Queensland

# Parliamentary Debates
[Hansard]

## Legislative Assembly

**WEDNESDAY, 16 JULY 1879**

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## LEGISLATIVE ASSEMBLY.

*Wednesday*, 16 *July*, 1879.

Petition.—Personal Explanation.—Petition.—Personal Explanation.—Formal Motion.—Motion for Adjournment.—Question.—Messages.—Point of Order.—Electoral Rolls Bill—committee.—The Philadelphia Exhibition.—Adjournment.

The SPEAKER took the chair at half-past 3 o'clock.

### PETITION.

Mr. GROOM presented a petition from Charles Milne Foster and John Sargent Turner, praying that certain Lands at Toowoomba, which had been granted to them as Trustees for the purposes of the Methodist Church, might be sold, and the proceeds devoted to the building of a parsonage; also, that leave be given to introduce a Bill enabling the Trustees to sell the Land for the purposes specified. Appended to the petition was a copy of the Bill, and documents showing that the necessary formalities had been complied with.

Petition received.

### PERSONAL EXPLANATION.

The Hon. J. DOUGLAS rose to call attention to a statement made in the *résumé* of Parliamentary proceedings in the *Courier* of that morning, in which the member for Stanley (Mr. O'Sullivan) was reported to have said that he (Mr. O'Sullivan) had been promised the support of the hon. member for Maryborough (Mr. Douglas) in the disfranchisement of the Civil Servants. The hon. gentleman had undoubtedly made a reference of that kind in a qualified form, but he (Mr. Douglas) wished now to give it a direct contradiction. He had never given any such promise, and he would simply appeal to his statements in 1877, and to his vote when the motion of the hon. member (Mr. O'Sullivan) was then taken to a division. He was desirous not to be misrepresented on that point, and wished to put the matter right at the earliest possible moment.

The PREMIER (Mr. McIlwraith): The hon. member ought to have moved the adjournment, to allow the hon. member to whom he referred to explain.

The SPEAKER: The hon. member for Stanley may move the adjournment himself if he wishes to explain.

### PETITION.

Mr. DAVENPORT, on behalf of the member for Dalby, presented a petition from a public meeting held at Dalby on June 4, praying that the small quantity of Crown Lands unalienated in the district be reserved for the requirements of Selectors.

Petition read and received.

### PERSONAL EXPLANATION.

Mr. O'SULLIVAN said he would move the adjournment of the House, although it was scarcely necessary. He understood the hon. member (Mr. Douglas) to say that his (Mr. O'Sullivan's) statement—that the hon. member had promised to support him in the disfranchisement of the Civil Servants—was untrue.

Mr. DOUGLAS: I did not say "untrue;" that expression is, I believe, unparliamentary.

Mr. O'SULLIVAN said that the hon. member, at any rate, said that his statement was not correct.

Mr. DOUGLAS: I did not say even that.

Mr. O'SULLIVAN had a very vivid recollection of what took place when he put his motion on the table in 1877. Of course, the hon. member then voted and spoke against the motion, and it was lost by a majority of four against it. The same evening—or that week, at any rate—the hon. member came and told him to bring the motion on again, and that he (Mr.

Douglas) would support it at any time. If he did not promise in those words, it was something very like it. Did the hon. member think that he did not distinctly recollect what was said, especially when it was spoken by such a prominent member as himself? He was aware that any statement he might make, if contradicted by an hon. member such as the hon. member for Maryborough, might not have much weight; but, nevertheless, he was satisfied that he was right, and, further, that the member for the Darling Downs also promised to support him in his effort to bring about the disfranchisement of the Civil Service.

Mr. DOUGLAS said it was distinctly reported in the newspaper that the member for Stanley had made a statement that he (Mr. Douglas) had promised to support the amendment, and it looked to the public as if he had encouraged the hon. member to bring it forward. He had had no conversation with the hon. member this session upon the subject. In 1877 he might have had a conversation on the subject, but he could not have made any such promise, and the hon. member must be labouring under a mistake, because he (Mr. Douglas) was not in the habit of making a promise of that kind on indefinite data. Not only was it improbable, and not only had he no recollection of the subject, but he could positively say that he did not make the promise, or commit himself to any pledge of the kind. The best answer he could give would be found in the remarks he made when the hon. member's motion came on in 1877, and which were reported in *Hansard* as follows:—

"The prospects of the future as to a large proportion of persons in the colony, who were either now or would hereafter be receiving Government pay, was one of those matters which might attract the attention of Government; but he failed to see that any real practical evils had arisen out of the existing state of affairs to justify them in taking action such as that proposed.

And, again—

"He did not think the Civil Servants had been very prominent politicians, but had exercised their rights in a quiet, unassuming way, and he should be sorry to see them disfranchised of their rights. If they forced their politics upon the country in any disagreeable form they would be subject to the discipline attaching to the servants of the State.

And further on—

"He did not think that these gentlemen would willingly surrender their electoral rights. He admitted it would be a serious evil if a powerful bureaucrasy firmly entrenched in their privilege had the means of making their power felt by the Government for the time being, but there was no evidence of that being the case at the present time. The Civil Servants when they chose to exercise the franchise did so with perfect propriety and without ostentation. If any one of them became a notorious political agitator he would be subject to be pulled up and reprimanded. With regard to the argument that the Civil Service was making itself felt amongst hon. members in the way of augmentation of salaries, that influence was brought to bear through personal influence and private friends. It was possible such an influence did exist, but it did not arise from the fact that they possessed the franchise, but from the fact that they were personally known to many members of the Legislature, and might make use of their influence in some cases to obtain increases of salary."

He simply put his words as recorded in *Hansard* against the statement of the hon. gentleman. He wished to pay his assertions every respect, but the hon. member had made an unguarded statement. The hon. member would have done better to refer to his (Mr. Douglas') actual statement in the House than to any loose remarks which he believed were made in conversation.

Mr. MILES, while not denying he might have made a promise of support to the hon. member for Stanley, wished also to know whether he was not justified in changing his opinion if he thought fit? If he believed that the Civil Servants brought undue political influence to bear—which he did not—he would have assisted the hon. member to carry his amendment. But there was one thing in which the hon. member for Stanley had gone too far, when he said "If it were not quite unparliamentary to say so, he would say that the hon. member for Darling Downs was the greatest swindle that ever came into the House." That was very strong language, and ——

The SPEAKER: I must call the attention of the hon. member for Darling Downs to the fact that he is referring to a debate which took place in committee, and he cannot address the House on any matters which occurred there unless they were reported by the Chairman.

Mr. MILES would be sorry to transgress the rules of the House, but it was very hard that such a charge should be made against him, and that he should not be allowed to answer it.

Motion for adjournment put and negatived.

## FORMAL MOTION.

The following formal motion was agreed to:—

By the Hon. G. THORN—

That there be laid upon the table of the House a return, in detail, of the sums voted for roads and bridges for the financial year 1878-9 in the Northern Downs Electorate; the sums expended and authorised to be expended; and the balances available.

## MOTION FOR ADJOURNMENT.

Mr. LUMLEY-HILL moved the adjournment of the House, to ask when the returns of expenditure in connection with the Philadelphia Exhibition were likely to be furnished. They had been called for on the 11th of last June, and were not yet on the table. He asked that they might be placed on the table promptly.

The COLONIAL SECRETARY (Mr. Palmer) said the only reason why he had not placed the returns on the table was, that he could not obtain the particulars from Mr. Mackay. They had been asked for, from that gentleman, long since, but he (the Colonial Secretary) had been unable to obtain them.

Mr. MACKAY said this was the first time he had been asked for any such returns.

The COLONIAL SECRETARY said that in his own office he had asked the hon. member for returns of the expenditure connected with the labour-saving machinery brought over from America, and the hon. member had always been unable to give any explanation. The Auditor-General had also asked for these returns.

Mr. DOUGLAS said he would take advantage of the motion to call the attention of the Colonial Secretary and the Minister for Lands to some matters that had transpired at the land court held at Dalby on the 1st July. A man named Daniel Condon was summoned to appear before the commissioner, at the instance of one John McPherson, charged with having improperly obtained certain selections. The facts disclosed at the hearing might be thus stated: There were four daughters of Daniel Condon who had each made attested declarations and applications for selections upon a homestead area in the vicinity of Dalby. These declarations were attested before a Mr. James Skelton, a justice of the peace, and upon inquiry it turned out, after very equivocal evidence on the part of the accused, that each of these young women was under the age of eighteen. One of them was supposed to be about twelve years old, and there was a statement that she hardly appeared to be of that age. He wished to draw the attention of the Colonial Secretary to this fact, that the gentleman here referred to was advisedly omitted by him from the last revised Commission of the Peace, in consequence of his having been convicted and fined for an assault. When the present Colonial Secretary came into office he was one of the gentlemen who were at once appointed. He wished to draw special attention to this fact, because it was not only an act of discourtesy to himself, but an act of manifest maladministration. The result was that they again found this gentleman availing himself of his powers as a justice of the peace to aid others in obtaining land by fraudulent pretences. He referred to the report of the case contained in the *Dalby Herald* of July 5th. He hoped the Colonial Secretary, if his attention had not already been directed to this case, would give his particular attention to the conduct of Mr. James Skelton, who was previously left off the Commission of the Peace, advisedly, by him (Mr. Douglas), and who had since been replaced there, and had, he believed, been guilty of this very improper action. He might add that the man McPherson seemed to have received from Condon some £20, in order to induce him to withdraw certain applications he had made, and, if that was so, the Minister for Lands might well exercise any powers he possessed on behalf of that gentleman. A double offence had been committed in this case, and it was necessary that an example should be made, for if this was allowed to pass over other cases would arise of persons availing themselves of the liberty to acquire land in violation of the law.

The MINISTER FOR LANDS (Mr. Perkins): So they have, all through.

Mr. DOUGLAS said that might be so, but a great deal depended on administration, and without a watchful administration, and the making of a few salutary examples, others would avail themselves of their opportunities in this direction to the fullest extent they could. The Minister for Lands ought to use every means in his power to show that he would give no encouragement to such misrepresentations, and he hoped the Colonial Secretary would not hesitate to exercise his powers in removing Mr. Skelton from the Commission of the Peace. Indeed, that gentleman ought never to have been re-appointed, and there was still greater reason why he should be removed now.

The COLONIAL SECRETARY said it would have been much better if the hon. member for Maryborough had stated the whole thing in about three lines, without giving them the long oration they had been favoured with. It was unfair to pre-judge a man on a newspaper report, and the hon. member might have left Mr. Skelton's character alone until the whole thing had been inquired into. The matter mentioned was brought under his notice the day before yesterday, by the Minister for Lands, immediately on his return from the Downs, and the papers had been sent to Mr. Skelton, with a letter asking for an explanation. In the meantime, the fact of Mr. Skelton's having been struck off the Commission of the Peace by the late Government, and put on again by the present, might have been left alone. As the matter had been mentioned, however, he would go a little further into it, and ask why Mr. Skelton was struck off the roll by the late Government? From facts that had come

to his knowledge, it appeared that Mr. Skelton was grossly insulted by a much younger man, and he struck him on the nose. That was the reason why he was struck off the commission.

Mr. DOUGLAS: He was convicted in open court of that assault, and fined.

The COLONIAL SECRETARY said the restoration of Mr. Skelton's name was strongly recommended by the present President of the Legislative Council, the hon. member for Dalby, and a number of influential persons residing in or near Dalby; and there being plenty of evidence that he was a proper person to hold the commission, he was reinstated by the present Government. The hon. member might rest content that if Mr. Skelton was guilty of the conduct imputed to him—if he had taken the declarations of children of twelve, thirteen, and fourteen years as being of full age, Mr. Skelton would hear a good deal more about it. The hon. member's purpose would have been served equally as well by simply calling attention to the circumstances, and asking if any action had been taken in the matter. Action had been taken, and further action would be taken if necessary.

Mr. MILES said he did not think the hon. member for Maryborough had committed a very serious offence in bringing the matter before the House. If the newspaper report was true, Mr. Skelton had been guilty of about the most disgraceful action it was possible for a magistrate to commit. What was the use of their passing land laws, and attaching conditions to them, if a magistrate of the territory was to set them at naught? According to the report, Mr. Skelton said he could not swear to the identity of any of the four daughters of Condon, and speaking of the youngest he said—

"Looking at the Mary Condon now present, I had my doubts at the time, and distinctly asked her if she was eighteen years of age? She said she was.

"The commissioner here remarked to Mr. Skelton, 'Do you not think it would be the duty of a magistrate to refuse taking the declaration of that girl?'—pointing to the youngest, aged about twelve years.

"Mr. Skelton replied that he had no means of ascertaining her age, and that she told him she was of age."

Mr. Skelton's prevarication was the worst part of his conduct; Dalby was not a large place, and he must have been perfectly aware of the identity of the children. He was told that a magistrate received a fee for taking declarations. There ought to be no delicacy about the matter, and any man guilty of such conduct ought to be held up to public reprobation. The hon. member for Maryborough had done good service in bringing the matter forward.

Mr. O'SULLIVAN said it was disgraceful to accuse a justice of the peace of attesting false declarations, and of prevarication, when such, for all they knew, might not be the case at all. It would be a great deal better to make sure of the facts before levelling the charges. It must be remembered that statements made here went before the public; and he could say, as one who had known Mr. Skelton for a long time, that he had never heard anything that would lead him to suppose that that gentleman would be guilty of the conduct imputed to him. A magistrate had no means of finding out the age of the girls, unless he had happened to be the registrar of births, and he thought the imputation that Mr. Skelton had taken fees for getting the papers signed would not be borne out by facts. His belief was that the whole thing would turn out to be untrue, and it would be much better to leave the matter to rest until it had been properly investigated. It was very proper on the part of the hon. member for Maryborough to draw the Colonial Secretary's attention to the newspaper report, but it was certainly premature to speak of charges as if they were already proved.

Mr. BAILEY said there was a painful contrast between this case and that of another magistrate who was recently dismissed from the Commission of the Peace. The latter was dismissed because he had been found guilty of an assault, on the evidence of a boy of thirteen who was in the service of the complainant, and was not allowed to make any explanation. This man had been dismissed for a similar offence, but had been reinstated by the present Government, and his actions proved how worthy he was of the confidence of the Government. It was in evidence that these little girls were all under age, and they would not have dared to sign the declarations if they had been properly cautioned by the magistrate. The contrast between the ways in which the two justices were dealt with was painful, and was quite a sufficient reason why this matter should be brought to the notice of the House.

Mr. AMHURST said it was evidently the dismissal of Mr. Sachs that had caused this matter to be brought forward, although the hon. member for Maryborough had not the manliness to say so.

Mr. DOUGLAS rose to a point of order. The hon. member had no right to accuse him of want of manliness.

The SPEAKER: The hon. member must be aware by our Standing Orders that he must not use language personally offensive to any member of the House.

Mr. AMHURST said he would avoid hurting the sensitive feelings of the hon. member, and would say had not the pluck. If

that was unparliamentary, he would say that the hon. member, with his usual decorum, was attempting to bring in another question by a side-wind. Not a word would have been heard about this matter but for the dismissal of Mr. Sachs. He did not think it right to occupy the time of the House with frivolous things of this kind. It was really an insult to the intelligence of the House to try to persuade them that this matter was brought forward on its own merits alone.

Mr. LUMLEY-HILL said there was no analogy between the two cases that had been referred to. Mr. Sachs had been found guilty of a want of discretion—a quality most desirable in a magistrate—he went forth to shear and came back shorn—and for that want of discretion the Colonial Secretary was quite justified in striking his name off the roll, more especially as he had made no defence either at the time or in his letters to the papers. He thought the action of the hon. member for Maryborough somewhat hasty, for they might rely upon it that if the charges were proved something more would be heard about it. A man ought not to stand tried and condemned on the verdict of a newspaper report—his case should go before a higher tribunal than the Press before he was finally condemned and punished.

The PREMIER said it was not putting the matter fairly, to say that one kind of justice had been dealt out to Mr. Skelton and another to Mr. Sachs. The cases were quite different. In discussing the advisability of restoring Mr. Skelton's name to the commission, the Government never questioned the action of the previous Ministry in striking him off; but he certainly did object to its being considered that the judgment of the hon. member for Maryborough was irrevocable, and that Mr. Skelton should never be restored to the commission again. Having a perfect right to review the position, they decided that Mr. Skelton had been sufficiently punished, and on the evidence before them they were justified in reinstating him on the roll. Probably, if Mr. Sachs behaved himself, they might see their way to restore him, too, at the proper time.

The Hon. S. W. GRIFFITH said he would take advantage of the motion before the House to refer to a matter the Colonial Secretary mentioned, last evening, when the House was about to adjourn. The hon. gentleman then read a letter from the Attorney-General, which he (Mr. Griffith) thought should not have been read in the House. The Attorney-General in that letter stated that it was not the practice of the Crown law officers under the circumstances of the case mentioned to argue it. He (Mr. Griffith) could state, for his part, that for some years past, while he had been at the head of the Crown Law Office, it was the invariable practice to provide for the proper argument of all Crown cases; and he had never allowed any case of the slightest consequence to pass without argument. If there was any difficulty at all in the matter he considered it his duty to attend personally before whatever court the case might appear. That had been the practice for the past four years, and he hoped it would continue to be the practice, because the importance of the case did not depend upon the court where it arose. A question like that concerning the marriage laws of the colony, and which might affect the *status* of hundreds of innocent persons, ought to be argued. Another matter was, that from what the Attorney-General said it appeared that he (Mr. Griffith) had taken an unfair advantage, because he (the Attorney-General) stated that he had told him (Mr. Griffith) that he was not going to argue. But the letter of the learned gentleman refuted that, because he said, "I was called back as I got to the door of the court, at the request, I was told, of Mr. Griffith." Was it conceivable that if the Attorney-General had explained his reasons to him and gone away he (Mr. Griffith) would have taken the trouble to send to bring him back? As a matter of fact, he did not remember hearing the Attorney-General speak on the subject at all until the case was called on. He had stopped in court from curiosity to hear what would be said on both sides, and he was surprised at the absence of the Attorney-General. Thinking he must have left inadvertently, he sent someone to him, and he (the Attorney-General) then said he was not going to argue the case. If he had had a suspicion that the Attorney-General was not going to argue the case, he should have thought it his duty, if he had the opportunity, to have told him, as a friend, that he thought it ought to have been argued. The learned gentleman might have referred to the subject, but he (Mr. Griffith) did not hear him do so, as was shown by his subsequent action.

Mr. BEOR said, without questioning for a moment the advantage of the course the late Attorney-General had instituted and followed during the last four years, he thought the Attorney-General in this particular case had followed the general practice in England. Still, he considered the practice observed and followed by the late Attorney-General was the best. In England criminal cases reserved were never argued before the court by counsel instructed to appear on behalf of the Crown, except when exceptionally difficult and intricate.

Mr. GRIFFITH: There is no public prosecutor there.

Mr. BEOR said the prosecution was instituted by the Treasury, and the

Treasury instructed counsel to appear at quarter sessions and assizes and before the Supreme Court, and wherever cases were difficult. The Treasury there occupied the position of Attorney-General here, and instructed counsel. If anyone were to go into the Court of Crown Cases Reserved, held weekly in Westminster Hall, he would find that in nineteen out of every twenty cases no counsel appeared on behalf of the prosecution. Sometimes persons interested in the prosecution instructed counsel, but it was only in rare cases that counsel appeared for the Crown. At all events, the Attorney-General followed the practice prevalent in the English courts.

The PREMIER said, as the hon. the leader of the Opposition had made his remarks at a late stage of the debate on this motion, after Ministers had spoken, the House would, no doubt, allow him to offer a few sentences in reply. The question at issue was, whether a certain marriage was legal under the provisions of the 11th clause of the Act; and the Attorney-General, in his letter, said—

"I came to the conclusion that the first marriage was *not a legal one*, and that I could advance no argument to support the conviction. *Under these circumstances, and following the strict line of practice in this respect*, I did not intend to appear for the Crown as Attorney-General."

That statement was very different from the statement of the leader of the Opposition, who said that the invariable practice had been to make due provision for counsel in such cases. In cases where the counsel had absolutely nothing to say, why should he be there? He would leave the word of the Attorney against the word of the leader of the Opposition as to which was the practice; but he would say that it was inconsistent with common-sense that the Attorney-General should attend simply for the purpose of saying he had nothing to say on the other side of the question. He did not suppose the hon. gentleman would contend that the Attorney-General was bound to be there and bring forward arguments in defence of a case he did not believe in himself.

Mr. GRIFFITH: Yes; unless the case is perfectly clear.

The PREMIER: Then, I thank God I am not a lawyer.

Mr. GRIFFITH, with the indulgence of the House, would state that what he contended was, that the court ought to be assisted with every argument that could be brought forward on either side. He had often argued against his own opinion, and the court had decided in his favour, and *vice versâ*.

The COLONIAL SECRETARY said the Attorney-General was perfectly right. He would not argue on a point he did not believe in; and he (the Colonial Secretary) hoped that every lawyer would follow his example.

Question put and negatived.

## QUESTION.

Mr. PERSSE asked the Secretary for Public Lands—

Have measures been taken to prevent the alienation of the lands which may be required for the construction of a line of Railway from Oxley to the Logan, and from Ipswich to Coochin, *viâ* Fassifern, and what is the nature of the instructions?

The MINISTER FOR LANDS replied—

The routes for these lines have not yet been decided on. No measures have therefore been taken to reserve the lands through which the proposed lines may pass.

## MESSAGES.

The SPEAKER announced that he had received, by message from the Legislative Council, the Wrecks and Salvage Bill, and the Lady O'Connell Pension Bill.

## POINT OF ORDER.

Mr. MACKAY said he begged to move the adjournment of the House to explain a matter in connection with——

The SPEAKER said the question could not be put, as a similar question had just been negatived, and no motion had intervened.

Mr. GRIFFITH said he understood the rule to be that some business must intervene.

The SPEAKER said the same motion could not be put twice running—some motion must intervene. Only a question had been asked: but that class of question was entirely different from a motion which was also called a question.

The COLONIAL SECRETARY said the hon. member could wait until the Order of the Day was put, and then move the adjournment of the House.

The SPEAKER said the hon. member could not make a motion to intercept the business before the House, with a view to discussing miscellaneous business. Only when a substantive motion was made could a general discussion take place.

Mr. GRIFFITH said that it was laid down in "May" that a motion could not be proposed again without some business intervening. A motion might possibly be made to adjourn the House just before the end of the session, when perhaps they were waiting for messages from the Council after all the motions on the paper had been disposed of, and if it were negatived it would follow that the adjournment of the House could not again be moved.

The COLONIAL SECRETARY said the practice had been that, if business of any sort had intervened, the adjournment of the House could be moved again.

Mr. J. SCOTT said that, ever since he could remember, the invariable practice had been that the same motion could not be put twice without a substantive motion intervening. In committee, the chairman might not be moved out of the chair twice without another motion intervening.

The SPEAKER said that messages received from the Council would not affect the case unless, as very often happened, some motion was founded upon them: in that case it would be competent for an hon. member to again move the adjournment of the House.

## ELECTORAL ROLLS BILL—COMMITTEE.

The House went into Committee for the further consideration of this Bill.

On the motion of the COLONIAL SECRETARY, clauses 27—Power of adjournment and summoning witnesses; 28—Costs in certain cases; and 29—Costs may be recovered—were passed without amendment.

Mr. REA moved the adoption of the following clause to follow clause 29—

When any general election for a member or members of Assembly is about to take place or any intermediate election of members or a member of Assembly then any person claiming to be a qualified elector to vote at such election if he thinks his name has been wrongfully omitted from the published authorised list of qualified voters at said coming election may remedy the said omission of his name by his establishing his right to vote to the satisfaction of the majority of an emergency revision court said court to be constituted and held as hereinafter set forth Said claimant may any time between the twenty-first and fourteenth day before the advertised polling day at such proposed election require the clerk of petty sessions to place his the claimant's name on the list about to be placed before the emergency revision court as a qualified voter stating his qualification.

The form of the Bill as originally introduced had induced him to draft this amendment, but since then the measure had undergone so many alterations that the Committee hardly knew which of the original part remained. So far as he could make out the supposed quarterly registration courts afforded a man no opportunity to get enrolled during a certain six months of the year; if an election took place between October and April no opportunity was given to a man who had been wrongfully omitted from the roll to have the omission rectified. Every law that had yet been passed had proved utterly insufficient to meet the cases of persons who found at the time of an election that their names had been wrongly struck off. This was especially so under the Act brought in by the present Colonial Secretary. He believed he saw more men disfranchised under the Act of 1874 than on any previous occasion. Numbers of men were wrongly disfranchised, and when he contested the election for Rockhampton he was specially asked to devise some method by which men might have their names enrolled when their attention was called to public affairs by an approaching election. He drew up two clauses similar in principle to the ones he now wished to introduce, and submitted them to some of his constituents, who agreed that if a Bill were passed containing only two such clauses it would be a valuable improvement on the present law, and that there would be no danger of improper registration, as both parties would be vigilant to see that none took place. So far from the supposed four quarterly registration courts making this amendment unnecessary, he believed it would be more and more necessary;—when they saw hon. members of the most acute understanding unable to explain at the present moment what the Bill would require to be done, he held that that it was imperative his proposed clauses should be passed for the protection of qualified voters. Every man could understand within three weeks of an election what he would have to do in order to get his name enrolled if he found that it had been omitted. He was quite confident if hon. members opposite were in their seats and had to go before a select committee, not five could say that they understood the Bill. How much more necessary, therefore, was it to define some method by which a man might, at a particular time of the year when every person had his attention directed to public affairs, ascertain his electoral rights?

The COLONIAL SECRETARY said that, under the Bill, there would be four revision courts during the year, and with the opportunities thus afforded to men to get their names enrolled there would not be the slightest necessity for the amendment. If, after having four opportunities in the year, a man did not get himself placed on the roll, he deserved to lose his vote. The clause was objectionable in other ways. At election times men's minds were generally inflamed, and magistrates were only men; and it would be a very bad practice indeed to hold a revision court immediately before an election. He should not go into the wording of the clause, but should oppose it on the ground that it was unnecessary.

Mr. MCLEAN had no doubt that the hon. member's intentions were good, but he did not think that they should allow electors, who had failed to avail themselves of the opportunities proposed to be given,

to make spasmodic efforts to have their names enrolled. It was every man's duty to see that his name was registered, and no extra incentives should be given to make men more apathetic than they already were in the matter of their electoral rights. After having four revision courts, the hon. member must see it would be very inadvisable to throw down such a bone of contention at the time of an election; for the result would be that every person would try to get as many names on the roll as he thought would support his party. The amendment would be simply pandering to the spirit of apathy which already prevailed.

Mr. REA said the hon. member's last sentence compelled him to make a comparison. When the discussion was about a sheep's head the benches opposite were filled, but they were now deserted when such an important matter as the electoral rights of the people was being dealt with. When they saw such a spirit of apathy on the part of educated men—men who were specially sent here to look vigilantly after the interests of electors—there should be no taunts levelled at uneducated men for being apathetic in regard to the placing of their names on the electoral roll. He should divide the Committee on the question.

Mr. ARCHER said that in the first draft of his amendments he had a clause similar to this one before the Committee, but he expunged it at the request of distinguished members on the Opposition side, who told him expressly that they could not support it. He withdrew it after they had pointed out the danger of the clause; and it was therefore very far from the fact that the opposition came from one side of the Committee only.

Mr. MILES said every facility should be given to men to get their names enrolled, and if a division was taken he should vote for the amendment.

Mr. MCLEAN said the hon. member for Rockhampton seemed to have an idea that he was taunting electors, but there was nothing further from his intention. He simply stated that it would be very inadvisable to have an emergency revision court just before an election, for even the most indifferent people were stirred up at election times. A sense of their own importance and their duty to the State should cause men to avail themselves of one of the four opportunities provided annually by the Bill.

Mr. H. W. PALMER agreed with the last speaker. If the putting on of names were left over to the time of an election many would be placed on the electoral roll which had no business to be there.

Mr. DICKSON was at first inclined to demur to the amendment; but, on reconsideration, he believed it would do good. On the Bill coming into force it would be found that the electors would not come forward so readily as was imagined; the Bill left too much to them to do. He had consulted with many people on this question, and had been informed that, unless there were some agency to assist electors, it was likely they would not come forward so freely to have themselves enrolled as was supposed; and, if that was the case, it would be a very good time to give them the opportunity just before an election, as it was then that they would probably be most inclined to avail themselves of their electoral rights. He did not think the amendment would create a perpetual bone of contention, or that there was any great danger in it.

Mr. O'SULLIVAN said the amendment would be just giving an opportunity for the stuffing of the rolls, and the hon. member who had last spoken surely knew that. It would stir up bad passions, and no doubt be a great incentive to perjury, because, as the time came on for an election, the emergency revision court would be rushed, and would be made a jobbing court. The time to put names on the roll was when people were cool. He believed the amendment would be a blotch on the Bill, if passed. He was sure the hon. mover's intention was good; but the working of his scheme would be undoubtedly a failure. When an election came on there should be no bustle, and no packing of the rolls with names which should not be there. Men would now have four opportunities every year, instead of one, to have their names registered, and that should be sufficient. His own idea was that there should be monthly revision courts; but he was induced to give way by gentlemen who, he thought, knew more about the matter than he did, and he now thought once a quarter would be enough.

Mr. GRIFFITH was understood to say that the amendment could not be worked satisfactorily.

Mr. REA said he had understood the hon. member (Mr. O'Sullivan) to say that, if the Bill had been passed in the form it was introduced, he would have been in favour of the amendment. He submitted, therefore, he could claim the hon. member's vote, as the Bill was now a great deal worse. The admission made by the hon. member for Blackall, that he had not withdrawn on his own conviction an amendment which was analogous to the one before the Committee, was a confirmation of the value of his (Mr. Rea's) proposal. He could not say that he fully understood the Bill as it now stood, and did not believe there were five members in the House who did; and yet they expected poor uneducated people to understand it so that they might see clearly what their position was with regard to these matters. The history of the

Bill was most extraordinary, and was something like the handwriting of the celebrated Chancery barrister, Mr. Bell, who had three styles of handwriting: one that he could read himself and his clerk could not, another that his clerk could read and he himself could not, and a third that neither himself nor his clerk nor the very devil could understand. That was about the position of this Bill. The Bill as first introduced was apparently understood by the Colonial Secretary, but the hon. member for Blackall (Mr. Archer) could not understand it; the next stage was that, apparently, the hon. member for Blackall could understand it but the Colonial Secretary could not; but the middle stage was like the last style of Mr. Bell's handwriting—neither the one nor the other, nor the House, nor the very devil himself could understand it.

Mr. KINGSFORD thought the tendency of the amendment of the hon. member would be to make people careless about getting their names placed on the rolls. It was generally admitted that labourers put off these matters as long as they possibly could—too late, very often—and the tendency of the amendment would be that, instead of availing themselves of the third or fourth revision court, they would put off the duty of recording their names until the very last moment, and the result would be as described by the hon. member for Logan (Mr. McLean). It would be a fine opportunity for hot partisans, stump orators, and others to hoodwink the people and throw dust in their eyes, and therefore he could not vote for it.

Mr. REA said one argument of the hon. member for Stanley (Mr. O'Sullivan) was that there would be roll-stuffing; but he (Mr. Rea) contended that roll-stuffing took place when there was nobody by on the other side—when a packed bench run in a certain lot of names when there was nobody to oppose them: and he submitted that this amendment would prevent that by enabling both political parties to be present to see that no man was put on the roll who was not properly qualified.

Mr. GROOM said, without questioning the sincerity of the mover of this amendment, he was sorry to say that from experience he could not give his consent to it. He ventured to affirm that in hardly any of the Australian colonies there was such liberal provision made for the registration of electors as was made in this Bill, and to grant the additional facility the hon. member had embodied in this clause would be, as the hon. member for Stanley had pointed out, to afford facilities for the undue stuffing of the rolls. It would enable any organised body of men to place names on the rolls of persons six months in the colony, in sufficient numbers to completely swamp those who had been resident in the colony for years past. That was certainly not desirable; and even this quarterly arrangement he did not like, because he was satisfied that in some districts it would lead to the stuffing of the rolls on some occasions; and this additional facility would, he believed, defeat the very object the hon. member had in view. Perhaps it would be something like the present Colonial Secretary, who brought in a Redistribution Bill some years ago which succeeded in ejecting him from office. In the same way this amendment might result in the defeat of the hon. member for Rockhampton at the next election by the facility it would give for putting names on the rolls. With regard to objections, ever since it had been required that the person objecting should deposit 5s. with each objection, as far as the electorate of Toowoomba was concerned, he had never seen a man with sufficient patriotism to lodge an objection. Here he would repeat what he said the other day—that he was not prepared to join in the wholesale condemnation of magistrates composing revision courts. He believed many of those magistrates were actuated by a conscientious desire to discharge their duties faithfully; and if there were a few instances in which partisanship occurred, he did not think the whole of the magistracy should be condemned on that account. He was sorry he could not support the amendment, and would recommend the hon. member to withdraw it.

Mr. REA said the hon. member who had just spoken admitted that in his electorate the present system was defective—that no objections had ever been made; and what stronger condemnation could there be of that system? It was essentially necessary to rouse the vigilance of electors, and therefore the system he proposed was required so that every man properly qualified should be placed on the roll.

Mr. TYREL was sorry he could not support the amendment, for more reasons than one. It appeared to him that if the amendment were carried they might do away with the previous portions of the Bill altogether; and the result of it would be that very few would put their names on the rolls until an election was about to take place, and then there would be so much excitement that all sorts of expedients would be resorted to by men to get their names on the roll. Another reason was that, supposing a member for, say, Brisbane or Fortitude Valley resigned to-morrow, by this amendment no election could take place for three weeks, whereas now it could be held within ten days or a fortnight. For these two reasons he should vote against the amendment. They had been most liberal in providing means for electors to get on the rolls, and he for one would only be too happy to put every facility in their way; but if this were carried all the excite-

ment would be concentrated into a few days before an election took place.

Mr. GRIMES pointed out that in country electorates where polling places were very far apart, they could not possibly get the rolls printed and circulated within fourteen days before the polling day, and this was a very serious matter. He could not support the amendment.

Mr. MCLEAN said the amendment would prove impracticable in operation. Clause 29 provided that, on the tenth day before the published polling day, the emergency revision court should sit; and taking his own district, which was not very far from Brisbane, and not very sparsely populated, and where the polling places were not very far apart, if the revision court sat three days that would only leave seven to get the rolls printed and circulated. It would therefore be impracticable even there, and in large electorates it would be much worse.

Amendments, by permission, withdrawn.

On clause 30—Electoral roll how compiled—

Mr. GRIFFITH was understood to call attention to the doubtful phraseology of the latter portion of the clause.

The COLONIAL SECRETARY said the part of the clause referred to was quite clear, and would answer the purpose for which it was intended.

A verbal amendment having been made in the clause, a proviso was added to the effect that when any electoral district comprised more than one police district, the names of electors in each police district or portion of a police district should be placed together in alphabetical order, so as to form a distinct division within the same roll.

Mr. GROOM said that, before the clause was put, as the returning-officer's name appeared in it, he wished to express his opinion that, whenever it could be arranged conveniently, no police magistrate should be appointed returning officer, as, in a case where the votes were equal, he would as returning-officer have to give a casting-vote, whilst by the Act he, as a police magistrate, was not allowed to have a vote; —in fact, where a case of this kind had occurred, and the matter had been referred to the Elections Committee, the sitting member had been unseated. However anxious police magistrates might be to keep out of local broils, the appointment by them of a large number of deputy returning-officers must give offence in some quarters. With regard to the returning-officer on the Darling Downs, it was a mistake to make the police magistrate there returning-officer, with eighteen or nineteen polling-places, and the same number of returning-officers to appoint, as he must be sure to give offence somewhere. He should like to ask the Colonial Secretary another question, also. Some years ago the hon. member stated in the House—and he (Mr. Groom) then supported him—that he considered returning-officers should be paid £50 a year for the performance of their duties. He had then supported the hon. member, as he considered that unpaid services were generally inefficiently performed. A great deal of work was entailed on returning-officers; and he was sure that, if the hon. gentleman would introduce a clause that returning-officers should have some remuneration, the Committee would not oppose it. He had supported the hon. gentleman when he introduced a clause to that effect in the Elections Act, and he should do so again.

The COLONIAL SECRETARY said he was fully aware of the inconvenience of police magistrates being returning-officers, but if the hon. member had experienced the difficulties he (Mr. Palmer) had found in working the Act through honorary returning officers, he would agree with him that the most satisfactory returning-officers were police magistrates. The mistakes made by honorary returning-officers were something enormous, as also the charges made by them. In many instances they charged—although they might know, by looking at the Act, that they were not entitled to do so—a remuneration for personal services. They charged enormously, and the charges had to be struck off; whereas in the case of police magistrates, they understood their duty and the whole thing worked smoothly. The only objection to the appointment of police magistrates as returning-officers was that mentioned by the hon. member. He was not aware whether it had been decided that a police magistrate acting as returning-officer had not a vote, but certainly as a returning-officer he was by the Act entitled to give a casting-vote. The very trifling inconvenience that might be felt on that score was more than fifty times counterbalanced by the inconvenience of having honorary returning-officers. In respect to the payment of returning-officers, he was in favour of their being paid at the time alluded to by the hon. member, and he still thought it would be economy on the part of the colony to pay those gentlemen. They had a great deal of trouble and anxiety, a good deal of correspondence, and occasionally a good deal of knocking about—more so than the gentlemen who accepted the office were generally aware of until they had had an election, and then they often got tired of the office and threw it up. At the same time, it did not come within the scope of the Bill before the Committee to bring in a clause to remunerate returning-officers. He remembered when he brought forward a motion on the subject, when the Elections Bill was under consideration, it was strongly opposed;

but he was still of opinion that it would be wise economy to pay returning-officers, and he should have no objection to either bringing in a resolution for the payment of those gentlemen or to support one which was brought in by any private member.

Mr. STUBLEY asked whether the hon. Colonial Secretary intended to make any provisions for naturalised subjects? The way the Act read at the present time was very clear to most people; but, at the same time, it seemed that a great many police magistrates, who might under the Bill be also returning-officers, were not clever enough to clearly understand the question. The 7th clause of the second part of the Elections Act of 1874 said that every man of the age of twenty-one years, being a natural-born or naturalised subject of Her Majesty, should, subject to the provisions of that Act, if qualified and entered on the roll of electors, be entitled to vote at an election for the electoral district in respect of which he should be so qualified. That qualification was, that he should be resident in such district at the time of making out the list and during the six months then next preceding. The misreading of that clause had caused a great deal of litigation. He had himself gone to great expense to know the real meaning of the clause, and had obtained the best legal opinions in the country. He should like to know whether a man, after residing for six months in the colony and then becoming naturalised, was entitled to a vote or not. Some said that if he was not naturalised three months before his name was put on the roll he was not entitled to vote; others said that if he was resident six months previously, and had his name on the roll, he was entitled to vote: therefore, he should like to have this made more plain, so that police magistrates and others should have a thorough understanding of the way in which they should work. During his election there were several members of the community who had been from two to six years resident in Queensland, and they applied to have their names inserted on the roll, but the magistrate positively refused to insert them. He (Mr. Stubley) consulted the best legal authorities that could be found in Brisbane, and they all decided that a man, after being resident for six months and having his name inserted on the roll, was entitled to vote, whether he had his name inserted on the roll six months or not. But the magistrate decided otherwise, and, in consequence, disfranchised some hundreds of electors in his electorate.

The COLONIAL SECRETARY said he had no intention of dealing with that part of the subject in the present Bill; but he should recommend the hon. member to consult the hon. member for North Brisbane, as it was a question for a lawyer.

Mr. STUBLEY said that the hon. member for North Brisbane was one of the counsel whom he had consulted, and he had caused it to be telegraphed to the police magistrate that, according to counsel's opinion, if a man had been resident in the colony six months previous to having his name inserted on the roll he was entitled to vote. Mr. Pring was another counsel consulted—that was previous to his being Attorney-General — and Mr. Real was another. They were called together by Mr. Macpherson, who was considered one of the ablest lawyers in the colony.

Mr. MILES said he had always advocated the payment of returning-officers. Deputy returning-officers were paid, but the duties of returning-officer were purely honorary, although they were at times most disagreeable. The question of remunerating them had been before the House on several occasions, and he was certainly of opinion they should be paid. The difficulty had always been, not that they should not be paid, but how they should be paid. In regard to police magistrates, he believed they made good returning-officers, and did their duty well; but, considering that they were well paid for other work, they should be expected to perform that of returning-officer without any extra remuneration beyond their travelling expenses.

Mr. STUBLEY wished to know if the hon. Colonial Secretary would insert a short clause in the Bill dealing with the matter he had mentioned, in order to do away with litigation? He considered that if a man had been resident in the colony six months, and had his name on the roll, he should be entitled to vote, even if he had not been naturalised for that period. It was very strange, after the opinions given by three eminent counsel, that the police magistrate should have ignored such opinions, and should have ruled that a man must be six months a naturalised subject, although the clause did not say anything about that.

The COLONIAL SECRETARY said he had already told the hon. member that he was not going into any new clauses, the discussion of which might last for weeks, and he was not going to alter any part of the present Act. The police magistrate referred to acted, he presumed, on his own judgment, although the opinions of three counsel might have had some weight with him.

Mr. STUBLEY said that as many police magistrates would not take the trouble, or were too obtuse, to understand the Act, some little clause might be inserted to put the matter he had referred to beyond doubt.

Mr. HENDREN was of opinion that a fair remuneration should be given to returning-officers, more especially to those in country

districts, who had considerably more work to perform than those in town. Hitherto returning-officers had not been paid, although under the old Act they were liable to very heavy penalties if anything went wrong. He considered that police magistrates, where available, should be appointed returning-officers, as they understood the Act. Elections were held in the court-houses, and the clerks of petty sessions prepared the rolls. They, also, would be always responsible to the Government.

Mr. McLean, in reference to the returning-officer's duties, said it had been stated that usage allowed the police magistrate, when acting as returning-officer, to give a vote in order to decide an election where the votes polled on each side were equal; but whatever the usage might be the law was another thing, and it distinctly stated a man could not vote unless his name were on the electoral roll. Police magistrates were not on the roll, and, as a member of the Elections and Qualifications Committee, he could say that, if a case had come before it where an election was decided by the vote of a police magistrate, he should have given his opinion against the validity of the proceeding. The point was worth consideration and ought to be made clear in the Bill, in order that elections might be conducted by law and not by usage. He was in favour of remunerating returning-officers, some gentlemen who held the position being put to personal expense in arranging elections; and if the presiding officer were paid the same course should be pursued with regard to the returning-officer. In many cases the police magistrate would make the best returning-officer, but it should not be left an open question whether he could give a casting-vote or not.

The Colonial Secretary said that the law of the case was very clear, as expressed by clause 64 of the Elections Act of 1874, which provided that in the event of an equality of votes the returning-officer, if registered as an elector, might give a casting-vote, provided he did not vote except in the case of an equality of votes. He recollected a case where the vote of the returning-officer was not taken as a vote. The case put was not one likely to occur, and could be got over by putting the name of the police magistrate, who acted as returning-officer, on the roll for the purpose of allowing him to give a casting-vote as a registered elector. The advantage of having police magistrates as returning-officers was, that it was difficult to get persons to take up the duties.

Mr. Griffith said the police magistrates ought not to be returning-officers. The intention of the Act was perfectly clear, although when the clause to which the Colonial Secretary had referred was going through Committee it was agreed to leave the language doubtful. He had no doubt a returning-officer must be an elector, for, if he were not, he had no right to vote. The difficulty was this: the Act said the police magistrate should not vote, and the returning-officer might. The best way to prevent the case referred to arising was not to appoint the police magistrate as returning-officer.

The Colonial Secretary said it was impossible to get independent persons to act, especially in the outside districts.

Mr. McLean considered the best thing, then, would be to enfranchise the police magistrates in the outside districts where returning-officers could not otherwise be obtained. Referring to an equality of votes, he recollected a case in England where there was an equality, and the returning-officer refused to give a casting-vote. A second election was then held, with exactly the same result, and both candidates subsequently took their seats in the House of Commons. Such a case might occur here, but the way to avoid it would be to take the course he proposed.

Mr. Stubley said the law should be laid down directly in reference to matters of qualification. It was very hard that magistrates should be called upon to decide matters which barristers themselves were not capable of deciding. They went by their reading of the law and the practice, and acted independently of counsel's opinion. It would be well if their duties were more clearly defined.

Question put and passed.

Clause 31—Duration of rolls and what roll to be used if new one incomplete—passed with a verbal amendment.

On clause 32—Provision against formal objections—

Mr. Hendren said the clause, if carried, would nullify all that had been done. Clauses had been passed to compel the lists to be exposed, and this clause provided that that need not be done. He had had much experience as a returning-officer, and could say it was necessary that the lists should be exposed—otherwise electors could not find out whether their names were on them or not.

The Colonial Secretary said the clause was a transcript of the 31st section of the Act of 1874, and it had never done any harm.

Mr. Griffith pointed out that some provision must be made against accidents. If by accident a list was not exposed for a number of days it would be far better to meet the case by a provision of this kind than to invalidate the entire roll.

Clause passed as printed.

On clause 33—Power to presiding or returning officer to enforce order—

The Colonial Secretary said he intended to insert in the clause a provision

enabling the returning-officer to give a casting-vote, any statute to the contrary notwithstanding. That would meet the expressed views of hon. members. It would be just as fair for one party as for another.

Mr. GRIFFITH pointed out that a similar provision was contained in the existing Act, and the clause itself was there too.

The COLONIAL SECRETARY said the existing Act provided that the returning-officer could only give a casting-vote, if his name was on the electoral roll for the district. He would, however, withdraw the clause, with the view of substituting the words—

> Every returning-officer whether his name is on the electoral roll or not shall have the power of giving a casting-vote anything in the statutes to the contrary notwithstanding.

Mr. STUBLEY wished to know whether the Colonial Secretary was prepared to accept an amendment making the law with regard to naturalised subjects clear, for the guidance of revision courts?

Question—That clause 33, as read, stand part of the Bill—put and negatived

The COLONIAL SECRETARY said he was not going to travel into another portion of the Bill. The Bill was simply intended to amend the law relating to the collection of rolls.

Mr. STUBLEY said that since the amendments had been introduced into the Bill it had become completely revolutionised; and it was impossible for any but a lawyer to understand what was the principle of it. He therefore moved the insertion of the following new clause—

> And whereas doubts have arisen as to the right of naturalised British subjects to become electors be it declared and enacted that it shall not be necessary that any person claiming to have his name inserted on the electoral roll as a naturalised subject of Her Majesty should have been so naturalised for a period of six months before the time of making up the rolls.

Mr. BAILEY hoped the Colonial Secretary would adopt the clause, which was really necessary for the guidance of naturalised Danes and Germans, whose position under the present law was very undefined.

Mr. MCLEAN would support the amendment, as many colonists did not understand the electoral law, and some interpretation was necessary for their guidance.

Mr. GRIFFITH agreed with the Colonial Secretary that they should not go outside the limits of the Bill; but he submitted that this matter did not go beyond. It was a matter directly referring to the collection of the electoral rolls by removing doubts as to whose names should appear on them. The Bill not only dealt with the compilation of the rolls, but also with their revision, and some interpretation of the 7th clause of the Act, for the guidance of revision courts, was necessary.

Mr. PATERSON said if the Bill would induce economy in the expenditure of lawyers' fees he would support it.

The COLONIAL SECRETARY said he would take the amendment of the hon. member at the end of the Bill.

Amendment, by permission, withdrawn.

Mr. GROOM said he would move, as an addition to the proposed new clause, that returning-officers should be paid for their personal services for each election.

Mr. GRIFFITH said the proposition that a returning-officer who was not an elector should vote was a very serious question. What reason could be given for allowing an addition to be made to the electoral roll in that way? If a man among the electors could not be found fit to be returning-officer, those electors were not fit to return a member of Parliament.

Mr. THORN said the leader of the Opposition must be aware that many residents were partisans with strong political bias, and it was difficult to obtain the services of an unbiassed returning-officer. The police magistrates were the least biassed, and, though not absolutely pure, were almost immaculate as compared with other residents. He could not see his way clear to support the proposition with regard to remuneration. The present Government had not been behindhand in making additions to the Commission of the Peace, and there would be no harm in giving those magistrates a little more work. Many other magistrates could fulfil his duties during the time the police magistrate was acting as returning-officer. He should oppose the proposed amendment of the hon. member (Mr. Groom).

Mr. STUBLEY was sorry to see that there was not the same unanimity on the Opposition as there was on the Ministerial side of the Committee. He should support the amendment, as it seemed strange to him that a man should not be paid for his services because he happened to be a police magistrate. Had the police been rewarded for their services as collectors there would have been no occasion for the Bill.

Mr. MCLEAN thought it would be very objectionable to allow any man to vote whose name was not on the electoral roll, and that the best plan to adopt was to pass a clause to the effect that no elector should be disqualified from acting as returning-officer, or giving a casting-vote in that capacity, by reason of his being a police magistrate.

The COLONIAL SECRETARY said that expediency was his reason for proposing the clause. There was the greatest difficulty in getting returning-officers in the outside districts, and they were thrown upon police magistrates, who made the best returning-officers. He could see the force of the argument that no one who was not on the

electoral roll should be allowed to vote, but considering the small risk there was of any police magistrate ever being called on to give a casting-vote, and that the benefits would be immeasurably superior to any inconvenience that might arise, the Committee might well pass the clause as proposed. Were it not that they were disqualified from having votes, every police magistrate would probably be on the roll.

Mr. GRIFFITH said he had just noticed that at the end of the 11th clause of the present law it was already provided that—

"nothing herein contained shall prevent any returning-officer being a police magistrate or clerk of petty sessions from giving a casting-vote as hereinafter provided."

The COLONIAL SECRETARY said he would withdraw the clause. Had he been brought up in the law he should have been ashamed of himself if he had forgotten the existence of the provision just quoted. He would now move the following new clause—

Every clerk of petty sessions who shall be charged with the execution of the provisions of this Act shall be entitled to such remuneration as the court of revision shall annually recommend and the Governor in Council approve Provided that no such remuneration shall be paid except on receipt by the Colonial Secretary of a certificate from the chairman of such court declaring that such clerk of petty sessions has performed his duties to the satisfaction of such court.

Mr. GRIFFITH said this clause could not be put because the expenditure had not been recommended by message from the Governor as required by the Constitution Act. Payment to collectors, but not to clerks of petty sessions, had been recommended in the message. The matter could be disposed in another way, when the Estimates were under discussion, by increasing the salaries of clerks of petty sessions, if it was thought advisable.

The COLONIAL SECRETARY said the original Bill having been introduced by message from the Governor, he held that all amendments were covered by it.

Mr. GRIFFITH said the section in the Constitution Act clearly provided that the Legislative Assembly could not originate or pass any vote, resolution, or Bill for the appropriation of any part of the Consolidated Revenue to any purpose which had not first been recommended by message from the Governor. It was perfectly clear that no message from the Governor contemplated an appropriation from the revenue for the purposes of the clause.

The COLONIAL SECRETARY said a Bill to recommend the laws relating to parliamentary elections was introduced by message, and that message covered all expenditure necessary for the purposes of the Bill.

Mr. GRIFFITH said that one would suppose from the Colonial Secretary that this was the same Bill, whereas there was only the preamble left.

The COLONIAL SECRETARY said the hon. gentleman should not make rash assertions; there was a great deal more left.

Mr. GRIFFITH said the first two clauses were in the original Bill, and there were one or two towards the end—a mere transcript of the law now in force: the rest was all new. Under the 5th clause of the original Bill, the court of petty sessions was to assign to the principal collector and assistant-collectors such remuneration as might seem just and reasonable. Did anybody mean to say that the purpose for which an expenditure was recommended by that clause had anything to do with remuneration to clerks of petty sessions? The payment now proposed was for an entirely new set of duties created by an entirely different system. He should take the Speaker's ruling, because the matter was prohibited under the Constitution Act.

The COLONIAL SECRETARY said the hon. gentleman had told them, at an earlier period of the sitting, that he often urged arguments that he did not believe in, and he was now giving the Committee a practical exemplification; for the 5th clause authorised payment to the collector of the electoral lists. Who was the collector under the Bill now but the clerk of petty sessions? The clerk of petty sessions was to all intents and purposes collector. He had never heard such an extraordinary argument as the hon. gentleman had used, and he still contended that the message from the Governor covered all costs incidental to the Bill and all the amendments that had been passed. Not one Bill in a hundred ever passed without amendment. The objection was ridiculous.

Mr. GRIFFITH said the Governor's message never recommended any remuneration to clerks of petty sessions, simply because the duties they had now to perform were never contemplated by the original Bill. How could it recommend payment for duties never contemplated? The hon. gentleman had told them, over and over again during the debate, that the principle of collecting the electoral lists had been abolished, and the clause recommended provided remuneration for carrying out a system they had determined to abolish.

Mr. STUBLEY said he was sorry to see such misunderstanding between the Colonial Secretary and the leader of the Opposition. The Colonial Secretary said the leader of the Opposition brought forward arguments he did not himself believe in, but it was evident the Government party believed in them; and, if it were not for his assistance, he (Mr. Stubley) was perfectly satisfied that the Bill would never get through the House

at all, or pass in any form. The Colonial Secretary came down to the House, cast a handful of type, as it were, on the table, and says—"That is my idea; pick it up and put it together for yourself." That was about the real truth, and then he asserted that the leader of the Opposition argued points he did not believe in himself. He did not think there was much justice about that, considering the way the hon. gentleman had assisted the Government so far.

Mr. DICKSON said the Government ought to be very careful in accepting amendments from private members with a view to increasing the expenditure of the country.

The COLONIAL SECRETARY: This is not an amendment from a private member.

Mr. DICKSON said at any rate this expenditure was of a different character to that originally authorised by the Bill brought down by message from the Governor, and, therefore, he said it was in precisely the same category as Estimates of Expenditure submitted to the House, and the Committee in dealing with those Estimates had no right whatever to alter the destination of public money or increase the charges contained in such Estimates. The action now attempted in connection with this Bill was precisely analagous to that; and he had never before observed a Bill passing through committee, wherein the expenditure of public money was intended, having the destination of such moneys entirely altered or diverted from what was originally specifically provided for in the Bill itself. The amount might be reduced or modified, but this was introducing an entirely new matter that was never contemplated in the original Bill.

Mr. GRIFFITH asked the Chairman's ruling on the point—whether the clause could be put?

The COLONIAL SECRETARY said, if the Chairman was going to give his ruling, he would point out that clause 5 of the original Bill provided for the collection of the electoral lists, and the clerk of petty sessions was to be the principal collector under the Bill. The clerk of petty sessions did not go about the country collecting the rolls, but he collected them from lists and books and various other sources, and to all intents and purposes he was the collector.

Mr. MILES thought it would be better to omit the clause, and put a sum on the Estimates to pay the clerk of petty sessions, because the House would then have an opportunity of fixing the amount of remuneration to be paid. Under this clause it was left at the option of the Government to give whatever they liked.

The COLONIAL SECRETARY pointed out that there would be great difficulty in placing a sum on the Estimates for this purpose, because the payment would depend upon the amount of work to be done, and what would be sufficient in one district would be altogether inadequate in another.

Mr. GRIFFITH said this amount would practically be put in the schedules, making it a perpetual appropriation to be expended at the discretion of the Government. It was an unlimited sum—whatever the Colonial Secretary might think proper—and it was a great deal worse than putting a sum on the Estimates. There would be no difficulty in putting a sum on the Estimates, and it would be far less objectionable in principle.

Mr. MCLEAN said, no doubt the Colonial Secretary was right in stating that, as the Bill now stood, the clerk of petty sessions was the principal collector, but under the original Bill he was not the collector. Originally, it was intended that a principal collector and assistant-collectors should be appointed by the bench, but it was never contemplated that the clerk of petty sessions should be the collector.

Mr. BEATTIE took it that, under new clause 10, the clerk of petty sessions was simply the receiver of applications for names to be placed on the roll; he then sent the list to the revision court, and after revision delivered it to the returning-officer, who caused it to be printed. If the clerk of petty sessions had extra duty imposed on him he should be paid for it; but he had the same duties to perform under the present Act, and he (Mr. Beattie) could not see why he should receive remuneration for what would not be extra work.

The CHAIRMAN said the question was more one of the legal interpretation of the 18th clause of the Constitution Act than any thing else; but it appeared to him that the message having come down from the Governor, recommending a certain appropriation of money, that message covered any other appropriation of money which might be necessary to carry the Bill into effect. He, therefore, ruled that the question could be put.

Mr. GRIFFITH moved that the Chairman leave the chair, report the point to the Speaker, and ask leave to sit again.

Question put and passed.

The CHAIRMAN accordingly left the chair, and reported the point to the Speaker.

The SPEAKER: The Chairman reports a point of order that has arisen in Committee. The question is whether clause 34 of the Electoral Rolls Bill can be put or not?

Mr. GRIFFITH said he raised the point in Committee in this way: The Bill originally sent down by His Excellency the Governor contained various provisions for the collection of electoral rolls. The scheme of

the Bill was, that each year the court of petty sessions was to appoint a principal collector and assistant-collectors, and assign to them such remuneration for their services as might seem just and reasonable. That was the only recommendation for the expenditure of money contained in the Bill, except incidental expenses for printing. The duties of the collectors were to take the old rolls as the basis, mark on them the names of all persons who were dead, or had left the district, or were disqualified. They and the assistant collectors were also, by every means in their power, to prepare lists of all persons entitled to be placed upon the rolls, and the lists so collected were to be revised by the revision court. That was the scheme of the original Bill. This clause was now proposed after certain amendments, which must be taken to have been reported, and which entirely changed the scheme of the Bill. Instead of having principal and assistant-collectors to perform the duties described in the original Bill, for which remuneration was recommended, the collection of the rolls by collectors was abolished and every person desirous of placing his name on the roll had to send in his claim to the clerk of petty sessions, whose duty it was to compile a list from them.

The COLONIAL SECRETARY: Collect.

Mr. GRIFFITH said the whole system of collection was abolished, and each person desiring to become an elector had to send in his name to the clerk of petty sessions. The duties cast upon the clerks of petty sessions were entirely different from those to be performed by collectors under the original Bill. He submitted, in Committee, that the recommendation of the Governor to appropriate certain moneys for the remuneration of the collectors was not effective, as the purpose recommended was not the same as the purpose of the clause. The words in the statute were—

> "That it shall not be lawful for the Legislative Assembly to originate or pass any vote resolution or Bill for the appropriation of any part of the said Consolidated Revenue Fund or of any other tax or impost to any purpose which shall not first have been recommended by a message of the Governor to the said Legislative Assembly."

It would be seen that what had been recommended was for a specific purpose, and the manner in which the money was to be appropriated was provided in the Bill, but now the purpose for which it was proposed to appropriate the money was entirely foreign to the Bill recommended by the Government. He submitted that the Assembly, under the Constitution, could not deal with a clause of that kind. That was perfectly clear, unless it was said that, the Governor having recommended a Bill it did not matter how many alterations were made in it, and that the original recommendation to appropriate money for one purpose would cover the spending of money for any other purpose provided the title of the Bill remained the same.

The COLONIAL SECRETARY said the hon. leader of the Opposition was carrying out his old *rôle*—of arguing a point which he did not believe in. He (Mr. Palmer) maintained that under the fifth clause of the original Bill, where provision was made by a message from the Governor, the courts of petty sessions were authorised to appoint some person to be principal collector of electoral lists, and also so many assistant-collectors as such courts might think requisite; and should assign to such principal collectors or assistant-collectors such remuneration for his or their services as might seem to them just and reasonable. With that clause in the Bill sent down by message from His Excellency was included all other clauses or amendments in the Bill. It would be absurd to say that any Bill that came into that House must leave it in the same state—in fact, no Bill that ever went into that House, except some minor Bill that no one cared about, had ever passed out in the same form in which it was introduced. Therefore, the message from His Excellency recommending the Bill covered all amendments that might be made in it. He maintained that the 34th clause was, to all intents and purposes, the same appropriation that was sanctioned by the 5th clause in the Bill as it came down by message from the Governor. The clerk of petty sessions was, to all intents and purposes, the principal, and indeed only, collector under the Bill as it was now amended, and it was a mere play upon words to say that a man who compiled all the electoral lists did not collect them: he did collect them from every source. The word "collect," according to the dictionary, meant "to bring together, to gather into one body or place, to assemble;" and "compile" was "to fit together and to construct," and he should like to know what difference there was between compiling and collecting in the present case? He was perfectly satisfied in his own mind, although he should be quite willing to abide by the ruling of the hon. Speaker, that the message from the Governor covered all appropriation under any amendment that might be made in the Bill.

Mr. STUBBLEY said there was a great distinction between collecting and compiling, as a person could not compile unless he first had the things to compile from. It was necessary to collect before one could compile, and therefore there was a great difference between the words.

The PREMIER said there was no doubt that the scheme of the Bill had been greatly altered since the measure was first introduced. The original Bill provided for

the expenditure of a larger sum of money than was now contemplated by the present Bill. It was for the House to see whether the original Bill contemplated such an expenditure as the present Bill. Clause 5 showed that it was contemplated to pay collectors; but were they confined simply to the collection of the roll? No; for clause 14 showed that part of their duty was compilation. The remuneration recommended by the Government was not for the collection of names only, but also for the compilation of the rolls. Therefore, it was perfectly clear that compilation was included in the message; and what it was now proposed to pay the clerks of petty sessions for was for compilation of the rolls. There was another point. He contended that the 18th clause of the Constitution Act, which had been quoted by the hon. member for North Brisbane, did not apply to the present case, as there was no appropriation of money at all. He believed himself that the 34th clause of the Bill would have been better if it had the addition to it which he would suggest. It should read "Provided that no such remuneration shall be paid except from moneys hereafter appropriated by Parliament for that purpose." Supposing that alteration was made, it would be simply an instruction that certain amounts should be paid when sanctioned by Parliament. In that sense this was no appropriation at all, as the proper appropriation would be when the expenditure was sanctioned by Parliament. He submitted, first, that the moneys proposed to be paid by the clause in question were provided for in the message sent down from the Governor; and, in the next place, that this was not an Appropriation Bill at all. Should the ruling of the hon. Speaker be that the 34th clause was an appropriation of money, he would recommend his hon. colleague to amend it so as to make it merely an instruction to pay money on an Appropriation Bill to be passed by Parliament at some future time.

Mr. MCLEAN said the hon. Premier was quite right in his statement that the scheme of the Bill had been greatly altered, and he would have been nearly right if he had said it was a new Bill altogether. It was quite true that an appropriation was recommended by clause 5, but that clause had been negatived, and new clauses had been introduced since, which made it a new Bill altogether. Clauses 5 to 25 inclusive had been negatived, so that it was not at all the same Bill that was sent down by message from the Governor.

Mr. GROOM said he was sorry to have to differ from hon. members on his side of the House on the question submitted to the hon. Speaker; and, before the ruling was given he wished to draw attention to the fact that a distinction should be drawn between this Bill and others which had been introduced, recommending a direct expenditure, such as the Bill for granting a pension to Lady O'Connell. In that Bill there was a clear case of expenditure, but in this case how was the appropriation to take place? Not by this Bill, but by the Estimates, as a sum was set down for "elections," and he presumed that the expenditure for the collection of the rolls would come out of that. Thus he did not think that the clause in the Bill came within the meaning of the 18th clause of the Constitution Act.

Mr. REA said that all the members opposite based their arguments on the 5th clause; but he would ask them whether, when that clause was drawn up, it was intended that the clerk of petty sessions was to be the collector? On the contrary, the collectors were to hand their work to him. Hon. members had gone upon a wrong basis altogether.

The SPEAKER: The position in which the question now stands amounts to this: A Bill entitled "A Bill to Amend the Laws relating to Parliamentary Elections" was presented from His Excellency the Governor, with a message. By the 5th clause of that Bill certain appropriations were authorised for carrying out the purposes of that Bill. Since the Bill has been in Committee the manner in which the purpose of the Bill is proposed to be carried out has been entirely altered, and a new clause is now inserted authorising, also, a certain appropriation for the purpose of carrying out the objects of the Bill. It does not appear to me that the object of the Bill has been altered, although the mode in which it has been attained has entirely altered. The Bill is still a Bill dealing with the preparation of the electoral lists. It was proposed that this should be done in a certain way: it is now altered, so that the lists shall be prepared in another way. The question, therefore, is, whether the appropriation recommended by the Governor in transmitting a Bill for the purposes of preparing electoral lists in one manner may be used for preparing them in a distinct and separate manner. It seems to me that, under these circumstances, the object of the Bill being still the same, although the mode of attaining it is different, the objection taken is very much in the nature of a technical objection, and I think the House should remember that, if it were held that the House had not the power to vary the clauses of a Bill, or the conditions of a Bill, which came down with a recommendation frem the Governor for a certain expenditure to carry out its provisions—I say, if the House could not vary those provisions without going through the form of beginning *de novo*, it would tend very much to limit the authority of the House in dealing with such Bills. I am of opinion, therefore, that substantially

there is no ground for the objection, and that the privileges of the Crown, in taking the first steps towards the appropriation of money, are not infringed by this House applying the appropriation which has been recommended for the collection of electoral lists in one way, for their collection and preparation in another way. I shall therefore give it as my ruling that the presence of this 34th clause in the new Bill is simply carrying out the recommendations contained in the 5th clause of the original Bill as it came down from the Governor, and that the objects of the amended Bill are sufficiently identical with those of the original Bill to render the same recommendations valid for both.

The House again went into Committee.

Mr. GRIFFITH said that he did not intend to allow the insult offered to him by the Colonial Secretary to pass unnoticed. The hon. gentleman had deliberately insulted him by stating and repeating the statement that he was arguing a point which he did not believe. The Colonial Secretary ought to be ashamed of himself for using such language. He (Mr. Griffith) had never accused the hon. gentleman of doing so, though he might have done so with greater fairness. He had never, in the House, condescended to advocate any views that he did not conscientiously believe, and he hoped the Colonial Secretary would always be able to say the same. It was true he said at an earlier portion of the sitting that it was not always the duty of a counsel arguing before a court personally to agree with his client. The duty of a counsel was to assist the court to arrive at a right conclusion, but in the House the duty of a member was entirely different. No member of that House had a right to appear there as an advocate in one way or another, and he repudiated, with the scorn it deserved, the Colonial Secretary's insinuation which he had made to-night, not for the first time.

The COLONIAL SECRETARY said he really was exceedingly grieved that the hon. member for North Brisbane should lose his temper in this matter. He (Mr. Palmer) intended no insult. The hon. gentleman did, at an earlier part of the evening, say he was in the habit of arguing points in which he did not believe.

Mr. GRIFFITH: I did not.

The COLONIAL SECRETARY said that he must be very deaf, but it was strange that many other members had also fancied that he made that statement, as there was no doubt he did. He said the hon. gentleman said that he often argued a point he did not believe in, and he (the Colonial Secretary), merely as a matter of *badinage*, repeated his own words. There was no insult intended and no insult given. It was a pity the hon. gentleman was not in a better temper. If the Speaker had decided against him (Mr. Palmer) he should never have been put out of temper; but this, no doubt, was the reason why the hon. member for North Brisbane was so disturbed in his mind. However, if he did offend the hon. gentleman, he (Mr. Palmer) apologised, and would repeat he never meant to do anything of the kind. He (Mr. Palmer) could take chaff and give it, but he was sorry to see the hon gentleman's temper getting so short and his skin so thin.

Mr. DICKSON hoped that the vote for the expenses of collecting the rolls of the clerks of petty sessions would come annually under the inspection of Parliament. That was necessary, and had the Colonial Secretary only adopted the suggestion made to him there would have been no necessity for referring the matter to the Speaker. How did the Colonial Treasurer reconcile the expenses to be incurred by this mode of collecting with his great policy of retrenchment, and with his advocacy of the abolition of collectors altogether? Where could they now save five or six thousand pounds per annum? Then they heard that the hon. member for Toowoomba was going to put forward the claims of returning officers at, say, £50 a-year each; and there would possibly be other claims, perhaps, amounting to £2,000 altogether, which, taken in conjunction with other expenses, would restore the cost of elections under this Bill to what it always had been, if, indeed, it did not largely increase it. So that he could not compliment the Colonial Treasurer on his retrenchment policy, as applied to the conduct of elections. The remuneration for clerks of petty sessions should be put annually on the Estimates.

The PREMIER hardly knew what the hon. member was speaking about, but it was entirely a Government suggestion that the money should be put on the Estimates annually. As to the hon. member's estimate of the expenses likely to accrue under the two methods, and his (Mr. McIlwraith's) own, there was a considerable difference between them.

The COLONIAL SECRETARY moved that there be added to the clause, after the word "approve," the following words:—"From moneys to be hereafter appropriated from Parliament for that purpose."

Question put and passed, and the clause, as amended, agreed to.

On clause 35 of the amendments—Penalty for neglect—

Mr. MILES said it might be dispensed with, as, if passed, it would become a dead letter.

Clause passed as printed.

Mr. RUTLEDGE moved the following new clause, to follow the last clause passed :—

> No vote tendered at any polling-place shall be rejected by the presiding officer by reason only that the surname of the person tendering his vote differs in the mode in which it is spelt by such person from that in which it is spelt as printed on the electoral roll or by reason that the christian name or names or the initial letter or letters of the christian name or names of such person are incorrectly printed on the electoral roll Provided that before receiving the vote of such person any two electors personally known to the presiding officer poll-clerk or either of the scrutineers then present shall state that to the best of their belief the name as printed on the electoral roll can refer to no other person than the person so tendering his vote.

His object was to obviate the difficulty that frequently rose in districts where German residents were most numerous. Frequently the wrong name was put down through the collectors' ignorance of the spelling, and many persons were unable to recognise their names on seeing them on the electoral rolls. Under the existing law the returning-officer was not justified in receiving the name of an elector unless it was spelt by him as it appeared on the electoral roll.

Mr. KATES said he agreed with the proposed new clause. He knew from experience that during the late elections many persons were disfranchised owing to the bad spelling of their names on the rolls.

Mr. BAYNES said that to pass such a clause would be over-legislation, because the matter was already provided for in the Act of 1874.

The COLONIAL SECRETARY said he must oppose the amendment for several reasons. One was that the subject was entirely outside the scope of the Bill, and the second that it was already quite sufficiently provided for in clause 52 of the Act of 1874. Another objection was that the clause would place it in the power of any presiding officer, by having two of his friends present, to admit anybody. It was a most vicious amendment, and he should oppose it from beginning to end.

Mr. DICKSON said it was a well-known fact that electors had been rejected for the reason assigned, but, while it was desirable that they should be allowed to prove their identity, care must be taken to prevent people from voting who had no right to do so. He would suggest that it would be an improvement in the clause to alter the words "the presiding officer, poll clerk, or either of the scrutineers" to "the presiding officer or poll clerk, and one of the scrutineers." The amendment, if accepted, would at all events make the existing law on the subject clearer.

Mr. RUTLEDGE pointed out that the existing law did not make it compulsory on the part of the returning-officer to accept a vote, when he was not satisfied that the name represented the individual who tendered his vote. This amendment was intended to make it compulsory. He contended that it came quite within the scope of the Bill, because it was closely connected with the compiling of the electoral rolls. The hon. member cited a case which occurred in a neighbouring electorate, where an elector named Franz found his name spelled Frau on the electoral roll, and who could only be identified by the returning-officer by his property qualification. Had the returning-officer been a stranger, he would not have allowed that man to vote. He would accept the suggestion of his colleague, and alter the amendment in accordance with it.

Mr. O'SULLIVAN said there was no necessity for the amendment, for electors would have four opportunities in each year to see that their names were properly spelled on the lists. He knew of a man named Hogan in a neighbouring town whose name was not on the roll, and there was another man named Hagan whose name was on the roll. At the election Hagan happened to be away, and Hogan wanted to vote, so he went and called himself Hagan. This amendment would compel the presiding officer to receive votes of that description, which were already far too common. As to the one scrutineer, of course, it would be the man's own scrutineer. To have any good effect at all, the words should be "all the scrutineers." He should oppose the amendment, because it would destroy the entire good effect of the Bill. If the amendment were allowed the whole principle of the Bill would be destroyed.

The COLONIAL SECRETARY said the hon. member for Enoggera could hardly see the scope of his own amendment. He might accept the assurance of the hon. member for Stanley, who had had much experience in such matters, that it would open the door to all sorts of fraud. It would also hinder the polling, and give rise to no end of disputes in the polling-booths. The present law was sufficient to cover ordinary cases of mis-spelling, and by the new law electors would be able to put on their own names and could see that they were put on correctly.

Mr. MCLEAN said it should be remembered that in some cases electors did not come into town once in fifteen or eighteen months, or even two years. He knew a case in which "John" in the manuscript roll appeared "J" in the printed one, and in consequence of that error an elector was rejected by the presiding officer.

The PREMIER said the great object was to give the right party every facility for voting. The proposed amendment would change the tribunal before which the question of identity would be decided. At present when a man presented himself the returning-officer asked—"Are you the party"; and if the answer was satisfactory the man was allowed to vote. He submitted that it was better to leave the decision with the returning-officer, who was most likely to be impartial, than to transfer it to any two electors. It would be quite possible for a man to say—"My name is Smith—you have spelt it Jones;" and it might be said that he was the man.

The COLONIAL SECRETARY pointed out that, by the present law, no two electors could be in the booth at the same time, unless they were voting.

Mr. STUBLEY would like to ask whether the fact of a man making a declaration, and signing it in the presence of the returning-officer and scrutineers, would be sufficient proof?

Mr. REA said that this misdescription of names was not the only difficulty to be met. On one occasion his qualification had been printed as "landholder," instead of "landowner," and his name had been in consequence struck off the roll. As a matter of fact, he had seen half-a-dozen men in the voting-booth at once, and they were allowed by the returning-officer. Every precaution should be taken to protect voters against the machinations of those who tried to oust men to whom they were opposed.

Mr. RUTLEDGE said the Premier had drawn attention to the impartiality of the presiding officer, but the fact was that the presiding officer was so impartial that he would have no compunction about refusing any number of votes. He might mention that the Honourable James Swan, one of the best known electors in the colony, sent in a declaration in his own handwriting to the clerk of petty sessions in Brisbane, and that when the name appeared in the electoral list it was so metamorphosed that it could not be recognised. The initial and qualification, however, pointed to the fact that it was the honourable gentleman who was intended. The Bill would press most severely upon German selectors, whose names were often uncommon. As to "Jones" being printed for "Smith," that was beside the question; but "Jones" might be spelled "Jonas," or "Smith" with a "u" or a "y," and such errors should not lead to disfranchisement.

Mr. MACFARLANE (Ipswich) could mention a case in which the names "James John" appeared "John James," and, although the surname was correct, the man would not go further than say what his name really was, and, in consequence, he lost his vote. If such things could take place with regard to English names, the mistakes were like to be worse in the case of foreigners.

Question — That the new clause, as amended, follow the last clause passed—put.

The Committee divided:—

AYES, 19.

Messrs. Miles, Douglas, Griffith, Rea, Dickson, McLean, Paterson, Rutledge, Mackay, Kates, Kingsford, Bailey, Macfarlane (Ipswich), Beattie, Hendren, Grimes, Meston, Groom, and Horwitz.

NOES, 26.

Messrs. Norton, Stevens, Morehead, Lumley-Hill, O'Sullivan, Kellett, Lalor, Low, Beor, Sheaffe, Persse, Stevenson, Amhurst, Archer, Tyrel, Swanwick, Macrossan, Weld-Blundell, H. W. Palmer, Cooper, Perkins, Stubley, McIlwraith, A. H. Palmer, Baynes, and Davenport.

Question, therefore, resolved in the negative.

Mr. RUTLEDGE was understood to say that, after the decision that had been arrived at, he had no alternative but to withdraw the amendments with regard to the prevention of double voting, of which he had given notice.

Mr. STUBLEY proposed that his clause with reference to naturalised British subjects should follow the last clause passed.

Question put and passed.

The COLONIAL SECRETARY moved that clause 34—Short title—stand part of the Bill.

Mr. MILES (who was very indistinctly heard in the gallery) said that, at an earlier period of the sitting, he got up to draw attention to some remarks made by the senior member for Stanley (Mr. O'Sullivan), but was unable to carry out his intention. Last night the hon. member said regarding him—

> "If it were not quite unparliamentary to say so, he would say that the hon. member for Darling Downs was the greatest swindle that ever came into the House. It would be utterly unparliamentary to say so, but outside the House he would say so."

He would give the hon. member the opportunity if he chose to come outside, and if he did use that language—

Mr. O'SULLIVAN rose to a point of order; the hon. member was using a threat towards him.

The CHAIRMAN said the hon. member for Darling Downs had better not hold out threats.

Mr. MILES said he would put it to the Chairman how he would feel if he were accused of being a "swindle?" He would warn the hon. member for Stanley not to

run the risk of making use, outside the House, of the words that he (Mr. Miles) complained of. He had just stood a contested election in which he had to fight both Church and State, and had polled between 700 and 800 votes. If he were what had been asserted, last night, those voters must have been thorough fools to have returned him. He believed that the hon. member had done all he could to prevent his return. He should be very sorry to be guilty of using such language, although he believed he should be perfectly right in saying that the terms made use of by the hon. member were more applicable to himself; if he were to judge by a letter written to the public Press by a Mr. Kimble, who, he believed, was one of the hon. member's constituents, he must come to that conclusion. The writer of the letter, who was one of those who signed the hon. member's nomination paper, stated that he was misrepresented. Had any of his (Mr. Miles') constituents ever accused him of misrepresenting them? He thought it came with very bad grace from the hon. member for Stanley (Mr. O'Sullivan) to make use of such an expression. He would ask the hon. member whether he recollected the times gone past when he used to accuse the hon. member now sitting alongside of him of representing gum trees and bullocks, and using such strong terms against them as "jackaroos" and other similar language? He said, again, that the word the hon. member applied to him would apply far better to himself (Mr. O'Sullivan). The hon. member was now in good company; and seemed to be very industrious after getting himself into hot-water with his constituents. He got the Minister for Works to go up with him, on Friday last, to Laidley—he supposed to endeavour to smooth things down, by promising repairs to roads and bridges, or something of that sort; but he (Mr. Miles) was afraid the hon. member would have to do a great deal before he altered the opinions of his constituents respecting him. He did not think he had done anything since he had been in the House that would justify the hon. member in applying such a strong term as this to him. It was a word sometimes used, but not personally.

Mr. O'SULLIVAN said he could promise the House and the hon. member who had just sat down that he should never again crack a joke at his expense. From the solemn way the hon. member had got up and referred to this matter, the House and the public might think he was in earnest. Did the hon. member suppose for a single moment that he (Mr. O'Sullivan) would get up in his place in that House and call him names, seriously, or in any other way than the way they had of bandying words in the House? Could not the hon. gentleman, or anyone else who read what he said, see that he (Mr. O'Sullivan) simply used the word "swindle" as comparing the hon. member with the great man in whose shoes he was supposed to stand, or like whom he was acting in that House—the great reformer Hume? That was simply a private opinion of his own. He firmly believed that the hon. member was a highly respectable and highly honest man, and in reality a great reformer. He would almost turn in earnest himself, and entirely deny that he ever intended the slightest imputation against the hon. member. He had known him from the very day he (Mr. Miles) went into politics. The very hour that he was born a politician he (Mr. O'Sullivan) was alongside of him, and he praised him on that occasion, and he had praised him ever since. He had seen no reason why he should not praise him; he did not believe there was a better man in the Queensland Parliament or in the colony; and for what reason should the hon. member get up and complain of a slip of the tongue that fell from an old friend of his own? The hon. member had accused him of being in good company; but it was a long lane that had no turning, and did he want him (Mr. O'Sullivan) to be in bad company all the days of his life? Surely, he was in bad company long enough, and it was nearly time he got into good company. The hon. member had not scorned to be in his company, and had always met him openly and aboveboard, and what reason could he have for supposing he (Mr. O'Sullivan) meant anything derogatory or disrespectful to him? He entirely repudiated anything of this kind.

Mr. REA said if they were to look upon expressions of this kind as jokes he should certainly recommend that some special personage should be appointed in connection with *Hansard* to point out what was a joke and what was not. He only knew this: that these hard words, when used in the House, took effect in the outside districts where *Hansard* was read, and were believed to have been uttered in all seriousness. He was glad the hon. member had declared that he only used the expression referred to as a joke; but at the time he used it he should have said he intended it as a joke, because otherwise people out of doors would misunderstand it.

Clause put and passed.

The preamble having been agreed to, on the motion of the COLONIAL SECRETARY the Chairman left the chair and reported the Bill with amendments.

The House having resumed—

The COLONIAL SECRETARY moved that the Speaker leave the chair, and the House resolve itself into a Committee of the Whole for the reconsideration of clauses 3 and 4, and filling up blanks in clauses 10 and 11.

Mr. GRIFFITH said he had gone through the Bill, and found that it would be necessary to recommit clauses 1, 3, 5, 10, 11, 27, and 31.

The COLONIAL SECRETARY said he had gone carefully through the Bill, and did not think it necessary to recommit any other clauses but those he had mentioned.

Mr. GRIFFITH said it was necessary that amendments should be made in the clauses he referred to; and, although the Colonial Secretary might have his way in reference to this matter, he could not expect the Bill to become law unless it was made rational and consistent. In clause 1 it said "part 3 of the Elections Act of 1874 are hereby repealed." They could not let that pass. Clauses 3, 5, 10, 11, 27, and 31 also required alteration; and unless it were done the result would be that the Bill would not become law for some time.

The COLONIAL SECRETARY said, if the hon. member would point out what amendment was required in clause 5 he would consider the matter.

Mr. GRIFFITH said he proposed to omit the first line and a-half of the second paragraph. If the hon. gentleman would not agree to have it so amended there would be another long discussion upon it. He knew he was exceeding his functions as a private member in taking so much trouble to amend the Bill, and he hardly knew whether he ought to feel more ashamed or disgusted with himself for so doing; but if it was desirable for the Bill to become law it was equally desirable that it should be made as perfect as possible. He moved, as an amendment, that the Bill be re-committed, for the purpose of re-considering clauses 1, 3, 5, 10, 27, and 31.

The COLONIAL SECRETARY said that, to show that he was quite willing to give way to every amendment that he could, he moved that the House resolve itself into a Committee of the Whole for the purpose of reconsidering clauses 1, 3, 4, and 5; of filling up blanks in clause 10; and amending clauses 27 and 31. He hoped that would meet the hon. member's wishes.

Question put and passed, and the House went into Committee accordingly.

Clause 1 was passed with a verbal amendment.

On clause 3—Interpretation—

The COLONIAL SECRETARY moved that sub-sections 2 and 3 be omitted, with the view of inserting the words "clerk of petty sessions shall mean the clerk of petty sessions at the principal police office in every police district."

Question put and passed.

Clause, as amended, agreed to.

On the motion of the COLONIAL SECRETARY, clause 4 was put and negatived.

On clause 6—Quarterly registration courts—

Mr. GRIFFITH moved the omission of the words—"Such court may examine any person on oath in proof or otherwise of any such claim and."

Question put and passed.

On the motion of the COLONIAL SECRETARY, verbal amendments were made in clauses 10, 27, and 31, and the clauses, as amended, passed.

On the motion that the Chairman leave the chair and report the Bill with further amendments—

Mr. DICKSON said he thought the Colonial Secretary ought to express his obligations to the leader of the Opposition for the assistance he had rendered him in passing the Bill. Every hon. member would admit that but for that assistance it would not have passed in anything like its present comparatively perfect form. It would be only a graceful and just action on the part of the Colonial Secretary to acknowledge the assistance he had received from the hon. member for North Brisbane. His object in rising was to express a hope that the Colonial Secretary would see that clean copies of the Bill were circulated with the morning papers, so that hon. members might have an opportunity of glancing through it before the third reading came on.

The COLONIAL SECRETARY said he was exceedingly obliged to the hon. member for Enoggera for coming out in this style. Perhaps the hon. member would mind his own business, and allow him (the Colonial Secretary) to manage his. He did not want to be told by him what he ought to do; it was quite thrown away upon him and upon the House. The leader of the Opposition had rendered very great assistance in passing this measure; and, although some of his amendments might well have been dispensed with, still he had materially assisted in making the Bill a good one. He had made one mistake in connection with this Bill which he did not mind confessing. He would never again, as long as he lived, allow a Bill introduced by him to be taken out of his hands; and he would not have allowed it on this occasion had he not been exceedingly ill when the amendments came on. At that time he could hardly hold his head up. When he left the House he went to bed and remained there for days, and was glad to get the Bill off his hands. Had he been in his usual health, the muddle and fog his original Bill got into would never have occurred. He believed it was a good Bill now, and thought that when hon. members saw the proofs tomorrow morning they would find it much better than ever they anticipated. It would be impossible to send round revised copies

of the Bill in the morning, but arrangements had been made to send out proofs, and the revised copies would be issued in the afternoon. He hoped the Bill would pass its third reading and be transmitted to the Upper House to-morrow, as it was desirable it should become law before the 1st August. He had to thank nearly every hon. member for the patience with which they had borne with his shortcomings, which would never have occurred had he been in perfect health all the time.

Mr. MILES deprecated the tone in which the Colonial Secretary had referred to the senior member for Enoggera.

Mr. REA said he was not surprised at the way in which the Colonial Secretary had referred to that hon. member, seeing the left-handed compliment he had paid to one of his own supporters—the hon. member for Blackall—in telling him that had he been well he would not have allowed him to botch the Bill as he did.

Mr. GROOM said he felt very strongly on the question of the payment of the returning-officers, and although, after the ruling of the Speaker, he would only have been wasting the time of the Committee had he pressed it, yet it was his intention to test the opinion of the House on the matter on another occasion.

The CHAIRMAN reported the Bill with further amendments; the report was adopted, and the third reading of the Bill was made an Order of the day for to-morrow.

## THE PHILADELPHIA EXHIBITION.

Mr. MACKAY said he desired to occupy the attention of the House for a few minutes, but at this late hour he would not go fully into details, as he had intended. After the remark of the Colonial Secretary, that afternoon, it struck him that there must be a mistake somewhere. On previous occasions he could afford to treat assertions made with contempt, as the House did likewise; but he had now adopted what he considered the most effective way to clear up any misunderstanding there might be. The gentlemen who occupied the position of Ministers of the Crown during the Philadelphia Exhibition could bear him out as to what he did at that time, and as to his conduct all through. When the Colonial Secretary said, this afternoon, that in his office he had asked him to make out a certain report, he remembered that such was the case, and he did so; the report was on the implements brought out from Philadelphia. He had written to the Auditor-General on the subject, and in reply that gentleman said, "The return was laid on the table of the House by the Treasurer rather hurriedly, and not in the form which I wished it to be." That report dealt with the implements he had brought over in the fullest possible way, for whatever his shortcomings might be he had never shown any disrespect for constituted authority. An accusation had been made against him, and he had intended to go fully into this matter. He would now refer to the last clause of the report he had sent in to the Government. The reports were printed in 1876, and there was no occasion for calling for returns, as he could have explained the matter had he been asked. Every item could have been explained, and he had never received any money from the Government since that time. In order that the matter might go before the country to-morrow, he would refer to the last clause in the report. The implements had cost £530 odd, as far as his memory served him; and not £700, as stated by an hon. member; and, as a matter of fact, he had never charged more than the £500 allowed. They were not purchased to sell again, and were not bought on that supposition. There was also an account of some articles which were stolen from the Exhibition. With regard to the sugar report, if he had done nothing else in his life he believed the service done to the colony in that respect would justify the expenditure. That report, also, appeared among the records of the House. There was also the report on Chicago, for which he had charged nothing extra. There was nothing to show that he had not conscientiously carried out his duties. In another paper was an account of £253 18s. paid into the Union Bank, and 6 lb. 14 ozs. of gold delivered to the Treasury. That was the conclusion of his business with the Government. It was no part of his duty to carry on the exhibition of Queensland goods in the Philadelphia Exhibition; but the late Colonial Secretary (Mr. Miles), who was in America, knew that he had done so at his own risk, Mr. Daintree having been taken ill. He took charge of it from the month of April.

HON. MEMBERS: The first of April.

Mr. MACKAY said he did not think such interruptions on the part of hon. members were creditable to them. He had always paid respectful attention to what was said in the House, and there was not the slightest necessity for jeering. He had received intimation of Mr. Daintree's illness when he returned from the West Indies, and he at once took charge of the Queensland exhibits. Even the hon. member for the Mitchell, if he read the reports, would be satisfied that he could not have done more himself. He did his best, and the country was satisfied with the result. All moneys were paid to him by Executive minute, and he was told that his duties were completed and the Government satisfied, which was quite enough certificate for any man. He did not desire to take up the time of the

House further, but could give the fullest explanation at any time.

The COLONIAL SECRETARY said the speech of the hon. member for South Brisbane was brought on by a question asked, this evening, by the hon. member for the Gregory, as to why a return called for by the hon. member for the Mitchell on the 11th of June had not been furnished. The motion was for a return of the cost and description of each labour-saving machine imported by the Commissioner for Queensland at the Philadelphia Exhibition. He (the Colonial Secretary) gave as a reason why the return had not been furnished that he had never had the material to make it, nor had he up to the present moment. He made no charge against the hon. member. The hon. member said he (the Colonial Secretary) had never asked him, but he would surely remember that he had done so. He had done all he could to get the account of what those labour-saving machines had cost. From the auctioneer he had got an account of what they sold for, and it certainly did not appear to have been a paying speculation. The charges struck him as being the most monstrous he had ever seen. The greater part of them were for advertising ordered by Mr. Mackay, and the auctioneer had to deal with no one else. The auctioneer's memorandum stated that the advertising cost £90 odd on £340 worth of material, and the number of insertions and all particulars were carried out under the explicit directions of the hon. member. Further than that he knew nothing. He had received no report from the hon. member showing the cost and description of each labour-saving machine, and he stated again that, without that information, he could not furnish the return called for.

Mr. MOREHEAD said that, having originally moved for these reports, which were not supplied by the hon. member for South Brisbane, he might be permitted to address the House as one most intimately connected with the question under discussion. Hon. members were aware that a large sum was voted by the House to a gentleman who might possibly, or probably, have fulfilled the duties of Commissioner at the Philadelphia Exhibition; but the House did not vote that sum of money except on the expectation that they would have a full and sufficient explanation, or vouchers, to show how the money was expended. The hon. member got up, and, with a voice—he might say—almost full of tears, said he was a very much misinterpreted man; that it was sad he should have had £1,500 of public money and should be asked to account for it;—that it was true he had had the money, and pitiful that he should be asked to account for it. That was the position the hon. member had accepted. He had told them he had received the money, and why did he not account for it, as any honest, decent man, or any person receiving money, not only from the State but from an individual, would do? He had also taken an opportunity in the House of vaunting about the large cheques he could draw. Were they to take the power of drawing cheques as a corollary upon the fact that he had been given large sums of money by the country which he could not or would not account for? The hon. member had declined—or, to put it more strongly, distinctly refused—to give any account to that official to whom he should give it as to how the money had been expended. He had talked in a very high-falutin' way—mingled almost with tears—of the great effect produced by his advent in America. He (Mr. Morehead) thought this colony was quite well known before the advent of the hon. member, and he was not at all sure that its position had been improved by his going to America. He (Mr. Morehead) was not at all sure they would not have been better off if they had not been so represented. Those were merely surmises, but they would bear a considerable amount of argument. To return to the main point, the House was entitled to have information from the hon. member, who, by a disgraceful sidewind, was appointed Commissioner for this colony at Philadelphia. They should have a full account of the money dedicated to that object—in a very peculiar way—through the hon. member. When the hon. member rose he (Mr. Morehead) thought he was going to give the House full information, but he had told them nothing except that he had got the money, and—as far as he (Mr. Morehead) could see—kept it, or a very large portion of it. What had he done with the large sum of money voted for going to the West Indies? He had investigated sugar, and had pocketed the sugar, as far as he (Mr. Morehead) could see. There had been no tangible result from the trips to Philadelphia or Jamaica. The hon. member came to the House as a sort of Uriah Heep—in a very humble way, and said, "I have got the money, and will give no account of it; I have done nothing, but I am a humble man: don't be hard on me." That was the position the hon. member took up now. The whole thing from the beginning was a disgraceful swindle. He repeated that, and wished it to be recorded. The hon. member went to Philadelphia, not only subsidised by the then Government, but as reporter of the *Queenslander* and *Courier*. He was still in the employ of those papers, and received their pay; and yet the House, as the representatives of the taxpayers of the colony, were induced, on false representations, to vote a sum of money to subsidise him. Whether he was worthy of

the subsidy, hon. members would for themselves decide; but he (Mr. Morehead) said that he was utterly unworthy. To call such a thing as this trip a gigantic failure would be using too large words to describe such an event, but a "gigantic failure" it was. He could quite understand the inhabitants of America, which was not a small country—having about 35,000,000 of inhabitants—looking with curiosity at this individual, who came from a community of 200,000, and saying, "Is this really the representative of the great colony of Queensland? Have they really had the resources to send such a man? Did he come in one ship, or did it take a fleet to bring him over?" Hon. members would quite understand the consternation that would be caused at Philadelphia when the people witnessed the advent of this extraordinary representative, and that they went further and inquired who he was? They would be told that he was supposed to have been editor of the *Queenslander*. Then they would go further, and say, "What is the *Queenslander*?" They might next discover a *Queenslander* and read it, and might learn that, after all, the *Queenslander* or the *Courier* was not so great a paper. They would learn that it was a paper published in Brisbane, a town purporting to be the capital of Queensland, and would further find that this colonel—he begged his pardon, this individual—was intimately connected with the *Courier* staff. The people of Philadelphia might reply, "Well, we don't much believe in papers ourselves;—we know that anyone can run a paper in America." Then the hon. member would show his credentials and appear in all his majesty as the representative of a colony of 200,000 people with enormous tracts of unoccupied land. They had that also in America, so that this probably would not have pulled the hon. member through; but he further came out and said—"I am Angus Mackay; I am the Mackay; I am the man; I am Queensland;"—and they would quite understand the astonishment the people of Philadelphia would feel, and even that the hon. member himself would be astonished at the position he then occupied. However, returning to the question at issue. He (Mr. Morehead) should like to know why the hon. member, having become illustrious, and remaining undecorated as he was—although he had hoped that he would have received the Order of St. Michael and St. George, which appeared to be chucked about everywhere—declined absolutely to give any account of the money he had received. The hon. member reminded him of Dickens' Mantalini, who said, "Dem the ninepence." The hon. member said, in effect, "I have done a great stroke, but don't bother me about these paltry details: they are beneath me. I have represented you; I have been put in a position to draw big cheques; but don't bother me about the money—I won't be bothered about it." Although the hon. gentleman took up this position, they, as custodians of the public purse, had their duty to perform. They were bound—and he intended to follow the matter up—to ask the junior member for South Brisbane—it was sad that he should be the junior member—what did he do with the ninepences which he received from the State? It was all very well for the hon. member to treat the matter in the lofty way that he had, and if the times were good they might pass it over; but the times were bad; and therefore he (Mr. Morehead) intended, before the session ended, if possible, to have a Parliamentary committee to find out what the hon. member had done with these sums of money. His pitiful explanation that evening, although it might commend itself to their sympathies, did not commend itself to their judgment. They were bound to have, and he should insist upon getting, full and true particulars as to the expenditure of this large sum of money, and he was perfectly certain that he should have support, not only from his side, but also from the other side of the House. If the hon. member shrunk from the inquiry, well and good. If hon. members opposite opposed the motion that he should make at a later period of the session, well and good; but he would tell the House now, that he would bring up the matter again, and he hoped that he should get help from both sides. It was not a party question, but one involving not only the honour of the hon. member, but of every member of the community and every member of the House.

Mr. GRIFFITH said he did not know which was most to be admired—the exquisite good taste, the polished humour, or the admirable sentiment of the speech of the hon. member who had just sat down. There were very few members, however, who were not heartily ashamed of the speech that had just been made. If the hon. member was ashamed of the colony, with its 200,000 inhabitants, he was quite welcome to leave it and remain out of it; but it was a most uncalled-for and improper proceeding on his part to make an attack upon a member of the House who had certainly never distinguished himself in the way that the member for Mitchell had. The member for Mitchell had accused the member for South Brisbane—he would not say junior member, as it was a barbarism which had been introduced this session, and was entirely unparliamentary, there being no seniors or juniors—but the hon. member for Mitchell had referred to the hon. member for South Brisbane receiving sundry moneys from the State, and had charged him with de-

clining to account for them. The hon. member either did not know what he was talking about or else was mis-stating facts. The facts were that the hon. member (Mr. Mackay) was appointed, more than four years ago, by the then Government, to perform certain services in connection with the Philadelphia Exhibition, for which he was to receive a lump sum of £1,000. He rendered those services, and received the £1,000. What account did the hon. member for Mitchell want? Did he want to know what the hon. member for South Brisbane had for dinner? Subsequently an arrangement was made for the performance of other services, for which a further sum of £500 was agreed to be paid. Both sums were paid under Executive minutes, and, if his memory did not deceive him, both minutes were records of the House. The rest of the hon. member's speech, being founded on an erroneous assumption, was absurd. The matter of the implements had also been accounted for. It was really too bad, that, more than three years after a gentleman who now occupied an honourable position in the House, had performed certain services for the State, and after the Government who had to deal with him had received his report and tendered him their thanks on behalf of the country, a follower of the succeeding Government should, because he was hostile to a member who sat with the Opposition, rake up these things. The hon. member for South Brisbane was not afraid of an inquiry, but he (Mr. Griffith) thought it was most improper that the matter should be brought up in this manner. Who ever heard of a matter settled and disposed of years ago being brought up? What hon. member in the House would be prepared to bring up the particulars of his tailor's bill of two years ago? It was just as worthy of the dignity of the House to inquire into this matter now as to inquire into the particulars of the hon. member for Mitchell's tailor's bill of three years ago.

The PREMIER said the leader of the Opposition had mistaken the case. He had said that the hon. member (Mr. Mackay) was paid, first, £1,000, and then £500, under an arrangement to perform certain services, and that, the money having been paid under Executive minute, no further account should be required; but the Government had no business to give £500 to any man for a special purpose without requiring an account for it—it was against the laws of the country to do so. Under the Audit Act the Auditor-General, as public accountant, was bound to receive an account for every article that was purchased for the Government, and the Government had no power to remit the duty imposed by that provision. The hon. gentleman, therefore, knew he was avoiding the question altogether. No one in the House would for a moment expect that the hon. member's personal expenses in America should be charged or given in detail and an account rendered to the House; but when the hon. member got £500 for the specific purpose of purchasing certain goods in America he should have rendered an account long ago.

Mr. MACKAY: So he did.

The PREMIER said this was the account that had been asked for, and if it could be given the whole controversy would be at an end; and it was the hon. member's own reticence which had brought any hard things upon him.

Mr. DOUGLAS regretted very much the tone that had been imparted to the debate by the hon. member for the Mitchell, and thought the Colonial Secretary did bare justice in reply to the statement of the hon. member for South Brisbane. He felt it his duty to say something in reference to what had fallen from the Colonial Secretary as to the sale of the implements. He had several conversations with the hon. member (Mr. Mackay) in reference to this matter, and he made it a point with him that they were to be fully advertised. Although the hon. member made representations to him that he could dispose of them to better advantage by private sale than by public auction, he (Mr. Douglas) insisted that, as the implements had been bought at the public expense, the fullest notice should be given through the length and breadth of the land, in order that every person might have an opportunity of competing for the purchase of these articles; so that if the hon. member (Mr. Mackay) had erred, he had erred upon the advice and instructions he (Mr. Douglas) gave him. He believed the hon. member was correct when he stated that he had furnished in detail a statement of the amount expended for this purpose.

An HON. MEMBER: Where is it?

Mr. DOUGLAS said he did not wish to import into this discussion the acrid humour that, he regretted to say, had been imported into it by the hon. member for Mitchell. He heard with deep regret the remarks of the hon. member for Mitchell, both for his (Mr. Morehead's) own sake and for the credit of the House; because if a man had attempted to perform public duties, and not only attempted but, he believed, succeeded in honourably representing the colony in a great neighbouring country—honourably, successfully, and effectually represented them, it was most humiliating, most disgusting to the feelings of that man, who had devoted his time conscientiously to such service to find, when he returned, that he was to be treated by his fellow-citizens in the manner in which the hon. member for

South Brisbane had been treated that night —with contumely and disrespect. It was enough to sicken any man from undertaking public duties at all, if he was to be treated in this way. There was no man who undertook duties with more sincere and conscientious determination to faithfully perform them than the hon. member for South Brisbane did; and there had been no man who had been entrusted with similar functions who had performed them with equal satisfaction and equal credit to the community.

An HON. MEMBER: Plenty of credit.

Mr. DOUGLAS thought the hon. member for Gregory had better retain his humour, and expend it somewhere else than in that House. This was a serious subject, involving the credit of their public men, and the credit of themselves as a community. The hon. member for South Brisbane would be the very last man not to discharge his duties to the utmost. He knew for a fact that the hon. member expended far more than he ever anticipated, and that he might have made a far better bargain with the Government than he did. He knew that he might fairly have charged the Government with some matters which he did not charge them with, and, knowing that, he would state now that he made an offer to the hon. gentleman to place upon the Supplementary Estimates an additional £300 to meet those expenses, believing as he did that the amount was fairly due; but the hon. gentleman refused his offer. He (Mr. Mackay) had made a bargain which he considered it his duty to carry out, even if it was to his own detriment. He trusted they should not hear again such remarks as they had heard from the hon. member for Mitchell to-night. That hon. member had taken advantage of this opportunity merely to play off his humour upon a public man in a way which did him very little credit. The hon. gentleman was not sensible of the responsibilities which attached to public men in a position of that kind. As he had often said before, if the hon. member would only bring to the House the business capacity which he certainly did possess in other spheres he would make himself a much more useful and powerful man than he was. He was quite capable of devoting his talents to a useful account, and he (Mr. Douglas) deplored very much to see them diverted to very useless and humiliating purposes.

Mr. STEVENSON said this debate need not have been made an opportunity for lecturing the hon. member for Mitchell, and, as far as that was concerned, the hon. member might just as well have left it alone. He considered, with the hon. member for Maryborough, that this was a very serious subject. When the hon. member for South Brisbane got up he expected that he was going to give some explanation in regard to this expenditure, and put himself right with the House and the public; but, although he said a good deal about how he had run the Philadelphia Exhibition for months at his own expense, he did not produce any vouchers to show how he had expended the money voted by the House. That was the point in question; and, surely, if the hon. member bought implements he could produce the receipts to show from whom he bought them, and also to show whether he bought them or was made a present of them. Surely, that was a fair thing for the House to ask—how money voted by it had been expended. The hon. member for Maryborough had said a good deal about the success of the hon. member for South Brisbane in Philadelphia, but he (Mr. Stevenson) did not see any great success about it. The only success he could see was that the hon. member paid £500 or £700 for implements which were sold here for a little over £300; and, further than that, there had been a good deal more expenditure in connection with the matter. The hon. member was paid about £100 for looking after the implements, some of which he said had been stolen at the Exhibition. The leader of the Opposition had said the hon. member was not afraid to produce vouchers; but why did he not do so and put an end to the matter altogether? He believed it was also a fact that the hon. member applied for the proceeds of the implements after they were sold, and he might just as well have taken the advice of the hon. member for Maryborough (Mr. Douglas), and have agreed to take £300 more, instead of trying to get it in that underhand way. He thought the hon. member had done very well altogether, and that the very least he could do was to show the House how he had expended the money. That was all they asked for, and what they should insist upon.

Mr. KINGSFORD quite agreed with the hon. gentleman that it was only right that the Government should be furnished with an account of the expenditure of this money, but there appeared to be a difference of opinion between the Colonial Secretary and the hon. member for South Brisbane (Mr. Mackay). The Colonial Secretary stated that he had no account, and the hon. member said he had rendered an account. Perhaps this difference could be settled, and an understanding come to; but he was quite sure that if the hon. member (Mr. Mackay) had not rendered an account he would willingly do so. He would not disbelieve the statement of the hon. member until he had further evidence, and at the same time he was sure the Colonial Secretary believed he was quite correct when he stated that no account had been rendered. Being the colleague of the

hon. member for South Brisbane, this matter came rather close to himself (Mr. Kingsford). He usually liked to hear the hon. member for Mitchell, who was sometimes very witty and good-humoured and pleasant; but he was full of mischief—as chock full of mischief as ever a man was, but he was not vicious and really meant no harm. But there was one of two things that the hon. member meant when he stated, "It was a gigantic swindle." Those were big words; he could scarcely swallow them—they were too much. Did the hon. member mean that the Government, in starting this Philadelphia Commission, perpetrated a gigantic swindle; or, did he mean that the hon. member (Mr. Mackay) was a gigantic swindle?

Mr. MOREHEAD: I do.

Mr. KINGSFORD said, then Mr. Mackay was a gigantic swindler?

Mr. MOREHEAD: No, no.

Mr. KINGSFORD said that was the natural construction of it—that the hon. member for South Brisbane was a gigantic swindler.

Mr. MOREHEAD: No, no.

Mr. KINGSFORD said that statement the hon. member (Mr. Morehead) was bound to prove or to retract; and, as the colleague of the hon. member (Mr. Mackay), he demanded it. He was sorry to be obliged to speak so strongly of the remarks of the hon. member for Mitchell.

Mr. MOREHEAD, in explanation, wished to state that he never used the word "swindler." The word he used was "swindle;" and the hon. member could fit it either on the Government or upon the hon. member for South Brisbane (Mr. Mackay)—he did not care which. He did not use the expression in the comparative.

Mr. KINGSFORD said the hon. gentleman's explanation was not sufficient. He meant either that the Government had perpetrated a gigantic swindle, or that the hon. member for South Brisbane had perpetrated a gigantic swindle.

Mr. MOREHEAD said he would state what he did say. He said that the appointment of the Commissioner to Philadelphia was a gigantic swindle; and if the hon. member for South Brisbane (Mr. Mackay) took that position, he took the position of being a gigantic swindle. He did not call the hon. member a gigantic swindler—he would not use the word; but what he did say he would neither alter nor retract.

Mr. KINGSFORD said he could not accept the explanation. Either the Government perpetrated a gigantic swindle, and if they did they were gigantic swindlers, or the hon. member for South Brisbane (Mr. Mackay) was a gigantic swindle, and if he was he must be a gigantic swindler. The hon. member for Mitchell was bound either to retract that assertion or substantiate it. He (Mr. Kingsford) should certainly not rest satisfied until one or the other was done. He might be excused for being firm in the matter, for how could he sit in the House with an hon. member as a colleague who had the charge hanging over his head of being either a swindle or a swindler? His (Mr. Kingsford's) character was at stake, and it was very valuable to him, both as a private citizen and as a member of the House. The honour of the House was at stake also, if a gigantic swindle had been perpetrated by any member of it. He appealed to the hon. member for the Mitchell to show the good sense he was known to possess, by retracting the words.

Mr. MOREHEAD said he would repeat that the appointment of a Commissioner to the late exhibition at Philadelphia, by the late Government, was a gigantic swindle.

Mr. RUTLEDGE said he did not rise for the purpose of saying one single acrimonious word, nor did he intend to make any comments at all on the remarks of hon. members opposite, or to say anything likely to inflame the feeling of the House to any extent. He would mention, however, that whilst the hon. member for the Mitchell might import into the debate a vein of jocularity, unfortunately that jocularity could not be imported into the pages of *Hansard*, and there was a great difference between the way in which things were said and how they read in print. He had simply risen to record his opinion of the member for South Brisbane as a private individual and as a member of the House. He was a stranger to that gentleman until his return from Philadelphia, although he had read many of his admirable contributions to the Press, and had derived a great deal of information from them. On being introduced to the hon. member on his return to the colony, he was quite surprised at the very great modesty displayed by the hon. member. He was not more surprised than pleased that a man who had been sent as the representative of this colony to the world's fair at Philadelphia should have exhibited such a modest demeanour; and he might say that his character was thereby raised in his (Mr. Rutledge's) estimation. All he had since known of the hon. member had been such as to make him proud of the privilege of his acquaintance. Although some hon. members might think the hon. member was doing what he ought not to do in withholding certain information, yet, if the hon. member had entered into a bargain with the late Government to perform certain work for a certain sum, it was his business only as to how he disposed of that money. Until he heard that the Government had not made such a bargain with the hon. member, he should

reserve to himself the right to hold the opinion that the hon. member was not doing what any man was perfectly justified in doing. Against the attempt which had been made to charge the hon. member with incompetency, or something worse, might be put the entertainment at which that gentleman was the honoured guest on his return to the colony, and which the Governor of the colony had graced with his presence. As a friend of the hon. member he should be doing an injustice to himself if he were not to bear testimony to that gentleman's worth as a private citizen and as a member, and to the high estimation in which he was held outside of that House.

Mr. HILL said the hon. member for South Brisbane had been the "innocent cause" of an acrimonious debate. Some hon. members thought that gentleman ought to furnish accounts of his expenditure, and some that he ought not. The last hon. member who addressed the House spoke with his usual eloquence, and dilated largely upon the modesty of the member for South Brisbane. He (Mr. Hill) was not prepared to speak very fully on the subject of the accounts connected with the Philadelphia excursion, as it occurred long before he was a member of the House; but he had had a slight opportunity of judging of the modesty of the member for South Brisbane, as he had heard him boast in that House of the size of the cheques he could draw. He did not know whether that was the result of this modest visit to Philadelphia or not; but, as far as the hon. member's modesty had been displayed in the House he (Mr. Hill) took considerable exception to it, for he had never seen it. The whole thing amounted to this: that the hon. member should place his accounts clearly before the House, and he would then find that he had got most intelligent auditors. As to declining to furnish accounts, that was not a matter for the hon. member at all. The accounts would be audited in that House, and proper attention would be paid to them. He recommended the hon. member to produce his accounts, and they would then be fully audited; and, although he (Mr. Hill) knew very little about the Philadelphia excursion, he knew something about modesty.

Mr. MCLEAN said that if the hon. members who had raked up this matter of the Philadelphia Exhibition had devoted their time and abilities to making a good Bill of that which had been discussed that evening, they would have been very much better employed. He considered that the member for South Brisbane was quite right in his determination not to furnish a statement of accounts, in so far as regarded the lump sum given to him as a Commissioner to represent Queensland at the Philadelphia Exhibition; but another sum had been granted for the purchase of tools and implements. With respect to that, however, the hon. member had told them that he had supplied a statement of accounts, and they had as much right to take the hon. member's word as that of anybody else. He had known the hon. member for many years, and had always found him an honest and faithful man, and, if he said that he had furnished a statement of the expenditure of money granted to him for the purpose of tools, he (Mr. McLean) believed him. That account might have gone astray in the Colonial Secretary's Department, and he trusted that after the present debate they would hear no more of the matter. If the Government had not found the vouchers which the hon. member said he had furnished, then, no doubt, the hon. member would furnish duplicates. With reference to the £500 or £1,000 paid to the hon. member for his services as Commissioner, they might just as well ask the hon. Speaker or members of the Ministry, or, in fact, any Civil Servants, to send in vouchers of the expenditure of their salaries; and, as far as regarded that portion of the accounts, he hoped the hon. member would stick to the determination he had arrived at.

Mr. MILES said it was very much to be regretted that the time of the House should be taken up by bandying words from one side to the other and making charges of dishonesty against an hon. member; it was a thing much to be deprecated. He had had an opportunity of knowing something of the duties imposed upon the member for South Brisbane as Commissioner for Queensland at the Philadelphia Exhibition, and he was an eye-witness of them. There was no court in the whole Exhibition that was so well arranged as the Queensland court, and not one that attracted so much attention. That was mainly due to the energy and perseverance of the hon. member, who performed the duties imposed upon him as a Commissioner in a manner creditable to himself and calculated to promote the best interests of the colony. He was not going to say whether it was a good thing to have gone into that Commission, but it was done, and the Government of the day made an arrangement with the hon. member for South Brisbane to give him a lump sum for performing certain specified duties, which had been done honestly and faithfully. He had always considered it was a mistake to have imported tools and implements, as that was a matter which should be left to private individuals. The hon. member was asked by the Government to undertake the work, and a sum of money was placed at his disposal to

purchase what he might consider useful in the way of implements for the colony. They were rather expensive arrangements, but they were exhibited in Brisbane about a year ago, and the cost of exhibition was considerable. He (Mr. Miles) was then pestered by every agricultural society in the colony for the implements for exhibition; but he saw that it would prove too expensive to send them about, and therefore concluded they should be sold. Whatever documents might be in the Colonial Secretary's office, the hon. member had furnished an account of his transactions. He (Mr. Miles) was Colonial Secretary at the time, and recollected the hon. member saying he wanted to wind up his transactions with the Government, and shortly after that a statement of accounts was furnished. To the best of his recollection a detailed account was furnished of the cost of the implements. The hon. member was not expected to furnish an account of the lump sum, as it was paid to him as a salary for certain duties performed. It was not to be expected that such items as hotel bills should be furnished, or what he had for dinner, though there would probably be no item such as wine and whisky. The hon. member was perfectly justified in using the money, just as Ministers were their salaries. If it was necessary to have an exhibition of their products at Philadelphia, no one could have carried out the duties of the office better than the member for South Brisbane. They had heard a good deal about the Sydney Exhibition; paragraphs appeared day after day stating the progress of the undertaking, and commenting on the liberality of the Government in appointing some Executive Commissioner who was constantly passing backwards and forwards to Sydney making great arrangements. Where would the money come from to pay this Executive Commissioner? How was the House to pay for this tomfoolery now going on? He was afraid the House would want to know all about this Executive Commissioner and his business. The Colonial Secretary was very extravagant with this Executive Commissioner and his toy-shops, and would very likely throw away another thousand pounds or so on them. He hoped the hon. member (Mr. Mackay) would not be charged with swindling the country, because he was incapable of such a thing. Had he ever done anything to be regarded with shame? He (Mr. Miles) said he had not, and wished hon. members the other side could say as much. He hoped this was the last they would hear of this wretched matter.

Mr. Rea said there had not been a more unmanly or cowardly exhibition than had been noticeable during the past three hours, and in which the hon. members for the Mitchell, the Gregory, and the Normanby had taken such a part, and who after making their attacks went away, fearing to hear what would be said on the other side. Their proceedings would have been thought disgraceful even in Billingsgate. Those three members had banded themselves together to make the charge in the cowardly way they had, and were afraid to stay and listen to what would be said about it. Then they actually hovered round the word "swindler," not having the manliness either to retract or confirm it. If there was any man in the Assembly whose character and work had been a credit to the colony, it was the hon. member for South Brisbane. He (Mr. Rea) had paid special attention to the Philadelphia Exhibition, having formerly resided for many years in that city; but it was what he heard in South Australia and in Victoria of the success beyond all other colonies of the gentlemen who had in charge the Queensland court that engaged his attention. The people of Victoria would have given £10,000 had they had their exhibits at the Centennial Exhibition as properly managed as were the Queensland exhibits. When Sir Redmond Barry arrived at the Exhibition he found himself in such a maze, as compared with the Queensland court, that it ended in a law suit and the disgrace of the colony of Victoria. He was, therefore, astonished at those three hon. members acting the part of hobbledehoys, daring to get up and question the conduct of the gentleman who had acted so well for the colony at the Exhibition. It was most disgraceful and unmanly.

Mr. Mackay, in reply, said that, had he known it was any part of the mission of the hon. member for the Mitchell to get up and bully and blackguard him, he (Mr. Mackay) would have acted differently, because he had met a few articles of that stamp in his time, and he had enough of the old Adam in him to square off anything of that kind; but when unmanly blackguardism——

The Speaker: The hon. member need not make use of unparliamentary language.

Mr. Mackay said the language used towards him had not been very parliamentary. If he had had any idea that any man could have deliberately come forward and heap insult upon him—insult without any cause for it whatever—he would have given a different report of himself, and not treated the subject as he had endeavoured to treat it. He had given the return to the Auditor-General, and had received a note during the evening from that official, stating that he had sent to the Treasury to see if it was there. He regretted so much time had been taken up on a matter of this sort, but had

he been aware of that gross attack to be made upon him he would have adopted different tactics; at any rate, he would not allow anything of the kind to pass in the future. He had been taunted even by a Minister about new things and new ideas of government he might have brought from America. He (Mr. Mackay) might be able to give some information as to what was going on here of some such nature as in the politics of America at present; he might be able to tell them a little about rings—banking rings, and so forth. But while he had been in America he had kept notes of what he was about, and could give an account, not only of what he did during the day, but during the night as well. It was a shameful thing that, having concluded his business with the Government, these things should be raked up so long after, when he might have forgotten, were he in the habit of conducting his affairs in the loose, jumbling way some hon. members did. Nevertheless, he thought he had got quite enough memoranda of the Exhibition, and of anything he might have done there, to justify his actions in connection with his business with the Government. If he had not everything himself, the gentleman he was working under would be able to verify how he conducted the business while he was on the service of the colony. He regretted that he had been the unwilling cause of such a blackguard scene as had occurred in the House that night, and which should never have occurred in any British House of Parliament whatever. He withdrew the motion.

## ADJOURNMENT.

On the motion of the PREMIER, the House adjourned at seventeen minutes to 12 o'clock until the usual hour to-morrow.