money; the Government were oppressing him. Why, nothing showed the instability of colonial politics so much as what had happened here. He (the Secretary for Lands) should be very sorry if he had oppressed any man; he did not think he should be comfortable in his mind if he had wronged any individual in any way, public or private. He should not be happy, certainly, if he thought that any poor, meek man, who wanted to obtain land quietly, had suffered from any act of his—from a set made upon him by the Minister for Lands. But enough upon that subject. He could only conclude by saying that he was convinced the Government had the confidence of the country; and, if they had to fight their way, he did not think it would be right that this debate should close to-night. Therefore, he should move the adjournment of the debate.

Question—That this debate be now adjourned.

The Hon. A. MACALISTER observed that he could not see why the adjournment had been moved. If the honorable gentleman assigned a reason for his motion he was sure that honorable members on the Opposition side of the House would be happy to accede to any reasonable proposition. But it must be very evident that the members of the Government who addressed, to-night, the House, had been speaking against time. After the debate should have gone on for some reasonable time, there might be an adjournment. He had no doubt that the members of the Government would agree to close the debate to-morrow night; but, at present, he could see no advantage in the adjournment.

The COLONIAL SECRETARY, speaking to the motion for adjournment, said that honorable members must know very well that the Government had not the slightest idea of closing the debate to-night. The Government meant to be heard. They were not going to die like dumb dogs, if they were to die at all—they had not the least idea of doing so. The debate had gone on to a reasonable hour, at which the House might adjourn. He would make no promise to close the debate; but he could tell honorable members opposite that they should not close the debate and go to a division to-night.

The Hon. A. MACALISTER: To-morrow morning.

The COLONIAL SECRETARY: The Ministry had seen them out before to-night, and they would see them out again if they chose. But, he put it to honorable members—Let them debate this motion of want of confidence against the Government. They were not afraid to hear the Government, he presumed?

The Hon. A. MACALISTER: Certainly not. The COLONIAL SECRETARY: Then, he thought the motion of the Minister for Lands should be agreed to. It was a quarter past ten o'clock, and the House usually adjourned at this hour. There was not the slightest chance of dividing, to-night.

Mr. KING: During last session, the honorable member at the head of the Government, himself, required that a pledge should be given to close a debate next night, as two nights were enough; but he now objected to a similar proposition from the leader of the Opposition. There had been no argument on the Government side, but merely talking against time. If this was to be done, let the House stick to it.

The Hon. R. RAMSAY: On the occasion referred to by the honorable member for Wide Bay, there was not a large number of members absent from the House, as there was on the present occasion. He thought it would be improper not to give a chance to every member, or to as many as possible, to take part in the debate.

Mr. STEPHENS: During last session, honorable members on the Ministerial side laid down the proposition that if members did not attend in their places, it was their own lookout. There was no wish, he believed, on the Opposition side to force the debate to a close to-night. They could not do it; but it was not their wish to do it. The proposition of the honorable member for Ipswich appeared to be a fair and reasonable one, to finish the debate to-morrow evening. Friday was a short sitting day. He thought the Opposition were entitled to a distinct understanding as to when the debate should come to a close; and they were only following a good example in asking for it.

The SECRETARY FOR PUBLIC WORKS: That was asking a little too much. Perhaps some honorable member on the Opposition side would get up, to-morrow night, and talk to this time, and exhaust the House. He saw an honorable member on that side who was prepared to speak for hours.

HONORABLE MEMBERS: Name.

The SECRETARY FOR PUBLIC WORKS: He never heard of such a proposition. He was totally unprepared to discuss the important question this evening; but rather than submit to anything like oppression, he would sit out the night with any member of the House. He objected to a pledge, such as had been asked for, being given.

Mr. HEMMANT said he thought it very advisable that the honorable member at the head of the Government should accede to the proposition. Last session, the honorable gentleman very frequently offered concessions to the Opposition coupled with such conditions; and it was only fair that if the debate should be adjourned, it should be completed to-morrow night.

After a pause,

The Hon. A. MACALISTER, referring to a conversation he had had with the Colonial Secretary, said there was no objection by the Opposition to the adjournment; but, in consenting to the adjournment, it was upon the distinct understanding that, unless the Government gave very satisfactory reasons for a further adjournment, they should insist upon the debate being closed at the next sitting, if the House had to sit until the middle of the following day. On that understanding, he had not the slightest objection to the adjournment until to-morrow.

The COLONIAL SECRETARY: The Government had sat out the Opposition before to-day, and were willing to do so again. He was quite willing to agree to the adjournment until to-morrow; but he would make no promise. The Opposition could make what terms they liked; but he made no terms.

Question put and passed.