

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 16 AUGUST 1876

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LEGISLATIVE ASSEMBLY.

Wednesday, 16 August, 1876.

Returns of Land Certificates.—The Burke Election.—Adjournment.—The Cooktown Petition.—Unfurnished Return.

RETURNS OF LAND CERTIFICATES.

The SECRETARY FOR PUBLIC WORKS moved (without previous notice)—

That the returns laid on the table of this House, on the 26th ultimo, relative to certificates granted by the Land Commissioners for the Ipswich district, and selections at Ipswich Land Office paid for by Land Orders, be printed.

Mr. WALSH said he must object to the motion, which was virtually a suspension of the Standing Orders, and was contrary to the practice of that House altogether. He should like to move a similar motion himself, but knowing it was contrary to the rules of the House he had refrained from doing so. Although he had not the least idea of the object of the motion of the honorable member, he thought it was his duty to the House to see that its ordinary safeguards were adhered to.

The SPEAKER said it had been the practice of the House to allow a motion for the printing of papers to be put without previous notice being given.

Mr. WALSH said that it had always been the practice when a Minister laid a paper on the table, but not several days afterwards, and especially when the motion was made at the

instigation of another honorable member; it was a very serious innovation. If the motion was allowed, he should move that the petition presented on the previous day by the honorable member for Cook from certain residents of Cooktown be printed; in fact, he did not know where such a practice would end if commenced.

The SPEAKER said he would read the opinion of "May" on the subject:—

"An unopposed motion can be brought on by consent of the House, without any previous notice, but if any member should object, it cannot be pressed. If a Minister moves for a return which he is prepared to present immediately at the Bar, it is customary to make such a motion without previous notice."

Mr. WALSH: Hear, hear.

The SPEAKER said he would ask the House whether they consented to the motion being put.

Mr. WALSH objected.

Notice of motion was then given in the usual way.

THE BURKE ELECTION.

The SPEAKER said: I have to inform the House that, in accordance with a wish expressed by honorable members, I have taken steps to ascertain whether the writ for the election of a member for the electoral district of Burke can be returned in the form of a telegram, under the provisions of the Telegraphic Messages Act of 1872, and I will now read the correspondence on the subject:—

"Brisbane, 14th August, 1876.

"The Honorable The Attorney-General.

"SIR,

"As I have been applied to to make use of the provisions of the Telegraphic Messages Act for the purpose of expediting the return of the Member who shall be elected to sit in Parliament for the Electoral District of Burke, I shall be much obliged if you will give me your opinion as to whether the provisions of that Act are applicable to this case; and if not, whether any steps should be now taken to cure any defect that may be apparent to you.

I have, &c.,

H. E. KING,

Speaker.

—
"Crown Law Officers,

"Brisbane, August 16th, 1876.

"SIR,

"In compliance with your request, conveyed in your letter of the 14th instant, I have considered the question whether provisions of the Telegraphic Messages Act of 1872 extend to the case of a returning officer under the Elections Act of 1874.

"The Act refers by name to Returning Officers, appointed under the Elections Act of 1867 and the Elections Act of 1871, but makes no reference to any Returning Officers under any other statute; nor does it contain any reference to Returning Officers generally, or as a class. If it had done so, I should have been of opinion that it extended

to Returning Officers appointed under a subsequent statute.

"But in the absence of any such reference, I am unable to come to any other conclusion than that the statute does not apply to Returning Officers appointed under the existing law.

"The defect may, however, be remedied by an Act declaring that the words 'Principal Officers of Government,' as used in the statute, shall include any Returning Officer appointed under the laws in force for the time being, relating to the election of members to serve in the Legislative Assembly.

"I have, &c.,

"S. W. GRIFFITH,

"Attorney-General.

"To the Honorable The Speaker of the Legislative Assembly, &c., &c., &c."

The ATTORNEY-GENERAL thereupon gave notice that he would on the following day move for leave to introduce a Bill to amend the Telegraphic Messages Act of 1872.

ADJOURNMENT.

Mr. MCILWRAITH said he rose to move the adjournment of the House for the purpose of bringing forward a matter following on some papers which had been laid on the table of House by the honorable Minister for Works. On the 9th of August last, the honorable member for Fortitude Valley asked the Premier if he had received any offer from anyone to construct cheap lines of tramway, and, if so, whether there was any objection to lay all papers connected therewith on the table of the House. To that, the Premier said, there were some papers, and there would be no objection to produce them. In accordance with a resolution subsequently moved by the honorable member for Fortitude Valley, the papers were laid on the table. He was anxious to see what was contained in those papers, and the first one which he had taken up, showed to him that there had been a breach of confidence on the part of the Premier in laying them on the table at all, as he found the following letter:—

"I have the honor to draw your attention to the last clause in my letter, dated 27th June last, *re* the Government considering my detailed price estimate for light railways a confidential document."

On turning to another paper he found the following words:—

"I would respectfully ask that the light narrow-gauge estimate should be considered by the Government as confidential, unless I should hereafter enter the Civil Service."

Now he had spoken to the honorable the Premier, and had been told by that honorable gentleman that it was not at all with the knowledge of Mr. Wylie that those documents had been laid on the table, and therefore he considered that there had been a gross breach of confidence on the part of the Government.

The PREMIER said he had not noticed the letter referred to by the honorable member,

nor did he know that the offer made by Mr. Wylie was confidential. He had merely looked upon Mr. Wylie as a civil engineer or surveyor, who submitted some offer to the Government, and had not seen the letter, which had been put in with the papers unknown to him. He might say that all the estimates of Mr. Wylie were unreliable, and, he believed, it would be proved conclusively that they would not bear the light of day.

Mr. MCILWRAITH said that, in another part of the correspondence, the desire of having the offer regarded as confidential, was equally as strongly expressed.

The PREMIER said he had not had time to read the papers, and had consequently not noticed that they were to be regarded as confidential. He hoped that explanation would be considered sufficient.

Mr. THOMPSON said he rose for another purpose, and that was to draw attention to the arrangements which had been made on the Southern and Western Railway. He noticed that the morning trains appointed to leave Ipswich during the week of the show were at 7.20 and at 8.20, and that the next would not leave until 12; the consequence of that would be, that people living at some little distance from Ipswich would not be able to see the show, and return on the same day. He would put it to the Premier whether it would not be better to have a train leaving Gatton in time to catch the 8.20 train at Ipswich, so as to allow the people of Gatton and Rosewood and neighborhood to attend the Exhibition, which they otherwise would not be able to do; unless there was a goods train which would answer the purpose. Then he understood that the accommodation in Brisbane would not be at all sufficient to give all the country people beds, and it would therefore be very advisable if the half-past five o'clock train, which now only went as far as Oxley, were to go to Ipswich. He would also put it to the honorable member that, during the show week, the fares charged by the railway were too heavy. He understood that when there were great shows in New South Wales, the railway fares were so much reduced that for the longest distance only six shillings was charged for a return ticket. He thought that one fare for the double journey was too much on an occasion of that sort, when every thing should be done to give the greatest *clat* to their first national show. It had also been suggested, whether it would not be well to issue a special ticket for going and returning as often as required during the Exhibition week, for there were many families who would bring down some of their children one day and some on another, and to whom the ordinary fares would be a serious consideration. He believed if that was done, it would be a very popular act, and would at the same time entail no loss on the country.

The PREMIER said that he believed very satisfactory arrangements indeed had been made all over the line from Warwick and Dalby

to Brisbane. He had arranged that the 7 p.m. train should not leave Brisbane till 10.45 p.m., and also that one should leave Warwick late at night so as to arrive in Brisbane early in the morning, and that would suit the people of Gatton. It was a most difficult thing to please the people there, and he was at a loss to know why people living between Gatton and the Main Range were not to be considered just as much as those at Gatton. He believed that all the arrangements were very satisfactory, and although he had not seen them, he believed that they had been published. With regard to trains running more frequently, honorable members should bear in mind that the Government had only a certain quantity of locomotive power at their disposal; in fact, considering their resources, he believed they were doing wonders for a single line of railway. It was too late now to make any alteration in the fares; but he thought that single fares for a double journey would be a sufficient inducement to people to come down to see the Exhibition.

Mr. BAILEY said he rose to call the attention of the Government to a question which he had asked on the previous Wednesday, namely, whether it was the intention of the Government to appoint a competent person to manage the traffic department of the Southern and Western Railway? and the answer then given was, that the Government were not aware that the present Traffic Manager was not competent. He thought that honorable members had perceived by the remarks of the Premier, that that honorable gentleman had begun to overhaul the Traffic Manager, as he said that satisfactory arrangements had been made; and if the honorable gentleman would guarantee that in future he would exercise a supervision over that officer, things might go on more satisfactorily than they had hitherto done. He had been somewhat surprised at the answer given to his question some days ago, for it seemed to him that the Government should be the very first to be aware of the incompetence of a public officer. They, however, appeared to be perfectly unaware of what had been notorious to the public in the southern part of the colony for months past—that there had been continual complaints of the mismanagement of the traffic department of the Southern and Western Railway. He found in the *Queensland Times* of August 5th, the following remarks on the subject:—

“Mr. B. White, of Laidley, forwarded four tons of produce to the railway station there, where some of it was allowed to remain for eleven days. Mr. John Campbell sent a quantity of maize for transmission, and it was actually forwarded after having lain in the storage shed for only sixteen days. Mr. E. Heenan also forwarded seventy sacks of produce, which did not leave the station until some ten or twelve days afterwards. Many of the other farmers in the neighborhood of Laidley have produce ready for transmission, but

they are unable to secure storage for it there; they are not only put to most serious inconvenience, but are subjected to a considerable pecuniary loss.”

On August 15th, also in the *Courier*, there was a report of a meeting of farmers and others at Laidley, in which some similar complaints were made as to the insufficiency of the accommodation in the traffic department of the railway; and on the 14th August, in a letter to the *Courier* on railway matters, he found the following very pertinent suggestion made:—

“A decided improvement would also result in getting one of the general managers of, say, the Great Western, or London and North Western Railway, to select a good manager who could also be given especial charge of the colonial railways. It would astonish most people, the rapid increase of the railway receipts, if put in the hands of such a man.”

It had been a matter of public notoriety that the traffic department had been grossly mismanaged, and that the result of such mismanagement had been a serious loss to the colony. But he found in the Ministerial organ a leading article, which, if other things failed, must certainly open the eyes of the Government to the evils to which he drew attention. Not only did that article speak of the great muddle as regarded the conveyance of passengers and goods, and not only gave the reason why there was such a muddle; but it also alluded to another fact, and that was the present martinet system on which some of the public departments were conducted. If that article was not erroneous, it was quite time that inquiry was made into that matter, for it said:—

“Complaints are useless; redress is impossible; no information can be obtained; a system of autocratic secrecy seems to prevail; the subordinates of the department seem to be under a reign of despotic terrorism; a man seeking information or satisfaction in the higher ranks—numerous and costly enough, everybody knows—is immediately made painfully conscious of an atmosphere of snobbishness and upstartism; the station masters prudently know nothing, and say nothing; their superior officers may know more, but they are quite as reticent; but it is not to the insolent contempt with which complainers are ordinarily treated, that we wish to specially refer, so much as to the blundering inefficiency with which the department is afflicted.”

He would not go into the question of the truthfulness of those statements, which appeared, honorable members should remember, in the Government newspaper. The article in question concluded as follows:—

“The question arises, How long is this state of mismanagement to continue? Were the railway private property a change would speedily be made. That a change is necessary, the unanimous voice of all who have to use the railway abundantly testifies. It is with the extremest reluctance we express views like these; but if the Govern-

ment is oblivious to these things, or powerless to remedy them, there is all the more need for us to speak."

He remembered that a short time ago an officer was appointed to the railway station at Toowoomba at a salary of 38s. a-week; that the man went there, learnt his duties, and was able to perform them satisfactorily. Having a wife and some children at Brisbane, he made an application for leave of absence to remove them to Toowoomba, and also asked for a free railway pass; but would it be believed that although that man was acknowledged to be a good servant, and was recognised as such, the pass for his family was refused, and on the man going to Brisbane some days afterwards, the option was given to him of either losing his situation or being prosecuted for desertion from service for leaving Toowoomba to fetch his family from Brisbane. But he had another case bearing upon the subject, which was one on which an inquiry had been asked for, and to the best of his knowledge refused. It arose out of the trip to Dalby, on the occasion of turning the first sod of the Roma Railway. He would read a letter then addressed to the honorable Minister for Works:—

"Brisbane, 8th June, 1876.

"SIR,

"I do myself the honor to inform you that in company with the following gentlemen, Messrs. A. G. Halloran, Sheriff; J. McDonnell, Secretary, Post Office; K. I. O'Doherty, M. Quinlan, W. T. Blakeney, R. G. Petty, V. Power, and others, I was, on Tuesday night, the 6th instant, in a first-class carriage at the railway station, Dalby, travelling to Brisbane by special train, allowed by the railway authorities to visitors to be present at the turning of the first sod of the extension of the Western Railway.

"We had just taken our seats when Mr. Statham Lowe, the Traffic Manager, opened the door, and coarsely said, 'Some of you get out of this carriage to make room for ladies.' On refusing to comply with an order given in an insolent and improper manner, Mr. Lowe made use of threats, and was guilty of conduct unbecoming a public officer in his position, and I have to request that an inquiry may now be held into the circumstances of the case.

"I may also draw your attention to the state of the windows in the railway carriages, the fastenings are so imperfect that very few of the windows can be kept closed, and the health of the passengers is seriously endangered, as they are exposed to the cold draughts.

"I have, &c.,

"THOS. FINNEY.

"The Honorable The Minister for Works."

The reply to that was:—

"Department of Public Works,

"Railway Branch,

"Brisbane, 15th June, 1876.

"SIR,

"I have the honor to acknowledge the receipt of your letter of the 8th instant, relative to alleged ungentlemanly conduct of the traffic manager at Dalby, on the night of the 6th

instant, which has been referred to the Traffic Manager for report.

"I have, &c.,

"EDWD. DEIGHTON,

"pro Commissioner for Railways.

"To Thos. Finney, Esq., J.P.,

"Queen street, Brisbane."

On the 20th July the correspondence was followed up by a letter from Mr. A. O. Herbert:—

"Brisbane, 20th July, 1876.

"SIR,

"Again referring to your letter of the 8th ult., in which you complain of certain action taken by the Traffic Manager at Dalby, on the 6th idem, I am desirous to say it appears no affront was intended by the Traffic Manager in the discharge of his duty upon the occasion in question.

"When ladies are travelling—especially if unprotected—it is the duty of all railway officials to show them very attention in their power.

"I have the honor to be,

"SIR,

"Your obedient servant,

"A. O. HERBERT.

"Thomas Finney, Esq.,

"Queen street,

"Brisbane."

The gentlemen in that carriage felt themselves aggrieved at the treatment they had received from Mr. Lowe, as they were gentlemen, in every sense of the word who were not likely to be guilty of discourtesy to ladies; and to Mr. Herbert's letter the following reply was sent:—

"Brisbane, 26th July, 1876.

"SIR,

"I have the honor to acknowledge receipt of your letter of the 20th instant, and am wholly at a loss to know on what grounds you assume that no affront was intended by the Traffic Manager on the occasion on which I had to bring his conduct under the notice of the Minister for Works. I presume a man's intentions can only be judged by his actions. I was a witness of and sufferer by them, and have to reiterate that the conduct complained of was of the *grossest* description, which could be proved if the inquiry I demanded was held, and I again ask for it. Allow me to say, with all due respect, that I consider the second paragraph of your letter quite uncalled for and insulting, inasmuch as there is an insinuation conveyed that on the occasion referred to Mr. Lowe was protecting ladies against the gentlemen occupying the carriage, who were (I beg to say) quite as much alive to their duty, when ladies were concerned, as either you or your Traffic Manager.

"I have &c.,

"THOS. FINNEY.

Of course no answer was sent to that letter. He might say that the conduct of the Traffic Manager on that occasion was most insulting, and the language used by him was of the grossest character. The carriage in which those gentlemen sat was shunted under a shed, and it was only when Mr. Lowe took a lamp, and saw by their faces that the occupants of it were men not to be treated with impunity,

that the carriage was removed and added to the train. Then again, he would ask, why it was that the goods traffic was not in good order? He had been informed, that on the 9th August, a case was sent to the Brisbane station to be forwarded to Toowoomba, and in a few hours it was returned by the dray with a message that it was too heavy, and that the Traffic Manager would not take it. He must say he had been surprised to hear of such a thing after the bridge was opened at Oxley—that the Traffic Manager did not see his way clear to take a package weighing only three quarters of a hundred weight from Brisbane to Toowoomba. He hoped after what he had stated to the House that the Government would inquire into the competency of their officer, and not shelve the matter in the way they had hitherto done.

MR. WALSH said he entirely disapproved of those one-sided statements being made in that House against public officers, and he thought that personal attacks and complaints made either in that House, or by letters in the newspapers, should be received by that House with very great caution. His experience had been that the Government were always willing to listen to any charge made against their officers, especially those in the Railway department, on the proper management of which the safety and lives of the people depended; and therefore, as he said before, the greatest caution should be exhibited by honorable members in listening to any complaints made against the officers of that department. He believed that on all occasions when there were excursion trains, and where a number of persons were travelling without paying at all, the passengers got into a certain state of hilarity, assumed great personal importance as citizens, and actually demanded a subserviency from public officers which it would not become them to show; or interfered with them at a time when such interference might be productive of danger to life. He recollected the opening of the line to Dalby, when nobody paid one penny as far as regarded the cost of locomotion, that there were on that occasion a great many persons who were brought into a state of excitement, and who not only tried to bully the railway officers, among others the officer who had been referred to, but actually even the Railway Minister. He was told on that occasion that he did not know his business, because he would not allow carriages to be overcrowded. It was on such occasions that complaints in variably arose. The tirade against the Traffic Manager amounted simply to this—that since he had had the management of the line, there had been no accident on the line; whereas if there had been a careless man, or one who would have paid attention to anything people might have told him, there might have been plenty of accidents. Tremendous pressure had been brought to bear upon him (Mr. Walsh) when a Minister, and he had no doubt upon the honorable Speaker also, when

he was Minister for Works, to get rid of Mr. Lowe, but it was entirely a political pressure, and he had always resisted it. He could have made himself popular by suspending that officer by a stroke of his pen; but he would not do so, as he knew the injustice he should be doing to the country seeing, how well that gentleman worked his department. Supposing Mr. Lowe had, on the occasion referred to, made use of discourteous language; supposing for the sake of argument he had done so, he believed that the circumstances almost justified it. He had himself seen Brisbane men who were rising into popularity, who really imagined that they were the Government; and no doubt the writer of the letter read by the honorable member for Wide Bay was of that impression on the occasion referred to. Supposing the officer had made use of discourteous language, he brought down safely a carriage crowded with dissatisfied persons and did his duty. He strongly objected to those attacks upon public officers, who were bound to make themselves unpopular with some persons, if they did their duty and protected the revenue and the safety of the public. There would be no end of accidents if they had a popular Minister who would abate charges, and do all sorts of things just to satisfy men who fancied they were great men; and there would be loss of revenue and perhaps of life. With all Mr. Lowe's fault of manner, he submitted that he was the best man to carry on the management of the railway traffic, and he would give all credit to the Premier for sustaining that officer—who, he believed, was unpopular with the honorable gentleman at one time, and who from his more immediate knowledge of him of late must have found that he was an invaluable servant. He must confess that he was not quite satisfied with the explanation which the Premier had given in reference to the estimate of Mr. Wylie. It appeared to him that the production of those papers was brought about under peculiar circumstances. The honorable member for Fortitude Valley, who was not much in the habit of moving for papers, and who, being a strong supporter of the Government, could have obtained all the information he required from them, was induced to move for a certain return; and then it was found, on examining the papers, that the Premier had committed a breach of confidence with a person who had made certain offers to the Government, by laying those papers on the table. It seemed that the Premier had received certain propositions confidentially, and not only that, but that there was a note accompanying those propositions reminding the honorable gentleman that the communications were to be regarded as confidential. The Premier had, however, broken that confidence by making known the nature of those communications, not only in that House, but elsewhere; and having done that, and his attention being called to the

fact by the honorable member for Maranoo that he had been guilty of a breach of confidence, he said that one of the papers was put in inadvertently by his Under-Secretary.

The PREMIER: I did not say that.

Mr. WALSH said he distinctly heard the honorable gentleman say so. Now, was that a fair way of dealing with a breach of faith that had been committed? Was it fair that after Mr. Wylie's special request to the contrary, his communications should be made widely known? Surely that gentleman had a right to complain of being very badly treated. The Premier said, "I never expected that letter to be included with those laid on the table," but the request was made in two places; in one the writer said that his estimate was to be considered confidential unless he should hereafter enter the public service; yet, in the face of that, the estimate was made public. He strongly deprecated letters of such a nature being laid on the table, and also the conduct of the Premier in excusing himself by saying that his Under-Secretary had put in the letter which had been read through an inadvertence.

Mr. PETTIGREW said he should like to make a few remarks with respect to the management of the Southern and Western Railway, and he would state at once that he did not sympathise with all that had been said by the honorable member for Wide Bay. He thought the matter had been overstretched as regarded the Dalby affair. It appeared to him that the gentlemen who made so much disturbance about Mr. Lowe went up on the "dead head" principle, and paid nothing at all. It was, he thought, the positive duty of the Traffic Manager to find seats for ladies, and the "dead heads" should have been put into a second class carriage if there was no other. He could not understand all the excitement that was got up now and again against Mr. Lowe; but he had no doubt that it had some political object. If he recollected, at the time of the Dalby affair, the present Ministry had not all been re-elected, and that might have been some reason why so many "dead heads" were taken up on that occasion; at any rate, when those gentlemen got noisy they should have been put into a second-class carriage. With regard to special trains he must give the present honorable Premier credit for not having rushed into that extravagance in the same way that some of his predecessors, or even the late Treasurer, had done. With respect to the Laidley business, he might state that there was a good deal of truth in the statement, that some bags were broken open, and when that was intimated to him by a correspondent, he at once wrote to the Traffic Manager on the subject, and received an answer to the effect that he would make a change at that station; but he (Mr. Pettigrew) did not want to have the man dismissed. He had no hesitation in saying that the system was rotten from this cause, that when

a good man was appointed he never knew how long he would be kept; that was the root of the whole mischief in all the public departments. Good officers were superseded by political influence, and the civil servants did not know really whether their positions were safe or not; for no matter how hard working they were, some man might, through jobbery, be placed over them or even in their places. He hoped whatever Government was in power these officers would be protected, and receive as much fair play, and have as much chance of rising as in any private establishment. He would now speak upon an entirely different subject. His constituents had invited him to visit them at Mount Esk next Saturday, and he intended to address them, but before he went he felt somewhat on the horns of a dilemma. From what he read in the *Courier* of that morning, it appeared that the honorable member for Clermont had a very narrow escape from going to the flames. Now, he (Mr. Pettigrew), before going to Mount Esk, would, like a good boy, ask the Premier whether he might go; because the electric spark might go along the wires to that place to set fire to him. Last time he was merely singed, but now he might be burnt altogether. That would be a serious thing for his family, and it would be expensive to bring away his charred bones. He hoped, therefore, the head of the Ministry would give some guarantee that there would be no manipulation going on while he was at Mount Esk. He had brought the subject forward in this jocular manner to show the humiliating position that the House, the Government, and the country were placed in. The idea of honorable members, when they addressed their constituents, or any other public meetings, being followed in this manner by an influence which produced all kinds of disturbance and annoyance! Such a thing had never been done by the British Government for 300 years at least, and it could only be equalled by what took place at Naples, in 1848. For the respectability of the Liberal party, and the colony at large, he hoped they would never read in the newspapers any more of these attempts to fire members of Parliament. He hoped it would be the last time he should have to refer to the matter, for it was, he felt sure, doing the Government an immense amount of injury. The last attempt to fire him had done him a great deal of political good, but it had done the Government harm. For the character of the House, he hoped nothing of the kind would ever be attempted again. He was sorry to find that the Minister for Lands held that in this firing business any one who could pay for his telegram had a right to set the wires in motion. It was unmanly for the leaders of a Ministry to stir up a constituency in this way. There were various reasons, applying to a member's mind, when he was in the House, why he should vote in a particular way, which might or might not be pleasing

to the Ministry of the day, but the Ministry had no business to manipulate the constituencies in consequence, and he hoped for the respectability of the colonial Premier, that neither he nor his Ministry would ever attempt such a thing again. He spoke to them as a friend. Fancy Lord Derby, or Mr. Disraeli, or Mr. Gladstone sending down to Scotland to fire a member in Edinburgh when he went down to address his constituents? It would be said that those eminent statesmen were mad, and totally unfit for the Government of the country; and if any more of this wire-pulling took place in Queensland, people would say that the present Ministry were unfit to direct its affairs. The attempt to interfere with a man's constituency was cowardly; if the Premier had anything to say about him (Mr. Pettigrew) let him say it on the floor of the House, and not go running from South to North, and setting the telegraph wires in motion. He wished these few observations to operate for the good of the party to which, he was happy to say, he belonged, namely, the great Liberal party; but that party must be not only liberal in name, but in character, and must not be too liberal with their principles.

Mr. PALMER said he did not rise to defend the manager of the Railway department, but with the view of calling the attention of the House to the manner in which documents had been produced, and statements made about a gentleman who could not possibly be there to defend himself. If the conduct of the Traffic Manager was so bad as was stated by the honorable member for Wide Bay, it was his duty, if he could not influence the Government, to move for a select committee to inquire into the charges made. If that was done the officer attacked would have a chance of defending himself; but it was unfair, it was cruel, it was cowardly to attack any officer of a Government department in this way, and he hoped such a thing would never be repeated in the House. He was not going to say that the management of the railway might not be a great deal better than it was; but every one who had been in office was aware that, with a new line just opened, with a scanty supply of locomotives, it must be an exceedingly difficult task for any traffic manager to make arrangements to satisfy everybody, or to satisfy even himself or his department; it was evident that great latitude must be allowed. With respect to the charges made by the gentlemen who went to Dalby, he did not believe they ever intended the correspondence to be read in the House. Those gentlemen, so far as he knew them, were very well able to take care of themselves, and they were not the persons, he was sure, to attack a man behind his back. He, himself, had never seen any discourtesy shown by Mr. Lowe to any one; and if there was one thing more than another in praise of that gentleman, it was that, though the line, it was true, was a single line of railway, he

had been for years traffic manager, and not an accident of any importance had occurred. At any rate, it was most unfair to attack him in his absence.

THE SECRETARY FOR PUBLIC LANDS was glad to hear the honorable member's defence of Mr. Lowe, of whom he had heard many gentlemen who had large transactions with the railway speak in the highest terms. He (Mr. Douglas) believed Mr. Lowe was one of the hardest working and worst paid officers in the Government service. His responsibilities were great, and, of course, there must be frequently mistakes and inconveniences in connection with a railway. It was much to be hoped that the honorable gentlemen who had made these charges would not be content with bringing general accusations; let them bring forward some particular and definite charge, instead of a general affirmation. The honorable member for Wide Bay might move for a select committee, and that would be preferable to keeping a number of indefinite charges hanging over a man's head. If any officer in the public service could be proved to be incompetent or rude, let the truth be discovered, and that officer got rid of if necessary; but it was very hard and disheartening, that a man who had done his duty to the best of his ability, should be accused without the opportunity of defending himself. He hoped, therefore, some one would move for an inquiry into the whole railway management; it was only fair to Mr. Lowe that some steps should be taken to throw a little more light upon the complaints which had been laid before the House.

Mr. BAILEY wished to say that these charges would never have been brought if an inquiry had not been refused by the Government; it was only after a refusal on the part of the Government, and the publication of the complaints in the public prints, that he resolved to bring them before the House. Of course, if the Minister for Works would not take the pains to inquire into his own department, he must move for a select committee at the earliest opportunity.

THE PREMIER: I promise the honorable member for Wide Bay that an inquiry shall be made into this occurrence that took place on the turning of the first sod of the Dalby line. With regard to the station master at Laidley, it was brought to my notice that he had been in a state bordering on drunkenness for the last four months. I was not aware of it before. The irregularities at Laidley, therefore, are not the fault of the Traffic Manager, but of the station master, who has been dismissed. With regard to Mr. Lowe, he is a most excellent officer, so far as I can judge.

Mr. DE SATGE said that to say a station master was in a state bordering on drunkenness for four months, without being reported, was in itself a condemnation of a traffic manager, and he (Mr. De Satgé) trusted that in this instance things were not quite so bad

as they were represented. With regard to Mr. Lowe, he quite agreed in the cowardice of attacking a person who was unable to defend himself; but, at the same time, if, by continual representation, no improvement was made in the traffic management, members had a perfect right to ventilate any small matters connected with it, without requiring the Traffic Manager's dismissal. He himself had suffered great inconvenience from having to travel a whole winter's night in a carriage whose windows could not be shut. It was both annoying and dangerous.

AN HONORABLE MEMBER: It is just the same on the northern line.

Mr. DE SATGE said everybody travelling on the line to Toowoomba complained of these imperfect windows, and the indifferent engine driving was another thing; the engine started with a jerk which shook the passengers to pieces, and must shake the carriages very severely also. Then there were the stoppages of the Dalby train. The Dalby train was made to stop outside for the Warwick train, so that they might make a procession into Toowoomba, the only reason that he could ever discover being that the two sets of passengers might take breakfast together. These were trifles, no doubt, but he would seize the present opportunity of airing them, without, however, questioning the capacities and success as a traffic manager of Mr. Lowe, who had been a good official for many years.

Mr. GROOM thought it was only fair to the Railway department to say that he went there that morning to suggest certain alterations in connection with the show, and found the greatest willingness on the part of the department to accede to the wishes of his constituency if it could be done, and he was quite sure that the arrangements which had been made by the Traffic Manager would fully satisfy the people on the Darling Downs. Some complaints had been made of the traffic management. In his editorial capacity he had had several letters sent to him complaining of such trivial things that he had put them into the waste-paper basket. It required some very stern person indeed to be the practical head of a Railway department. Sometimes there were very rough customers in the railway trains, who would think very little of insulting a lady, or indeed anyone else. He was satisfied that unless the manager of a railway was a person of some sternness of character complaints would be continually arising. The member for Stanley hit the nail on the head when he said that the canker worm of the department was that the officers felt that they were always liable at very short notice to be replaced, or passed over in favor of incompetent persons. He himself could give a case in point. A gentleman recently in charge of the locomotive department had been suspended with the intention it was said of removal altogether from the lines, and he had been informed that the per-

son who was to take charge of the locomotive department knew no more about locomotives than locomotives knew about him. This was done while a person like Mr. Hornblow, who had experience on the Southern and Western Railways in England, and who was in every way a competent man, was to be placed in a subordinate capacity to a man who knew nothing about locomotives. This could not fail to be very disheartening to persons in the Railway department, and must have a very discouraging influence upon them; it would also be depressing to a gentleman in Mr. Lowe's position, who would naturally know the worth of his own officers better than any one else. If Mr. Lowe had more latitude in retaining officers in his own department, and less political influence was brought to bear on the railway management, there would be more comfort and more efficiency. Members of Parliament were inundated with requests from persons anxious to get recommendations to the Civil Service. It was becoming a positive nuisance, so continued were these applications for aid in procuring appointments in the Civil Service. People seemed to think there was nothing else to do but to get into the Civil Service, and not to work as other people had to do. People thought they could become Government pensioners the moment they arrived in the colony, and the Railway department seemed to be the one they were chiefly desirous of entering. He himself always set his face against this system, believing that the Railway department was best able to judge of the qualifications required for the service. Whatever his avocations in England may have been, every man seemed to think that he could at once come into the Railway department of the colony. This probably had something to do with the complaints made against the department, and he believed that if Mr. Lowe were allowed to manage his own department without political interference, it would be much better for the public service. He regretted to hear what the Premier had stated with respect to the station master at Laidley, who was appointed on the recommendation of a former Colonial Treasurer and the honorable member for Port Curtis, and who, for a long time, did great credit to those gentlemen. He was very sorry to hear that this gentleman had fallen a victim to intemperance, but if he was dismissed, he presumed the action of the Government was perfectly justifiable under the circumstances. He (Mr. Groom) regretted that he was not in a position to speak in the station master's favor.

Motion for adjournment withdrawn.

THE COOKTOWN PETITION.

The SPEAKER: I beg to inform the House that it has been pointed out to me by the Printing Committee that the petition from Cooktown, which was received yesterday, and which the House will remember was an appeal against the increased duty on rice, is found

to be irregular; and it is irregular because not certified as it should be by the honorable member who presented it. When the petition was presented it was discovered that there was no certificate from the translator that his translation was a true one. Upon this, as honorable members are aware, some discussion took place upon the presentation of the petition, and it ultimately was the will of the House that the certification of the honorable member for Cook, as to the translator's competency to translate, and trustworthiness, should be accepted. When, however, the petition came before the committee this morning, they found there was no such certificate endorsed upon it, the honorable gentleman simply signing his name at the head of the signatures. The committee, in reading over the petition, also came to the opinion that portions are disrespectful to this House. There were several passages which struck us as disrespectful, but the one that particularly struck us is the final one. It says:—

"That the British Empire has gained more from its commerce with China than China has gained from commerce with it, and the Imperial Government of China has acted contrary to its traditions and its ancient policy in admitting foreigners into China, already over-populated, while the Government of Queensland propose to enact measures opposed to the traditions and the policy of the English law, and to legislate against the spirit and letter of solemn treaties, in order to oppress and starve the already oppressed Chinese in the sparsely populated wilderness of Queensland.

"Your petitioners, therefore, pray that your Honorable House will take the matter in this their humble petition into favorable consideration, and will cause to be done in the premises, as in your justice and wisdom you may consider meet, and your petitioners will ever pray, &c."

It seems to me that in stating that the Chinese are at the present time oppressed in this colony, the petitioners are decidedly disrespectful to the legislature of the colony, and it is not respectful to state that the Government propose to legislate for the purpose of oppressing them still further, and starving them. I certainly think the petition ought not to have been received, and I call the attention of the honorable member for Cook to the necessity of reading any petition he presents to the House, and ascertaining that it is not disrespectful. I have no doubt, however, that the omission of the honorable member's certification was accidental.

Mr. MURPHY said that omission was, of course, an accident, and he regretted that it should have occurred; he considered it merely a formal matter, and was quite ready to repair the omission at once. With great respect he submitted that it was never the intention of the Chinese petitioners to be disrespectful. Although he had shown by his vote in the House that he did not acquiesce in the statements put forth by the petitioners, yet, bearing in mind the right

of petition, and the latitude that should be accorded to foreigners who desired to bring forward grievances, he thought more liberty should be allowed Chinese in stating their case than was usual. He hoped the House would not suppose for a moment that the Chinese residents at Cooktown, or the gentleman who translated the petition, had any desire to state what was disrespectful to the House. Their object was to get rid of what they conceived to be an obnoxious impost. A law was passing through the House, by which, so far as they could see, they would be oppressed, and in their own way they stated their views to the House. These views were expressed probably in a manner that would be considered very strong in Europeans, and it might be that the original words would not be of so pronounced a character. The translator, he was sure, had intended to represent the views of the petitioners in the best way he could.

The SPEAKER: I must interrupt the honorable member. Though he has a right to give a personal explanation, there is no motion before the House; and I do not think he is justified in making a speech.

Mr. MURPHY said he was going respectfully to submit that, under the circumstances, the petition should not be considered as infringing upon the rules of the House. Of course, if the honorable the Speaker and the House thought otherwise, he must acquiesce in the decision; but he respectfully asked on behalf of these foreigners that the petition should be received, and have effect given to it in the deliberations of the House.

Mr. WALSH said there was no privilege upon which a British subject prided himself more than upon the right of petition, and there was no subject upon which the House of Commons felt a keener interest. He was extremely sorry to differ from the honorable the Speaker, but must confess he could not see that there was a word in the petition that was disrespectful to the House. He understood the honorable the Speaker to say that the great objection taken by the Printing Committee was to the closing paragraph of the petition. The only ground they could take for objecting to the petition was, that it was disrespectful, not to the Government, but to the House; the House had nothing to do with the quality of a petition as affecting the Government. Most petitions were necessarily objections to Governments. A petition, for instance, asked consideration to some claim that a person had against the Government; and, in effect, this was a complaint that the Government had not done justice to the petitioner. This was the purport of the present petition. After the statement made by Ministers, that one reason for putting on this tax was because the Chinese were a frugal people, they had, in his opinion, every right to say they were an oppressed portion of the population, and he did not think, upon this ground, they were justified in rejecting the

petition. Another point to which he would call attention was that he did not think it was the province of the Printing Committee to say whether the petition should or should not be received. The House had already received it, and the Printing Committee had merely to say whether it should or should not be printed. They could refuse to print a petition if it was informal, but they had no such power delegated to them as to warrant them in insulting the House, which had received the petition and committed it to their hands. It was a mistake to suppose this petition was disrespectful; simply to say that the Government of the colony were oppressing a certain portion of the population was only to say the literal truth.

Mr. GROOM said the honorable gentleman who had just addressed the House seemed to forget that the petition was presented to the House, and that it distinctly alleged that the Government had oppressed the Chinese, and that at the present time it proposed to oppress them still further and starve them. That was certainly disrespectful to the House. If honorable members would read the proceedings of the home Parliament, and observe the slight things upon which petitions were refused there, and how jealous the House of Commons was in the matter of petitions, they would see how necessary it was to exercise extreme care. Had he been in the House on the previous day when the petition was read, he should have taken an objection to it; for no person could look at the original Chinese document appended to the petition without doubting whether the two were reconcilable the one with the other. He did not profess to be a Chinese scholar, but he had had some business transactions with the Chinese, and knew something of their writing. He was convinced that the Chinese document, of which the petition was said to be a translation, was a very brief matter indeed compared with the verbose character of the lengthy English production that had been read. This, together with the fact that the petition came before them without any verification of the accuracy or truth of the translation, should cause the Printing Committee in duty bound to pause before they printed it. The petition was, to their minds, informal, and they did quite right to bring the matter before the House. It was informal on two grounds: first, it was not really a petition at all, but merely a running commentary upon the Customs Duties Bill and the Gold Fields Act Amendment Bill; and in the second place, it contained language that was decidedly disrespectful to the House. The House had never oppressed the Chinese, and no Government had offered them oppression. He denied that the Chinese had been oppressed in any way; whether the Bill before the House would have that effect, was a question upon which they might agree to differ. To come before the House by petition, and say that the Chinese had

been oppressed, was disrespectful, and not in unison with facts.

Mr. PALMER did not intend to say anything about the "Heathen Chinese," but a word or two about the Printing Committee. The honorable the Speaker, upon reconsidering the matter, must, he thought, arrive at the conclusion that the committee had exceeded their duty. The only question put before them by the House in submitting a petition to them was, to decide whether it should be printed; they had nothing further to do with it.

Mr. MORGAN thought he was justified, as a member of the Printing Committee, in offering a few remarks. If he recollected aright, the motion of the honorable member for Cook was that the petition be received, and the question was not whether it should be printed. He certainly was of opinion that if the House ordered the petition to be printed, no committee could prevent it. The honorable member for Warrego, who had defended the petition, was the last member of the House who would tolerate such language as that embodied in the petition sent down from Cooktown—a petition which, it was desirable to remember, was addressed to the House, and not to the Government, and it directly accused them of doing something that had a tendency to starve them out. If that was not disrespectful to the House, he did not know what was. The honorable member for Cook violated the Standing Orders, to begin with, by saying that to the best of his belief the translation was a correct one; and he supposed, in the hurry of presenting it, the officers of the House did not notice that the Standing Order had not been complied with. On reviewing the whole circumstances, the Printing Committee acted quite consistently with their duty. The House simply received the petition, and it was for the Printing Committee to say whether they would print it.

Mr. PALMER: Yes; but that is all.

Mr. IVORY said there was no dispute at all upon this point. They were all agreed that if the Printing Committee found anything wrong in the petition, it was within their province to refuse to print it; what he took exception to was their expressing an opinion through the Chair that the petition was disrespectful, and that the House had committed an error in receiving it. The committee had no business to set themselves at variance with, or express an opinion with regard to, the action of the House.

Mr. EDMONDSTONE maintained that the action of the Printing Committee was in accordance with precedent, and that similar objections were taken while the honorable member for Warrego was Speaker.

Mr. WALSH begged to say, in explanation, that he knew of no instance in which the Printing Committee had brought such a matter before the House. The Speaker's attention might have been called by the Clerk to some informality, and the Speaker might have acted

upon it; but he was sure he should have always thought it beyond the province of the Printing Committee to return a document committed to them by the House, on the single question of deciding whether it should be printed or not.

Mr. FRASER presumed it was the duty of the Speaker, as guardian of the privileges and rights of the House, if he found anything wrong in a petition after it had been received to bring the matter before the House. He (Mr. Fraser) had no hesitation in saying that the petition was disrespectful to the House, for it was not true that either the House or the Government had ever directly or indirectly done anything to oppress the Chinese; and the measure before the House contained nothing of an oppressive character. Nevertheless, the House had received the petition, and it was quite competent for the Speaker to bring it forward for reconsideration, if it was so disrespectfully worded that it would form an unworthy precedent.

The SPEAKER: The petition was, no doubt, received in ignorance of its real wording. It is not easy to understand the full reading of a petition as it is being read over; but I certainly think that if any member of this House, or members of the Printing Committee, or any one else, discovered anything informal in a petition, I should be justified in calling attention to it. There can be no recommendation of the Printing Committee in any other way, except through me to the House, after the attention of the House has been called to it. There has been no recommendation.

The COLONIAL SECRETARY said there was a passage in "May" showing how this matter might be disposed of. It said:—

"If the Speaker observes, or any member takes notice of, any irregularity, the member having charge of the petition does not bring it up, but returns it to the petitioners. If any irregularity escapes detection at the time, but is discovered when the petition is further examined, no entry of its presentation appears in the Votes."

He took it that was the proper way of dealing with this matter—that if anything untrue or incorrect appeared in the petition, no record of it should appear in the "Votes and Proceedings."

The matter then dropped.

UNFURNISHED RETURN.

On the list of returns ordered, but not yet furnished, being read by the Clerk—

Mr. PALMER asked the honorable the Colonial Secretary, without notice, whether there was any probability of the return moved for by him on the 13th of July, relating to appointments and promotions in the Government service, being furnished?

The COLONIAL SECRETARY said he was aware there had been some delay in connection with this return. Every effort had, however, been made to get the returns from the

various departments, and there was still one short, but he believed the document would be laid on the table within the next few days. He might say there had been a different reading of the resolution by different departments, which had led to some little trouble, and it had been necessary in some cases to get them to amend. In some of the departments they read the resolution literally, which had the effect of leaving out the name of the office, which, he believed, the honorable member for Port Curtis intended should be inserted, and he had given instructions that it should be inserted in all those cases where it had been omitted.