

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 14 JULY 1874

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LEGISLATIVE ASSEMBLY.

Tuesday, 14 July, 1874.

The late Sergeant-at-Arms.—Completion of Parliamentary Buildings.—Patrick McNamara Corbett.—Crown Lands Sales Bill.—Adjournment.

THE LATE SERGEANT-AT-ARMS.

The SPEAKER said it was his sorrowful duty to announce the death of Mr. E. B. Uhr, the Sergeant-at-Arms of their House, which took place on the previous afternoon, at five o'clock.

The COLONIAL SECRETARY said he regretted very much to hear the announcement which had just been made by the honorable the Speaker, and he was sure that every honorable member would deeply sympathise with the widow and relatives of the deceased gentleman. He was satisfied that those honorable members who had known their late Sergeant-at-Arms—who had known him not only as an officer of that House but outside of it—must lament his death. It would also be a matter of sincere sorrow to others who had known the deceased gentleman, who had been a colonist of nearly forty years' standing. On hearing of the death of their Sergeant-at-Arms it had been his intention to move the immediate adjournment of the House; but looking at the advanced period of the session, and the prospect of some very important messages coming from the other branch of the Legislature, he felt that it was better for him not to adopt that course. He would, however, move the adjournment of the House at six o'clock.

Mr. PALMER said he rose to express, with the honorable the Colonial Secretary, his regret at hearing the announcement which had been made that afternoon of the death of the Sergeant-at-Arms, and he had hoped that the honorable member would have seen his way clear to move the adjournment of the House, out of respect to one who was not only an old servant of that House, but also a very old colonist. The honorable member had, however, explained the inconvenience of doing so at that period of the session, when it was necessary to receive messages from the other House; and he quite agreed with the proposition of adjournment which had been made by the honorable member, as a mark of respect to the deceased gentleman.

COMPLETION OF PARLIAMENTARY BUILDINGS.

Upon the Order of the Day being read for consideration of the Legislative Council's message, of date the 2nd instant, the said message was read to the House, at length, by the Clerk.

The SECRETARY FOR PUBLIC WORKS said that the report of the committee, referred to in the message of the Legislative Council, had been in the hands of honorable members for some days past, and, he thought, spoke for itself. The recommendation contained in it was to the effect that the present parliamentary buildings be completed in the main front, by means of erecting the additional arcade, as shown in the original plans; and also a refreshment room of a more substantial character than the one now in use. The cost of completing the front of the building would be about £7,000, and of building a new refreshment room, &c., about £3,800, according to one plan, and £5,000, according to another; but £4,500 was supposed to be the probable amount. The reason given by the committee

for recommending the completion of the building was thus given:—

"Because it is now nearly six years since this House was first used for the sittings of the Parliament of Queensland, and in your committee's view it does not seem fitting that the Legislature should continue to sit contentedly in a building manifestly not carried to completion.

"Because, although in previous years a consideration for the state of the revenue may have delayed this work, it is now no longer possible to plead an excuse of this nature, and your committee therefore feel that the very natural criticism which must arise in the breast of strangers that this Legislature has commenced a work it has not the power, or the taste, to complete, should be no longer allowed to exist."

He might remark that the unfinished state of the building had been a constant matter of observation by every visitor to the colony—in fact, the appearance of it was not suitable or creditable to the town. The designs of the architect of the building had been very severely criticised, and a great deal of blame had been thrown upon that gentleman; but he believed that if the original design was carried out, it would be extremely creditable both to the architect and to the town. Not only on that account was he desirous of seeing the building completed, however, but he thought it would add considerably to the comfort of honorable members, who, he thought, must entertain the same opinion that he did—that a more uncomfortable building during the summer months there could not be.

Mr. PALMER: Or in winter.

The SECRETARY FOR PUBLIC WORKS: Or in winter, as the honorable member said; in fact, it required no arguments to prove the desirability of having the original design carried out. The only cause of delay hitherto in having that done had been the financial condition of the colony, but that cause could hardly be said to exist now. In rising to move that that House concur with the message of the Legislative Council, he wished to intimate at the same time that it was not the intention of the Government to proceed with the work, or with any portion of it, until they had first submitted an estimate for the purpose to the House. With regard to extra accommodation for the refreshment rooms, he would refer honorable members to the lithograph plans attached to the report of the committee. He had heard a great many comments made upon the proposal to provide a billiard room, but that was a matter more of exigency than anything else. There was a space left which would have to be filled up with a room, and it could be used either for a sitting room or billiard room; and if honorable members objected to the latter when the estimate for the work was before them for their approval, they could bring forward their objections. He might mention that the structure at present used for the refreshment and smoking rooms was composed of wood, and thus there

was always involved an unnecessary risk of fire to the whole building. He would now move—

That this House having had under consideration the Legislative Council's Message, of date the 2nd instant, with copy of report of the Joint Committee of the two Houses on the proposed completion of the parliamentary buildings, concur in the recommendations of that report.

That such concurrence be communicated to the Legislative Council by message in the usual form.

MR. PALMER said, that before the question was put he wished to make one or two remarks respecting it. He could not agree with the recommendation of the committee. He could not agree with the first reason given by them, namely, that

"It does not seem fitting that the Legislature should continue to sit contentedly in a building manifestly not carried to completion."

He did not think honorable members were likely to sit contentedly in any building, and he did not believe that the proposed alteration would make honorable members sit there any more contentedly than they did at present. He failed to see that the balcony or arcade, to be erected at an enormous expense, would be any advantage, but, on the contrary, he thought it would cause more draughts, of which there were quite enough at present. As a summer-room the present chamber was very good, but as a winter-room it was perfectly horrible, and he did not think it would be improved by the outlay proposed. The second reason given by the committee was

"Because, although in previous years a consideration for the state of the revenue may have delayed this work, it is now no longer possible to plead an excuse of this nature, and your committee therefore feel that the very natural criticism which must arise in the breast of strangers that this Legislature has commenced a work it has not the power, or the taste, to complete, should be no longer allowed to exist."

He did not agree with that, and he certainly did not know how the honorable Secretary for Works could ask the House to adopt such a report when the honorable member had over and over again refused to consent to money being expended on public works of far greater importance. He thought that the present building would do very well for years to come, and so long as Brisbane wanted a Supreme Court House, which it certainly wanted very badly, and whilst many districts of the colony were so much in want of roads and bridges, and other public works, he did not see how the country could afford to spend a large sum of money on the completion of the present very ugly building. The refreshment room would last for years, and was, he believed, quite ample for all purposes, as, although both Houses had been sitting frequently of late, he had not noticed any crush at all. Then again he did not see how the country could be asked to vote money for the erection of a billiard room. Members should attend that House for the pur-

pose of transacting public business, and what billiard room was wanted for he could not tell: he should most certainly oppose that part of the report. As to the tenure under which the land required for parliamentary purposes was supposed to be held, he considered it a question which should be settled by the introduction of a short Act next session; that he considered was necessary. But, as regarded the buildings upon the land, he thought they would do very well for a long time to come. At any rate, until it was found that there was no more money required for making the roads and bridges which were so badly wanted in the central and other districts of the colony, he should never agree to the adoption of the report, or to voting money for the purpose of carrying out the recommendations contained in it. He would pledge himself to one thing—that if next session a sum was placed on the Estimates for making the additions proposed, he should oppose it in every possible way, as he considered they were unnecessary, and would be so for years to come.

MR. MILES said that a more monstrous proposition had never been before that House than to ask for money for the erection of a billiard room; a bar room was bad enough as regarded the attendance of honorable members to their public duties, but a billiard room would be fifty thousand times worse. The proper place for honorable members was that House, where they could attend to their duties, and not a billiard room. For his own part he did not think there was any necessity for any expenditure, as the present refreshment room was admirable for all purposes. Again, he did not see that the country was so much burdened with money as to warrant the House sanctioning such an expense, especially as the surplus at the commencement, which had been so much talked about, was only a surplus arising from borrowed money. He was quite sure of one thing—that the honorable the Treasurer would not have such a surplus as he anticipated at the end of the present year. As he considered that the buildings at present were ample enough to answer all requirements, he should oppose the motion.

MR. STEWART thought, as the parliamentary buildings were so far completed, it was a pity not to finish them; at the same time, he wished it to be most distinctly understood that he was altogether opposed to the proposition of having a billiard room built. But it was found that there would be a space left in carrying out the proposed design for refreshment rooms, which could be used for a retiring room, a billiard room, or anything else. If there was to be a billiard room, he would suggest that it should always be closed when the House was sitting.

MR. BELL thought it would be far better to defer expending any money upon making alterations until it was found they could afford to vote a proper sum for the completion of all the buildings; any intermediate

step he considered was unnecessary. He quite disagreed with the portion of the report which said :—

"Your committee therefore feel that the very natural criticism which must arise in the breast of strangers that this Legislature has commenced a work it has not the power, or the taste, to complete, should be no longer allowed to exist."

That was an opinion quite the opposite to what he had heard expressed by strangers visiting the colony, as they invariably said that our parliamentary buildings compared most favorably with any other building in the colonies for the purposes required. He thought there was no occasion to spend more money upon them until the time arrived when the finances of the colony would permit of their completion. He quite agreed with the honorable member for Port Curtis, that whilst there were so many important and necessary public works to be constructed, they should not expend any more money upon the parliamentary buildings.

The COLONIAL SECRETARY said he had not had the slightest doubt that the honorable member who had just spoken would vote against the motion, any more than that if the honorable member had been sitting on his side of the House he would have supported it. There was one thing which seemed to have been lost sight of, namely, that his honorable colleague had merely asked the House to adopt the report; he had not asked for one shilling of expenditure, but merely to affirm that the building should be completed. That was all, for it was impossible that the money could be voted until the next session. It was on that understanding that his honorable colleague moved the adoption of the report; it was merely an abstract resolution, and he trusted therefore that the House would assent to it.

Mr. PETTIGREW said he did not know exactly what to say about the report, the object of which certainly was to spend a large sum of money, from which no particular advantage would be derived; that was his opinion, at any rate. The first reason given by the committee was, that they should have a building in which they could sit contentedly; but all he could say was, that he had never been so comfortable in his life as whilst sitting in it; and as regarded the refreshment room, he had never had better eating and drinking in his life. As to spending more money upon the present buildings, he thought it was monstrous; and with regard to the proposition of a billiard room, and a large drinking room, it was only putting temptation in the way of honorable members to waste their time. He did not wish to see the building remain in an unfinished state, but he certainly could not agree with spending the large sum of money which it was estimated the alterations recommended would cost.

Mr. GRIFFITH quite agreed with the honorable member who had just spoken, as to the

impropriety of erecting a billiard room, and if he thought that by voting for the motion he should be affirming the propriety of having such a room, he should certainly oppose it. He had intended to vote against the resolution until he heard just now from the honorable the Colonial Secretary that in voting for the resolution they would only be expressing an opinion that it was desirable the parliamentary buildings should be completed. As to whether the time had arrived for giving effect to that opinion, was a different matter; when it did arrive he should most certainly oppose any proposition for building a billiard room.

The SECRETARY FOR PUBLIC WORKS said he thought he had sufficiently explained that the billiard room was not intended, but it was necessary to fill up the space on the plan, as would be seen on reference to it; and the room could be used either as a sitting room or any thing else; it was by mere accident that the name of billiard room was attached to it.

The question was put, and the House divided with the following result :—

Ayes, 16.	Noes, 12.
Mr. Macalister	Mr. Palmer
" Stephens	" Bell
" Hemmant	" J. Scott
" McIlwraith	" Roys
" MacDevitt	" Low
" Dickson	" Foote
" Griffith	" Wienholt
" Beattie	" Macrossan
" J. Thorn	" Fryar
" Edmondstone	" Hodgkinson
" Fraser	" Pettigrew
" Peehey	" Miles.
" Stewart	
" Morgan	
" W. Scott	
" Morehead.	

PATRICK McNAMARA CORBETT.

Mr. HODGKINSON moved, pursuant to notice—

1. That the report of the Select Committee appointed to inquire into the claims of Patrick McNamara Corbett, laid on the table of this House on the 9th instant, be now adopted.

2. That this House will, at its next sitting, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1874 the sum of £300, as compensation for losses sustained by Mr. P. McNamara Corbett, of Gilberton.

As honorable members were aware, the subject was one which he had brought under their notice in another form, but, in consequence of its being ruled informal, he had moved for the appointment of a Select Committee to inquire into all the circumstances connected with it, and it was the report of that committee which he now asked the House to adopt. The prayer of the petition presented by Corbett was to the effect that in consequence of the want of police protection at Gilberton he had suffered very severe losses, for which he sought some slight compensation at the hands of that House. The

committee, after taking evidence, and going very carefully into the whole matter, had arrived at the following conclusions :—

"1. That the police protection afforded to the residents of the northern districts is inadequate.

"2. That the petitioner, Patrick McNamara Corbett, appears to have been a sufferer from the state of insecurity in which the district of Gilberton was left; and your committee, having in view the fact that the Towns Police Act had been extended to the township, beg to recommend that provision be made by your Honorable House to reimburse the losses of the petitioner to the extent of £300, being a refundment of the amount paid by him for license fees and the value of buildings he was compelled to abandon."

That had been approved of by the committee, only one member of which had any local knowledge of the place; had the committee been as well acquainted with the circumstances of the case as he was, or had the petitioner been in a position to bring down witnesses to substantiate the evidence given by him, there was no doubt that the committee would have recommended a much larger sum for compensation. Corbett was not the only sufferer from the want of police protection and the consequent attacks of the blacks, but the committee had not considered themselves justified in going beyond his case. The only compensation they had recommended was what they considered the amount actually paid by Corbett for business licenses and the value of buildings he had been compelled to abandon. As to the reports that Gilberton was deserted in consequence of the rush to the Palmer diggings, he could assure honorable members that they were not true; the best proof of that, however, was the fact that Corbett, who was well known to be a shrewd man of business, had paid a large sum of money for the purchase of business premises, which he was not likely to have done had there been any probability of the miners leaving Gilberton. Another fact was worthy of notice. It would be seen by the evidence that, at the time Corbett was obliged to abandon his premises, he was taking at the rate of £20 per week, in cash alone, and that a few weeks before leaving Gilberton, he had sent down one hundred and twenty ounces of gold, which had been paid to him for rations alone, which was a large amount, as diggers there, were always unwilling to sell their gold at Gilberton, in consequence of the low price given for it. At the very time of the abandonment, Corbett took down sixty ounces of gold, so that taking that into account with his weekly receipts in cash of £20, he must have been doing a pretty good business, and have had no intention of leaving the place. He would be able to show that Corbett's abandonment of his premises was not a hasty measure, owing to one onslaught of the blacks, but that the district had always been left in the same unprotected state, although the people had over and over again sent in applications for more protection. It would be seen that

Corbett was asked, whether any application had been made by the inhabitants of Gilberton prior to the assault by the blacks, and he said that there had been, by himself and some other of the principal storekeepers of the place. The honorable member, Mr. Lord, put the following question to him :—

"You say several of the townspeople applied for more police protection? I do; and I expect the petition would be got in the Colonial Secretary's office.

"61. I want to know who you applied to?—You have not stated yet? Mr. Palmer was then Colonial Secretary; to the Colonial Secretary.

"62. *By Mr. Macrossan*: The application was addressed to him? Yes.

"63. *By Mr. Lord*: Was there any notice taken of it?—Did you receive any acknowledgment of it? No; it was the reverse. They took the only trooper we had away.

"64. They never answered the application? No.

"65. *By Mr. Macrossan*: Mr. Palmer could not have been responsible for taking that policeman away? No; it was not Mr. Palmer's fault, because it was Mr. Brown, the Inspector of Police, promised one of the constables that he would get him away because he was a favorite, and he wanted to get shifted because the place was too dull for him."

In fact, the evidence went to show that the whole organisation of the native police force was put on the most inefficacious footing that it could be, and a policeman was never seen at Gilberton until after there had been some outrages committed by the blacks, when there would be some days afterwards a rush of native police, and it took half-a-dozen detachments of them to hunt the blacks away. He would refer honorable members to notes furnished to himself by Mr. Bernerker, which would show plainly what had been the state of things at Gilberton :—

"1st. It is an undoubted fact that the murders committed by the blacks in the Gilbert district up to the period I left exceeded thirty persons, which no doubt could have been saved had the necessary protection been obtainable.

"2nd. It is a fact, and one worthy of note to show how obstinate the depredations committed have been, that four of the murders were actually committed within view of the police camp.

"3rd. In one week after the four murders referred to the blacks came down in a large number, and but for the timely arrival of Mr. Fynch, the whole population would have been killed.

"4th. On account of these reasons eighty inhabitants left within two days; the remainder followed shortly.

"5th. The news came to Mount Hogan, within fifteen miles of Gilberton, and one half of the population left; the population at the time being over thirty.

"6th. I have lived three years at Mount Hogan, and only saw in this time one sub-inspector, Mr. Fynch, with his blackboys, he being out of his district then.

"7th. The last crushing turned out very well, but everybody left after it on account of no

protection; as Mr. Gough would not call, and only confined himself to main roads to look after blacks.

"8th. As everybody left I was obliged to leave with my wife and family, and left a fifteen-stamper machine which cost me £5,000 to erect, and a store and public house which cost me over £900 to erect, for which I pay at present £23 a-year for licenses to Government, and stores at least to the value of £500, also a great quantity of stores belonging to the machine.

"9th. The place would never have been deserted if we had had police protection.

"10th. I am the loser of at least £8,000, and hope to get some allowance made for it.

"11th. It is impossible to get teams to get any of my goods away, as carriers would not go there for love or money.

"A. C. BERNERKER."

In separate appendix No. 1, honorable members would find that Mr. Dalrymple, in a letter to the Commissioner of Police in January last, said:—

"I have to report that, owing to the impunity with which the blacks rob and murder them, nearly the whole Chinese population, which formed the valuable alluvial diggers of the field, has left the district, leaving the valley of the Gilbert in undisputed possession of the aborigines."

Nearly the whole of that gentleman's report had reference to the necessity of increased police protection, and he was quite certain that if it was possible for honorable members to be acquainted with the whole of the facts connected with the treatment of the inhabitants of Gilberton, and the utter neglect which had been shown to their protection, they would come to the conclusion that they were entitled to compensation for the very heavy losses they had sustained. He did not claim compensation for diggers who went out into the unsettled districts for the purpose of prospecting, as they did so at their own risk; but the people whose case he represented were men living in a township proclaimed under the "Towns Police Act," men who paid license fees and other charges, the same as in other towns, and who were consequently entitled to protection. Yet, although that was the case, it was a positive fact that murders had been committed by the blacks within the very township, and the people had been compelled to abandon their property in order to save their lives. He trusted the House would agree to the resolution; the sum asked for was very small, and it was only an act of justice to men who devoted their time and their capital to the development of the wealth of the colony.

The COLONIAL SECRETARY said he would not say much respecting this report, but he thought it necessary to make a few observations upon it, particularly as it concerned a portion of his own department. He might say that the honorable member for Burke had been very energetic in his efforts to bring out a strong case on behalf of Mr. Corbett; but, at the same time, he must confess that the case had not been made out to his satis-

faction. He was unable to discover from the evidence upon what grounds the report had been arrived at. In the first place, the report was a very singular one; it said:—

"Your committee, having in view the fact that the Towns Police Act had been extended to the township [of Gilberton], beg to recommend that provision be made by your Honorable House to reimburse the losses of the petitioner to the extent of £300, being a refundment of the amount paid by him for license fees and the value of buildings he was compelled to abandon."

Now, what possible connection there could be between the extension of the Towns Police Act to Gilberton and this report or the losses this man had sustained, he was at a loss to understand. The only object of the extension of the Towns Police Act was to maintain order and give police protection to persons resident in remote parts of the country; and he would just take the two points in the report upon which the committee had arrived at the conclusion that compensation ought to be given. The first was with regard to the license fees; and it appeared that this man had been in Gilberton for five years, and during that period—or very nearly the whole of it—he received the full benefit of the license fees he paid, as this outrage did not take place until within six weeks of the expiration of the last year. Therefore, what ground was there for asking compensation for that? On the petitioner's own statement, he received almost the full value of the license fees he paid, having been there for five years, with the exception of a few months; and yet the committee asked that those fees should be paid back again. He certainly could not see anything to sustain that portion of the report. The next point was, that the petitioner had had to abandon certain buildings, but as far as the evidence went, there was nothing to show that the buildings referred to were not still in existence—that they were not only still in existence, but that they were in as good condition as when this man left them; and why should the House be called upon to give compensation for losses which were simply imaginary? He could understand the petitioner's claim for loss of business, and loss on carriage of goods, and things of that sort; but the items mentioned in the report were not claimed for at all. The items claimed by the petitioner amounted to £1,402, and he not only put that forward as a claim, but undertook to swear that it was due to him. But the committee did not appear to believe that, and if they did not believe that the petitioner's losses amounted to £1,402, the difficulty he had in the case was in ascertaining what his losses were. If the sum for the license fees and the buildings were not allowed, as he thought they ought not to be, then there was no case—the committee had not allowed a single farthing for anything else. In fact, as far as he could understand the report, the committee did not believe in the claim at all. Of course, he did not wish in any way to stand in the

way of the man receiving compensation if he were entitled to it; but there was one observation made by the honorable member for Burke, which he must take exception to. If he understood the honorable member rightly, he said the people did not leave Gilberton for the purpose of going to the Palmer rush, but he found that the claimant himself did not say that. The natural inference from the answer to question 8 was, that a great many of them had left Gilberton for the Palmer. He was asked :—

"Have you any reason to believe that Gilberton would have been deserted through the Palmer rush—utterly deserted? No; the wet season had set in and no more would leave then, and it was the 15th of December before I got away from it."

It was perfectly clear to his mind from that that the people had been rushing to the Palmer, and that the petitioner only got away on the 15th of December, when most of the people had left. It would appear that the people had been leaving for some time, and the population eventually became so small that there were very few there for the police to protect. Then this man Corbett was the only witness in support of the claim, and he was not satisfied with his own evidence, but called the Commissioner of Police and Sub-Inspector Coward; and when an individual called another as a witness, he was supposed to be bound by the evidence that person gave. But if honorable members would look at the evidence of Mr. Seymour and Mr. Coward, they would see there were no grounds whatever for the claim. Mr. Coward was asked :—

"About how many inhabitants do you suppose there were at that time?"

That was the 5th of September, and he said :—

"To the best of my knowledge, with Chinese and all, there were from sixty to eighty."

Then he was asked :—

"Did any complaints ever reach you between December, 1872, and the date of your leaving there for Gilberton? No; except once, from Mr. Dalrymple, asking me if I could spare time to patrol through the district, and I did so; that was the only letter I received from December, 1872, until I left; no complaints were made against the blacks; no crimes were committed."

Then he was asked by Mr. Macrossan, if the following telegram from a Mr. Cameron was true :—

"No native police patrolled Gilberton district since August eighteen hundred and seventy-two. Mr. Coward and troopers made flying visit once. Mr. Gough not since Ryan was killed at Percy. My loss seven hundred pounds (£700)." And he said it was not. That was a distinct answer, and Mr. Coward was a witness who was called to prove the case. Then, again, in question 35, he was asked :—

"Do you consider that the present native police force is sufficient for the protection of these northern districts?"

And he replied :—

"I should think so."

That was as clear and distinct as evidence could be. Then, in Mr. Seymour's evidence, with regard to complaints made by Mr. Dalrymple—and he must here observe, that although Mr. Dalrymple was very zealous, he had made some mistakes, and he thought his information was not to be relied upon—it would be seen that he reported a man named McTavish as lost, and supposed to have been killed. It was thoroughly believed that this man was lost through the negligence of the police, but it turned out that he was alive and well, but got drunk on the road, lost his horses, and then had to walk. He also found, in question 15 of Mr. Seymour's evidence, there was another telegram referred to received from one of the police officers, which stated :—

"Left Gilberton on the sixth (6th) November last. Number of population eight (8) Europeans and about thirty (30) Chinese at Gilberton. Seven (7) Europeans at Mount Hogan. Cause of Gilberton being deserted no business doing. Constable Dillon had two (2) revolvers and six (6) rounds of ammunition; there was no more procurable at the time on the Gilbert. I believe the cause of the Chinese leaving two of them have been killed by the aborigines and two (2) more wounded."

There was also a letter from a superintendent of police which he thought it was his duty to read to the House. It was dated the 15th of January last, long after these occurrences, and said :—

"Having read certain letters addressed to the Honorable the late Colonial Secretary, and signed by Messrs. Cameron, Bernerker, and others, I do myself the honor to inform you that most of the statements contained in their letters are false and devoid of truth."

"On the 18th August last I visited Gilberton; there were then only one hundred and twenty (this includes those employed at Mount Hogan and the surrounding diggings) inhabitants, including Chinamen and Government officials."

"In the township of Gilberton itself there were only twenty-seven adults and sixteen children, all told."

"At Mount Hogan there was one crushing machine. I have never seen a more deserted looking place; and the Gold Commissioner, Mr. G. Elphinstone Dalrymple, informed me that he had reported the field as deserted."

"Now, this was before any news arrived about the Palmer rush. News of that came in, I think, on the 21st of August, and every soul in the place at once prepared to leave for the Palmer, with the exception of Cameron, the publican, who was laboring under an insane idea that the Gilbert would break out again and become one of the greatest fields in Queensland."

"I was detained at Gilberton for thirty days, and during that time the neighborhood was thoroughly patrolled, and no blacks seen. When I eventually left for Georgetown, on the 17th September, I do not believe there were ten Europeans in the township, and all of those were making preparations to leave, with the above

exception. There was no fear expressed by the whites of the blacks. The Chinese were certainly frightened, but not near so much as was supposed. They were very much scattered over a radius of forty miles, and, from some unaccountable reason, the blacks hold them (the Chinese) in the greatest detestation. Half-a-dozen detachments of native police could not thoroughly protect such a scattered population. The Chinese, as a rule, go in small mobs, and stick themselves in all sorts of lonely places. The country about Gilberton is very difficult to patrol on account of its conglomerate and basaltic nature.

"Mr. Bernerker's statement is too paltry and absurd to dwell on. He states he is a loser by £8,500. The simple facts are that Mr. Bernerker made an unfortunate venture by taking up a crushing machine, too late in the day. It is quite false that it was through the want of police protection that he had to desert his machine. It was simply on account of the digging population leaving the field for others. At this time there was a detachment within thirty miles, which detachment was only transferred about the 20th October."

That was a clear statement of the whole affair. The Gilbert gold field was reported to the Government as being deserted, whether it was through the rush to the Palmer or anywhere else, and the police were accordingly taken away. The evidence showed that the whole population was leaving it, and this man, perhaps, remained longer than he ought to have done; probably he did not intend to leave at all, because he (the Colonial Secretary) believed some parties remained there, and were still there, notwithstanding all the threats of the blacks.

Mr. HODGKINSON: No.

The COLONIAL SECRETARY: He believed Cameron was there now.

Mr. HODGKINSON: No.

The COLONIAL SECRETARY: At any rate, there could be no doubt that the object of the parties was to remain as long as possible, in the hope that the field would again become a source of attraction and they would be able to sell their goods. If Mr. Corbett had sustained damage for which he ought to receive compensation, it was a different matter; but he could see nothing in the evidence to justify the House in agreeing to the recommendation contained in the report.

Mr. PALMER said it was not necessary for him, after the exhaustive speech of the honorable the Colonial Secretary, to go at any length into the details of this matter; but it appeared to him that the evidence given by the police officers had been totally set aside; that not the least attention had been paid to it, and that the committee had brought up the report on the evidence of the petitioner alone. He could remember that this question was partly dealt with before, when the honorable member for Burke brought in a motion to place £2,000 on the Estimates for the purpose of remunerating people in this very locality; but that was thrown out, and he now endeavored to get in the thin end of the wedge by getting a special

vote of £300 for this man; and if the House agreed to it, they would be almost bound, in honor, to give compensation to others who were left out in the cold on the last occasion. He maintained that the country was in no way responsible for these losses, and if they once acknowledged such claims, they would have to admit claims of a similar nature from squatters who took up outside country years ago, and whose losses amounted to infinitely more than £300. Why, his own losses, from depredations by the blacks during the last year or so, in a district that had been settled for the last twelve years, amounted to more than £300; but did the squatters ever think of coming down to the House for compensation for such losses? They knew the difficulties they had to face, and they never thought of asking for compensation for losses of that kind. He believed the whole revenue of the colony would scarcely be sufficient to provide native police protection for outside squatters, and diggers, and persons who were scattered all over the country. With regard to native police protection, he believed the part of the country in question would bear favorable comparison with any other portion of the colony. As some honorable members were aware, police stations in the western country were, in some cases, 200 and 300 miles apart; and in this case, they were only 30 or 40 miles apart, so that the protection was above the average. The most extraordinary part of the speech of the honorable member for Burke was, with reference to this place being a township under the Towns Police Act, and that, he happened to know, had a great deal to do with the opinion of another member of the committee, if not more. The object of the Towns Police Act was to protect people against themselves, and not for the purpose of maintaining a police force to keep blacks away; and he thought, if these people had shown a little more courage, it would have said a great deal more for them. Massed together in bodies, as they were, they were in a much better position to protect themselves than the servants of pioneer squatters, of whom there were frequently not more than two or three together. He thought there was no special reason—in fact, that no reason whatever had been shown by the report to warrant the House in entertaining this proposed vote; and if they let in the thin end of the wedge in that way, he could promise them that they would have a rank crop of similar applications next session by men who had suffered infinitely more than this man alleged that he had suffered by the blacks. While on the subject, he might mention that he was paid a visit by this man at his private house, and at whose suggestion he came, he (Mr. Palmer) could not imagine. He said he supposed he (Mr. Palmer) was his bitterest enemy with regard to this matter, and he could only tell the House that he went back quite as quickly as he came, and without getting much satisfaction. He only referred to it now as showing

the evil of people canvassing for votes of honorable members, and he thought, if other honorable members did as he did in such cases, they would not often be troubled in that way. The man appeared to be a very ignorant man, and he must be so, or he (Mr. Palmer) supposed he would not have come to him in the way he did. He had no doubt the honorable member for Burke was merely doing what he considered his duty to his constituents, in bringing the matter before the House; but he (Mr. Palmer) thought, at the same time, that he had made a very lame case, and he hoped the House would not entertain it. If they did, they would establish a very bad precedent, and one which they would regret before many sessions were over. He would vote against the adoption of the report and against going into committee.

Mr. STEWART thought a sufficiently strong case had not been made out to justify the House in passing the motion. He quite agreed that it would be almost impossible to find sufficient native police to protect the outside districts to the extent that might be desirable; but there was one matter that had been overlooked, with reference to the subject, and his principal object in rising now was to refer to it. It would be seen, in question 80, the petitioner was asked:—

"If police protection were provided, do you think the inhabitants would return to the district again? Yes; I am positive they will."

Then he was asked:—

"81. Why do you think so? There are good lines of reefs; there were 110 men working on the alluvial at the time the blacks came in. In consequence of the Palmer rush, the reefs had been deserted."

"82. You think it being a machine town they would come in? 110 men were working on the alluvial; the reefs were deserted through the Palmer rush."

It therefore appeared clearly to him, from the evidence, that the field was deserted in consequence of the rush to the Palmer, and that a good claim had not been made out.

Mr. MACROSSAN said it seemed to him that honorable members who opposed this, which he considered simply an act of justice, did so for fear that they would establish a precedent, and for fear that they might be overwhelmed with similar claims by parties who might not be able to substantiate them as well as the petitioner had done in this case. The honorable the Colonial Secretary and the honorable member for Port Curtis appeared to be astonished that the committee had made any reference in the report to the Towns Police Act; but they seemed to forget that as soon as a place was proclaimed as coming under that Act the license fees were doubled; and, therefore, the residents fairly considered that they had a greater claim to protection than in ordinary cases. The licenses at Gilberton were the same as in Brisbane, and he certainly thought it was going too far to say

that the people in such places, who paid heavy license fees, should protect themselves. In speaking of police protection he might state that at Charters Towers atrocities had also been perpetrated by the blacks. In one instance they came within a few miles of the township and killed two Chinamen; and when parties of police were stationed at a distance from those places they might as well be stationed in Brisbane. As it was, they were generally stationed on squatters' stations, more for the protection of the cattle than the diggers; and it was almost useless to send them out after an outrage was committed; because, as soon as the blacks committed an outrage, they took to the bush, and took shelter in scrubs and other places where it was almost impossible to follow them. And yet that was what was called police protection. If the honorable the Premier and the honorable member for Port Curtis had taken the trouble to read the report, they would find that some of the police themselves admitted that if there had been more police protection these outrages would not have taken place. Mr. Coward was asked:—

"56. Would these outrages have occurred if you had been allowed to remain in the district? It would be hard to answer that."

"57. In your opinion? I think not; and the reason I give is that, through constantly patrolling the district, the blacks see the tracks and the marked trees, and go away. I believe that, if the district had been constantly patrolled in the way I did as long as I was stationed there, the blacks would never have committed the crimes they did."

But the police were withdrawn when there were 110 diggers and others in Gilberton and on the Gilbert River. As for the conclusion drawn by the honorable member for Brisbane, that the people had gone to the Palmer rush because the reefs were deserted, he appeared to forget that there were 110 alluvial diggers there at the time who would not have gone to the Palmer, who would not be allowed to go; or who, if they did go, would very likely be driven back by the diggers there; so that that went for nothing. Then, Mr. Dalrymple, who ought to be a pretty correct judge of the fact whether there was a sufficiency of police protection, although he made a mistake in one instance through false information having been given to him, for which he was not to blame, said distinctly that in the course of eighteen months eight lives were sacrificed through want of police protection, and that—

"The lives of travellers are now more than ever in danger on this route, and a warrantable fear of the aborigines has put an end to prospecting and alluvial digging, to the injury of this gold field and of the public interests."

If that were not sufficient to prove to the House that there was an absence of sufficient police protection, through which many outrages had occurred and many lives had been lost, he did not know what further proof they could require. With regard to the

claim of Mr. Corbett for compensation, the honorable the Colonial Secretary seemed to think that, because the committee came to certain conclusions, they were wrong in recommending that £300 should be granted. That honorable gentleman referred to the buildings, and said that, for all they knew, the buildings were there still, and it was possible they might be there; but still, they were of no use whatever to the petitioner, because he could not go back and use them for the same purpose that he used them before. He did not believe there were any people on the Gilberton or the surrounding diggings at this time, and yet, in spite of that, the honorable the Colonial Secretary said there had been a sufficiency of police protection. The honorable member for Port Curtis said, if these men had more courage, being massed together in large bodies, they would be able to beat off the blacks and protect themselves; and he had not the slightest doubt they would, but probably if the diggers attempted to protect themselves against the blacks they would do them as much injury as the native police had done, and, perhaps, some member of that House, as well as a large body of people outside, would cry out against it, and some of the diggers might even be punished for it. He thought there was no absence of courage on the part of men who went prospecting. He believed they required a great deal more courage to go out prospecting in the districts which had been discovered in the North, lately, than the servants of the pastoral lessees, although they were separated, and lived in huts by themselves. He knew himself, from information he had received, from the North, that the men who discovered the Palmer gold field, although they were well armed, and were men of the greatest courage, they had been driven in by the blacks to the Palmer from where they were prospecting, and others had also been driven in. It was all very well to say they could protect themselves, but honorable members should remember that they could not protect themselves and follow their avocation at the same time, and it was generally when they were at work that the blacks took the opportunity of attacking them. In fact, unless something like sufficient protection was given in those places, there would be a total cessation of the discovery of fresh gold fields. He hoped honorable members would disabuse their minds of any objection to the motion on the ground that it was establishing a precedent, but that they would look at it as a matter of justice; and if they thought Mr. Corbett had made out his claim, as he believed he had, they ought to give him the amount; but if they thought otherwise, let them reject it. He should support the adoption of the report.

Mr. J. SCOTT said he was at a loss to understand the ground upon which this claim was made. It appeared to him that this man and some others were possessed of a considerable amount of property on the

Gilbert diggings, and they got frightened and ran away. That was a short, simple statement of the matter, and because they were not game enough to stop and protect their property, they now came to that House for compensation for their losses. He would like to know what would be said to the outside squatters—on the Upper Dawson, for instance, where far more than eight men had been killed in one year, and where twenty times the amount of property now claimed for had been lost through the depredations of the blacks—if they came to the House for compensation. He thought it was perfectly monstrous that, because men were not game to stop in a place and protect their property, they should come down and ask that House for compensation.

Mr. MILES said he found that the honorable the Secretary for Lands was a member of the committee, and he would like to hear what he had to say about the matter, and what position he intended taking with respect to it. He could hardly agree with the honorable member for Port Curtis on the ground he took up, that, if they agreed to this proposal, there would be a number of similar claims made. The question for the House to decide was, was the claim a just one? and, if it were a just one, he thought the House ought to vote this £300, without taking into consideration what claims might be brought forward afterwards. With regard to the native police, although he had not had any dealings with them for many years, he could state, from his experience of them, that they were never to be found when they were required, or until after a murder was committed. In fact, he could say, without fear of contradiction, that the native police force never prevented a murder, but that they committed atrocities afterwards themselves. He thought the House might very well vote this amount; it was a very different thing to giving compensation for losses sustained by squatters. In this case, the place was a proclaimed township, under the Towns Police Act, and this man paid a license which certainly entitled him to some protection; but the place was left unprotected, and he had to leave and remove his property. He must admit, however, that he showed the "white feather;" but still he thought he was entitled to the sum recommended in the report, and he would support it.

Mr. BELL said he thought there was an absolute want of consistency on the part of the honorable members for Kennedy and Carnarvon, in the course they intended to pursue on this question, compared with their action on other matters which had come before the House. In some cases they objected to forming precedents, but in others, as in this instance, they set aside that objection altogether. But he thought there was no such thing as establishing a precedent in claims which came before that House, because

each case must stand on its merits. The honorable member for Carnarvon had said that this was a just claim, and that it ought to be acceded to, but he had not referred to a single iota of evidence to show that it was a just claim. The only material statement that honorable member made with regard to the case was, that Corbett showed "the white feather" in not remaining to protect his property, and he (Mr. Bell) thought that was a very strong argument against the claim. He saw nothing whatever in the case that there was not in the case of outside squatters, and he could not see why they should be set aside as a class in the community who should not receive the indulgence of that House as well as any other class. The claim might have some elements of justice in it, but it was not an isolated one, and he thought the House should set its face against all such claims. If it were agreed to there would be no end to similar claims, and seeing the position the House had taken up, he thought it ought not to be granted.

Mr. HODGKINSON, in replying, said, some remarks had been made which he entirely dissented from, and which appeared to have arisen from ignorance of this particular subject and of the circumstances and requirements of the district. He was quite certain that the inhabitants of the northern gold fields possessed equal courage as their fellow colonists to protect themselves, and he believed if that House distinctly affirmed that they were to protect themselves, they would do so in such a manner as to dispense with the native police altogether. But he also believed that if they were told so, those who resided in townships would be very much disposed to question the right of the Government to demand fees from them, which would lead to a very complicated state of affairs, and perhaps affect the revenue of the country. With regard to there being other claims of this nature, he would tell honorable members that he would not come down to the House upon a false basis, and ask that this motion should be agreed to. The fact was, there were three other persons who had suffered equally with Mr. Corbett, and who were equally entitled to compensation, but there were particular reasons why Corbett's case should be taken first. In the first place, Mr. Corbett was here, and there was an opportunity of the committee examining him face to face respecting his claim; and another reason was, that he had been a peculiarly unfortunate sufferer. His brother was murdered within a short distance of the township, and lost a considerable quantity of gold. He had then to support his brother's family; he lost two children, and he sustained very heavy losses by having to leave the place. With regard to his visit to the honorable member for Port Curtis, it was, of course, done through ignorance, and he hoped that honorable member would not for one moment suppose that he (Mr. Hodgkinson) would suggest any

such course to him. No doubt he was anxious to do the best he could, to carry his point, and that it was with that view he called upon the honorable member, which was a very foolish thing to do, because it did not advance his case, and it gave that honorable member an opportunity of bringing the matter forward in the House, and thereby throwing a slur upon those who were supporting the claim. The honorable the Colonial Secretary had expressed surprise that the committee did not rely solely on Corbett's evidence, and that they should call the Commissioner of Police, and Inspector Coward; but these officers were called at the suggestion of the honorable the Secretary for Lands; and the principal reason why Mr. Coward was called was, because he made a statement in the street to a member of the committee which he did not substantiate before the committee. It was also considered that as Mr. Corbett's evidence reflected to some extent on the police, it would be a very one-sided inquiry if those officers were not called, and probably the committee would be condemned if they had not called them. The committee merely took what they considered a proper and straightforward course, and the first thing he would ask the House to consider was, that this man had been a heavy loser. The honorable the Colonial Secretary had acknowledged that he had lost nearly five times the amount he now claimed, and if that were so why should he be deprived of the amount proposed to be granted, simply because the committee made a mistake? With respect to the murders that had taken place in the district, he would point out that the eight cases referred to were in the neighborhood of one township. He could mention thirty or forty murders that had been committed in that part of the colony within a short period, and there could not be the least doubt that the police protection was insufficient. He would press the motion to a division in order to see the feeling of the House on the subject.

Question put and negatived on division:—

Ayes, 10.	Noes, 16.
Mr. Fryar	Mr. Palmer
" Beattie	" Bell
" J. Thorn	" Macalister
" Macrossan	" Wienholt
" Miles	" Hemmant
" Pettigrew	" Fraser
" Edmondstone	" Dickson
" Griffith	" J. Scott
" Hodgkinson	" Royds
" Groom.	" Foote
	" McIlwraith
	" Morgan
	" Low
	" Stephens
	" Teehey
	" W. Scott.

CROWN LANDS SALES BILL.

The SPEAKER announced the following message from the Legislative Council:—

"MR. SPEAKER,

"The Legislative Council having received a message from the Legislative Assembly returning

'The Crown Lands Sales Bill of 1874,' disagreeing to some of the amendments made by the Legislative Council in this Bill, have this day agreed to the following resolutions, viz. :—

"The Legislative Council request a free conference with the Legislative Assembly, with a view of arriving at a mutual agreement on the amendments made by the Council, and disagreed to by the Legislative Assembly in 'The Crown Lands Sales Bill of 1874.'

"The managers of such conference to be the Honorable G. Thorn, the Honorable F. T. Gregory, the Honorable A. B. Buchanan, the Honorable A. H. Brown, the Honorable E. I. C. Browne, the Honorable F. H. Hart, and the Honorable T. L. Murray-Prior, and that such conference be held in No. 1 Committee Room of the Legislative Council, at 4 o'clock to-morrow.

"M. C. O'CONNELL,
President.

"Legislative Council Chamber,

"Brisbane, 14th July, 1874."

He said, before any action is taken by the House upon this message, I consider it my duty to point out that it does not agree with the practice of the House of Commons. As far as I have been able to ascertain, no free conference has ever been submitted to by the House of Commons until after two conferences had been held and failed in their business. I do not know whether this Assembly will consider it necessary to enforce that practice, or whether the House of Commons will cease to be our guide upon these matters. I will read my authority for what I have stated. In Hatsell's Precedents, Vol. IV., page 41, it is reported :—

"On the 20th of April, 1671, the Lords desire a 'free' conference on the subject matter of the last conference, on a Bill to prevent frauds in selling of Cattle;—this is agreed to; but the managers are ordered to acquaint the Lords of their mistake in asking a 'free' conference when there had been but one conference in that matter. —The Lords admitted that this was a mistake.

"On the 15th of May, 1675, the Commons desire a conference upon a message sent from the Lords, in relation to a warrant, signed by the Speaker;—this is agreed to, and held. On the 20th of May, the Lords desire another conference upon this subject;—this is reported on the 21st; and then the Commons, not being satisfied with the reasons alleged by the Lords in support of their message, demand a 'free' conference.

"The Lords, on the 2nd of February, 1688, having made amendments to a resolution of the Commons about the vacancy of the Throne, and which had been sent up for their concurrence—to these amendments the Commons disagree—and desire a conference to assign their reasons. This conference is held on the 4th of February. On the 5th of February the Lords desire another conference, which is held on that day, at which the Lords acquaint the Commons that they insist upon their amendments, and give their reason for insisting. The Commons still disagree to the Lords' amendments, and then desire a 'free' conference, which is held on the 6th of February; and on the 7th, the Lords send word, that they agree to the vote of the Commons without any alteration."

I am further borne out in my opinion by "May" and "Cusling," who are equally explicit, and quite as strong on the point, and bring the practice down to a much later period.

The COLONIAL SECRETARY said: As far as the Government are concerned, they are anxious to have a conference, in order to see if some arrangement can be arrived at; and if we are to have one at all, I think it would be better that it should be a free conference, because any ordinary conference would merely amount to one member of the House handing a document to a member of the Council, and a member of that Chamber handing another to a member of the Assembly. I think it is just as well that we should proceed at once to practical business. I think an authority in the year 1671 is rather too far back, and I am of opinion the course proposed is the correct one; and I trust the House will agree to it, and also with the course the Government intend to adopt with regard to it.

The SECRETARY FOR PUBLIC LANDS then moved—

1. That this House agrees to the request made by the Legislative Council to meet the Council in free conference with reference to their amendments in 'The Crown Lands Sales Bill;' and appoint Messieurs Macalister, Stephens, Dickson, McIlwraith, Edmundstone, Pechey, Low, Miles, Pettigrew, Fryar, Hodgkinson, Fraser, Thompson, and Griffith, to be their managers at the said conference.

2. That such agreement be communicated to the Legislative Council by message, in the usual form.

He said: It appears to me to be advisable, if the Upper House desire a conference, that we should meet them. We have adopted the usual practice of the House of Commons with regard to the number of members to represent this House, which is, that when the Upper House requests a conference and appoints a certain number of its members, the Lower House appoints double that number. That practice has invariably been insisted on by the House of Commons, and we propose to follow it. In moving the names, I have followed the same rule as appears to have been adopted in the other House, of nominating honorable members who, all but one, voted on the same side on this question.

Mr. BELL said he did not object to the number, or quantity of members chosen by the honorable the Minister for Lands to attend this conference, but he certainly objected to their quality. It was not up to the standard he should like to see. The honorable member had appointed every one of them from his own side of the House. There was only one honorable member not on the honorable gentleman's own side of the House, namely, the honorable member for the Bremer. That honorable member was not present, however; and if he was, it was well known that he usually voted with the honorable Minister for Lands on the land

question. The reason given by the honorable Minister for Lands for his appointment was a curious one—he had done so because the Legislative Council had adopted the same course. If that was the case, he was afraid the honorable gentleman had a very frail character, and that he was easily managed. But what he mostly objected to in the case of that honorable member was, that he had accepted the proposed conference with, he (Mr. Bell) presumed, some hope of doing good.

Mr. PALMER: Not the slightest.

Mr. BELL: He would ask the honorable Minister for Lands, what hope he could have of any good result arising, as, at the very outset, he had met the proposal in the most hostile manner, by bringing up the whole of his forces to beat down the proposals of the representatives of the other House? He thought it would be far better to refuse the conference altogether, than to meet it in the way proposed. He thought such a course was unnecessary on the part of the Government, because they were certainly strong enough in that House on the land question. It would have been far better if they had accepted the opportunity, and had shown a desire to deal out some slight modicum of justice to the pastoral tenants of the Crown. He should not make any motion on the subject, as it would be only uselessly occupying the time of the House.

Mr. GRIFFITH said he wished to call attention to what May said in reference to the appointment of managers—

“But it is not customary, nor consistent with the principles of a conference, to appoint any members as managers, unless their opinions coincide with the objects for which the conference is held.”

He took it that the object the honorable Minister for Lands had was to select, as managers, honorable members who could state the reasons why the other House should not insist on their amendments.

Mr. PALMER said he thought it was patent to every honorable member that no good could result from the free conference; and that the Ministry never expected or meant any good to come from it was evident from the names they had selected. He looked upon the whole thing as a perfect farce, and, therefore, he should not oppose it.

Mr. PETTIGREW thought that there would not be much difficulty in arriving at an understanding on the question, if too much was not wanted. The honorable member for Dalby seemed to be satisfied with nothing—he doubted if the honorable member would be satisfied, even if the Bill was thrown out altogether. He could tell the honorable member, however, that if that was the case, there might, next session, be a much stronger Bill introduced. The honorable member said that the Government should deal out some justice, but he thought that had been done in one of the very last clauses of the Bill, which

gave six months more to the honorable member than he had expected. He believed the object of the conference was to make some sort of a compromise.

Mr. MOREHEAD said he was rather astonished at the honorable member for Stanley, who had been named as one of the managers, getting up and making a threatening speech by telling honorable members what they might expect next session. After making such a speech the honorable member ought to request the honorable Secretary for Lands to remove his name from the list of managers.

Mr. MILES thought that the conference would be merely a waste of time, as no good was likely to result from it. He believed that if honorable members on the Opposition side of the House had supported the Bill of the honorable Minister for Lands, it would have been one of the finest Bills for them that ever was introduced into that House.

The question was put and agreed to.

ADJOURNMENT.

The COLONIAL SECRETARY, adverting to the intention, of which he had given notice, of moving the adjournment of the House, in testimony of respect for the late Sergeant-at-Arms, moved—

That this House do now adjourn.

Question put and passed.