

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 24 JULY 1879

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LEGISLATIVE ASSEMBLY.

Thursday, 24 July, 1879.

Loan Estimates.—Questions.—Petition.—Formal Motions.—Rabbit Nuisance Bill.—Motion for Adjournment.—The Governor's Allowances.—Grants to Agricultural Societies.—Grant for Gold-mining Purposes.—Purchase of Diamond Rock Drills.—The Petition of Charles William Cox.—Returns of Expenditure.—Appointment of Mr. Gammie.—Fassifern Railway Reports.—Fees to Legal Members.—Bridge over the Condamine.—Case of H. M. Clarkson.—Railway Season Tickets.—Bathurst Burr and Thistle Bill.—Adjournment.

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

LOAN ESTIMATES.

The Loan Estimates, 1879-80, were received by message from the Governor, and, on the motion of the PREMIER, were ordered to be printed and referred to the Committee of Supply.

QUESTIONS.

Mr. HENDREN asked the Minister for Works—

Has it been decided by the Government, or has the Chief Engineer been instructed to provide Goods Platforms and Shelter Sheds at Churchbank, Harrisville, and Normanby Gully, on the branch line of Railway as already surveyed from Ipswich to Fassifern, and passing those populous centres of that district?

The MINISTER FOR WORKS (Mr. Macrossan) replied—

The station accommodation has not yet been finally determined, pending completion of trial surveys.

Mr. BAYNES asked the Minister for Lands—

Whether it is the intention of the Government to introduce during the present session a comprehensive measure for the purpose of amending the Crown Lands Alienation Act of 1876?

The MINISTER FOR LANDS (Mr. Perkins) replied—

The Government do not intend to introduce a Bill of the character indicated by the hon. member this session.

Mr. BAILEY asked the Minister for Works—

Is it his intention to have continued the Railway Survey already commenced from near Gootchie and towards Kilkivan?

The MINISTER FOR WORKS replied—

I have no intention of continuing the survey of the line from Gootchie to Kilkivan at present.

Mr. MESTON asked the Minister for Lands—

If it is the intention of the Government to take any action towards the relief of the East and West Prairie and St. Ruth Selectors?

The MINISTER FOR LANDS replied—

The Selectors referred to have reasonable claims for consideration. The Government,

however, regret that in the existing state of the law they are unable to afford any immediate relief.

Mr. DICKSON asked the Premier—

When is it his intention to submit to the House his Resolutions concerning any proposed amendment of the present Customs Tariff?

The PREMIER (Mr. McIlwraith) replied—

When the state of the Government business in the House permits of his so doing.

PETITION.

Mr. BEOR presented a petition against the removal of the Northern Supreme Court from Bowen to Townsville.

Petition read and received.

FORMAL MOTIONS.

The following formal motions were agreed to:—

By Mr. MACKAY—

That there be laid on the table of the House, copies of all Correspondence between Mr. Mackay, the Colonial Secretary, or any other persons, relative to the purchase and disposal of Labour-saving Machines purchased by Mr. Mackay, on account of the Government, in America.

By Mr. BEOR—

That there be laid upon the table of the House, a return showing what Crown Lands north of Cape Palmerston have been sold by public auction, and in what manner the proceeds have been appropriated.

By Mr. GROOM—

1. That the Bill to enable the Trustees of three allotments of land in Toowoomba, granted for the purposes of the religious body called Methodists, to sell the same, and devote the proceeds to the building of a parsonage on other land in a more convenient situation, be referred for the consideration and report of a Select Committee.

2. That such Committee consist of Mr. Anhurst, Mr. Davenport, Mr. O'Sullivan, Mr. Rutledge, and the mover.

RABBIT NUISANCE BILL.

Mr. DAVENPORT presented this Bill, which was read a first time, ordered to be printed, and the second reading fixed for that day week.

MOTION FOR ADJOURNMENT.

The Hon. J. DOUGLAS rose to draw attention to a matter personal to himself, and would conclude with the usual motion. It had been inconvenient to him to attend in the House at a later hour than 9 o'clock the previous evening, and he therefore arranged to pair off with the hon. member for Blackall (Mr. Archer). At the same time, he thought it was not undesirable that the fact should be intimated upon the broadsheet of *Hansard* published that morning, and with that view he

informed the Principal Shorthand Writer of his intention, hoping that the fact of his having paired-off for the evening would appear there. He did not know whether he had been correct in doing so, or whether the Principal Shorthand Writer would have been right in publishing the fact referred to; but it would, at any rate, be convenient when hon. members did pair that such an intimation should be given in *Hansard* by a notice attached to the record of division. That would be a convenient way to notify any pairs, and it was a method which, to some extent, was recognised elsewhere when hon. members could not attend. He did not know whether it would be within the power of the Speaker to sanction such a mode of notification, but if it was it would be convenient to adopt the practice. He moved the adjournment of the House.

The COLONIAL SECRETARY (Mr. Palmer) said it would be desirable, if the notification were handed to the Speaker or the Clerk at the table, that hon. members had paired on such and such a motion, if it were binding on those hon. members not to return to the House afterwards and vote on that question. But they had never had a rule yet giving them a right to pair; and the proper course for the hon. member to have pursued would have been to bring forward a specific motion. It appeared desirable that it should be shown when hon. members had paired-off; but there had been a considerable difficulty in the Sydney Parliament in determining whether, if two members paired, it was binding on either of them not to return to the House while that particular question on which they had paired was the subject of debate. According to the practice at home, when hon. members paired-off it was binding on them not to vote. A motion ought either to have been brought forward now, or something should have been done by the Standing Orders Committee. He agreed with the hon. member that it was desirable to notify pairs.

The Hon. S. W. GRIFFITH thought that it might be mutually understood on both sides of the House, without any Standing Order on the subject, that when hon. members paired they should give in their names to the Clerk, and that they should be appended to the division list. In New South Wales he had observed in the division lists appearing in the *Sydney Morning Herald* that the pairs were published; and he did not see why, if that was the practice there, the pairs should not appear in *Hansard*. The House might very well agree to some common course of action.

Mr. J. SCOTT said that, where there was no Standing Order to guide them, the rule was to follow the practice of the Imperial Parliament. It was usual to publish the names of members pairing in the Imperial

Parliament, and they should do the same here. Although there was no Standing Order, they could not do better than follow the home practice.

Mr. STUBBLEY was understood to say that he, last night, asked whether the Civil Service Act of 1864 would not—

The SPEAKER: The hon. member is referring to a debate which took place in Committee, and cannot address the House on it. In reference to the matter which has been introduced by the hon. member for Maryborough, I shall take what has passed this afternoon as expressive of the consent of the House to my giving instructions to the Clerk that the names of members pairing-off shall be handed in in writing to him signed by both members, and their names may then be appended to the division list. If that is understood I will, with the permission of the House, take that step.

HON. MEMBERS: Hear, hear.

Mr. DOUGLAS said he might say, in explanation, that he had learnt that the intimation would have been attached by way of note to *Hansard* in accordance with his request; but it appeared that in the note he addressed to the Principal Shorthand Writer he simply intimated that he had paired-off with Mr. Archer in connection with the motion then before the Committee—the amendment of the hon. member for Wide Bay. That amendment was withdrawn, and the Principal Shorthand Writer therefore considered that he was not justified in assuming that the terms of his note would apply to other motions. It would be convenient to adopt the course described by the Speaker, with the safeguard that the paper should be signed by both parties; otherwise it ought not to be held binding.

Mr. McLEAN suggested that the paper should say distinctly whether the pairing-off had reference to the whole of a sitting or only to a certain specific motion.

Question of adjournment put and negatived.

THE GOVERNOR'S ALLOWANCES.

The COLONIAL SECRETARY: I have an explanation to make to the House on the part of His Excellency the Governor, and I may preface it by saying that the duty would have fallen, as a matter of course, on the Premier but that he was unable to attend the meeting of the Executive Council to-day, and was consequently not in a position to hear what I now wish to say, on the part of His Excellency, on the subject of the debate that took place the other night on the vote for His Excellency's allowances. I do not wish to bring the name of His Excellency into this statement more than I can possibly help, but I feel bound to say that His Excellency expressed himself to the

Executive Council to-day as very deeply grieved at the tone of the debate, which he feels thoroughly convinced he has never merited at the hands of any member of the House. The first matter I wish to allude to is the vote—on which a good deal of debate took place—of £500 to meet the travelling expenses of His Excellency and staff during their tours of inspection. I hold in my hand a copy of the books kept by the Governor's private secretary, in which all the items are entered, and I find that during 1878 there was, on the 1st May, a balance in the bank to the credit of the private secretary on this account, £48 8s. 3d., and he had drawn from the Treasury during the year £250, making a total of £298 8s. 3d. On the other side I find that travelling expenses are charged as follows:—Taylerson, £1 1s. 6d.; Rhodes, £1 15s.; C. Baldwin, £11 11s.; and W. Williams, agent, A. S. N. Company, £66; making a total of £180 18s. 6d., and leaving a balance in the bank to credit of £117 9s. 9d. About the most extraordinary part of these charges is the item, "C. Baldwin, £11 11s." and I feel it my duty to read to the House at length the particulars of that account. It is as follows:—"The department of the Colonial Secretary, Dr. to C. Baldwin." Although the voucher is made out to the department of the Colonial Secretary, it was charged to His Excellency's account for travelling expenses out of this £500 vote. The first item is—"Providing Her Majesty's steamer 'Kate'—His Excellency and party—to Rockhampton, five days, £15; two servants, £1 15s." During that time His Excellency and private secretary ate nine meals on board the "Kate," which were pretty well paid for at £15. Then follows "three officers, £12 3s.; eleven men (presumably the men belonging to the "Kate"), £29 14s.; stewards' wages, £4 10s.; cook's wages, £7 8s.; one case Roederer's champagne, £5 10s.; one dozen Amontillado sherry, £3; three dozen Martell's three-star brandy, £9 15s.; two cases claret, £6; two cases Foster's ale, £4; two bottles D.V.H. gin, 14s.; four bottles best whisky, 16s.; eighteen dozen lemonade and soda, £3 12s.; six gallons of rum, £5." There was grog enough for His Excellency to swim in every morning. The cruelest part of the account was with reference to the cigars. His Excellency was rather proud of his cigars, and he never had one at anybody's expense if he could help it, and yet 110 cigars are charged for, which, with cards, 8s., make up a sum of £2 14s.; the total amount being, as I said before, £11 11s. I am informed that when that bill was presented to His Excellency he positively refused to acknowledge it, and instructed his private secretary not to acknowledge it. I may say that, in addition to this, the first bill sent in included

the coal for the steamer and the seamen's wages. Being a moderate man, His Excellency felt sure that he had neither swam in the grog nor drank it, or had anything to do with it whatever, and he consequently refused to sign the voucher for it. But by whom do we find the voucher signed? By the hon. member for Maryborough, the Hon. John Douglas. He signed the following voucher:—

"I certify that the charges in the above account were satisfactorily performed, according to agreement, by the above-named individual. I further certify that they were necessarily required for the public service, and that the rates charged were the most reasonable for which the same could be procured at the time they were stipulated for."

MR. GRIFFITH: That is a printed form.

THE COLONIAL SECRETARY: At any rate there is no mistaking the signature; that is not a printed form. There is also on the document Charles Baldwin's receipt, dated the 22nd May, 1878. The following memo., written by the Hon. John Douglas, was attached to this extraordinary document:—

"There has evidently been an unnecessary consumption of spirits. An incompetent man was in charge."

If that hon. gentleman accompanied the party, I presume he must have referred to himself as the incompetent man in charge: I do not know who else it could be. Now, we will go a little further, and see how His Excellency's travelling expenses are charged. The £66 paid to Mr. Williams was composed of the following items—March 19: Passages per "Lady Bowen," to Maryborough—namely, His Excellency the Governor, Captain O'Callaghan, Captain Heath, the Hon. John Douglas, and two orderlies, £31; April 5: Passages per "Victoria," from Rockhampton—namely, His Excellency the Governor, Captain O'Callaghan, Captain Heath, the Hon. John Douglas, and two orderlies, £35. It seems passing strange that during the debate the other night, in which the hon. member for Maryborough took part, he did not mention that these amounts were charged to His Excellency for travelling expenses. If he had done so I am sure the debate would not have taken the turn it unfortunately did on that occasion. Why the travelling expenses of the Hon. John Douglas should have been charged to the Governor I am at a loss to imagine, because Ministers' expenses when travelling on duty are provided for on their own vouchers. So much for those accounts; and I think His Excellency is completely cleared from the charges made and repeated by hon. gentlemen who ought never to have mentioned them. I shall now say a few words with respect to another vote on which

a good deal was said the other night—the vote of £300 for a country residence for His Excellency. Without referring to *Hansard*, and speaking only from memory, I think the hon. member for North Brisbane, Mr. Griffith, expressed his opinion that that amount could not have been spent. From the books of the private secretary I gather that there were drawn from the Treasury two sums of £150 each, or £300 in all. On the other hand, the account showed: Sundry articles of furniture supplied by P. Keogh, £128 8s.; sundry articles supplied by R. Aland, £21 2s.; paid to W. Ward, 10s.; and rent, £150: making a total of £300. Besides this, Mr. Boyce, the owner of the cottage, had to clear out, at great inconvenience to himself; and the cottage, which was quite sufficient for Mr. Boyce's own wants, would not hold His Excellency's suite, and, in consequence, additions had to be made to receive the servants. In addition to these payments, the Governor paid £67 for furniture not yet refunded to him, and has advanced £100 to the landlord, to be deducted from next year's rent if he goes there. So that in addition to the £300, His Excellency has spent £167 from his own private pocket. The vote which was cut down the other night for uniforms, forage, remounts, postage, and incidentals, stands at £250; and out of that amount is to be paid forage allowance for aide-de-camp and private secretary, £10 each, provided there is an aide-de-camp. I am instructed by His Excellency to say that he has drawn no forage and pay for an aide-de-camp during the time he has been without one. Out of this sum has also to be paid the cost of all newspapers supplied to Her Majesty's Government—and a copy of every paper published in the colony has to go home by order of the Secretary of State. Let His Excellency be ever so economical, it is impossible that he can find uniforms, forage for four horses, remounts, postage, and incidentals, out of £250 a-year. I am authorised by His Excellency to give a most unqualified denial to the statement of the hon. member for Rosewood—that opium was smuggled into the colony by servants of His Excellency and sold to other parties. The only article imported on account of his servants by His Excellency during the two years he has been here is eighty dollars' worth of Chinese garments. He says he does not believe in Chinamen being dressed up in English clothes to look like monkeys, and so he got eighty dollars' worth of clothes for them from their own country. With that exception, not a single article has been imported for the Chinese servants, and His Excellency gives the statement of the hon. member for Rosewood a most unqualified

denial;—indeed, he is at a loss to know how the information could have been obtained, for, with the exception of the head man, not one of them can speak a word of English. He cannot imagine how the report has got abroad, and he challenges proof. I am further instructed to say that His Excellency, having dispensed with an aide-de-camp for a considerable time, partly to push on the young gentleman who formerly held that appointment, whom he wished to have at harder work, feels that the amount voted for the aide-de-camp—9s. 6d. per day, or £174 a-year—will, under the new regulations which prevent military men being employed in that capacity unless the whole of their salaries are paid by the colony, compel him to apply to the House at a future time for a considerable addition to that sum in order to enable him to appoint an aide-de-camp. His Excellency has induced his private secretary to do double duty, but he feels that it is not fair to him to ask him to do so any longer. It is no part of that gentleman's duty to come to the House with messages, and the Governor will have to apply to Parliament for a larger sum to be placed on the Estimates for that purpose.

Mr. DOUGLAS: Although there is no specific motion before the House, yet I think that, as a matter of personal explanation, after what has fallen from the hon. gentleman, I am entitled to say something; and I trust the House will indulge me so far as to allow me to say a few words. In the first place, I shall not comment further upon the statement now made by the Colonial Secretary, in reference to what he calls the instructions of the Governor, beyond saying that I am much surprised that any such instructions should have been given to him in the manner he stated to the House. I have always endeavoured, and shall continue to endeavour, to protect His Excellency in his high position from any such comments as must unavoidably be made upon him if it becomes the custom that he is to instruct the Ministers to make statements to this House, and I shall not give any further countenance to it myself. With regard to the objectionable statements made on the part of the hon. gentleman, I also have to say that he fails to see what his responsibility is. To him are confided the responsibility and justification of any statements made from the Treasury benches, and he ought, I think, in this respect to have been in a position to defend the claim made on behalf of His Excellency's establishment. The hon. gentleman at the head of the Government has, I understand, admitted that he made a mistake; he is evidently, therefore, not posted up in these matters, and he expressed his sorrow for having

made that mis-statement unguardedly. Every member of the House will admit with the hon. gentleman that it was a matter for regret that that statement has been made.

The PREMIER: I beg to interrupt the hon. gentleman. I never said that I made the statement unguardedly, but on the authority of the Under Secretary for the Treasury, who was in the House at the time.

Mr. DOUGLAS: It was called at the time an incorrect statement, and the hon. gentleman corrected it at once when he found he was wrong. On the present occasion, it would have been far better if the Colonial Secretary had taken upon himself the full responsibility of making this statement. I am quite willing to close with the hon. gentleman on this subject; but I am not in any way desirous of doing so as the mouth-piece of the Governor. With regard to the vouchers which were alluded to, I distinctly stated the other night that I knew that expenditure in connection with the trip to Rockhampton had been incurred, and that vouchers had been furnished. I was not then in possession of the details of the accounts, and the hon. gentleman will admit that I can hardly charge my memory with all the details of what transpired during the time I was in office. I was sufficiently familiar, at any rate, with the details of that expedition to know that excessive charges had been made, and that they had met with my reprobation; but that they were, in themselves, legitimate charges I now affirm. The expenses connected with the Governor's trip in the "Kate" were fairly chargeable to such a vote, and I do not think that the Governor, or anyone else, would have objected to the charge being made upon it. That some of the items were excessive and unjustifiable I freely admit, but that they were legally incurred I believe there is no doubt. I made some very strong remarks at the time upon the improper charges on some of these items, and said that sufficient care had not been exercised to protect us from imposition in that matter. That was a matter for which the Governor was in no way responsible. I only am responsible for it, and I will take upon myself the blame which attaches to the passing of that voucher. There is a certain amount of blame attached to it, but I did not see why the person who catered on that occasion should suffer loss in consequence of defective superintendence during the trip. I think it is to be regretted that the hon. gentleman should have dragged my name in and made this as a charge against me and in justification of the Government. I feel it my duty to stand up for the course then pursued by the Government; and I think that if there had been an equal wil-

lingness shown on the part of Ministers to justify it they would have come here with the requisite means for doing so; and it is to be regretted that they were not then in possession of the facts which they are in possession of now. I do not think it necessary to say more than that I regret very much that the occurrence has assumed this form. I simply refer to what I said in debate on the night referred to. I have nothing to retract; I am ashamed of nothing I said on that occasion; I expressed my opinions very plainly; and I have nothing to withdraw and nothing to regret.

Mr. GRIFFITH: As I have been referred to by the Colonial Secretary, I should like to be allowed to say a word or two, although I shall not follow the example of the hon. gentleman in referring in any way to the Representative of Her Majesty the Queen, whose name ought not to be introduced into discussions here. The Colonial Secretary stated that, in referring to the item of £300 for rent, I said I did not believe it had been paid. What I did say was that I thought the amount had not been paid for rent, but that I believed it had been paid and quite properly expended. What I said was that I did not think it had all been paid for rent. The Colonial Secretary proved that, so far from having made a mis-statement, I was perfectly accurate. I made no charge then or at any other time during the debate. It was a matter simply between the Government and the House, and no one else was concerned in any way. Whatever misunderstanding there might have been was caused by the House proceeding upon the information supplied to them by the Government themselves.

Mr. MILES said he did not know whether any motion was before the House, but he would make a few remarks, and, if necessary, conclude with a motion. The proceeding they had just witnessed was the most extraordinary and unprecedented one he had ever known. A Minister of the Crown came into the House, and, on the authority of His Excellency the Governor, made an explanation in connection with the Representative of Her Majesty. This was the first such occasion, and he hoped and trusted it would be the last. It would be well if His Excellency's name were left out in their debates, for such a proceeding as they had just witnessed was calculated to lead to a course of procedure not in accordance with the dignity of the House or of the Representative of Her Majesty. If a Minister were ever guilty of such conduct again, he should feel justified in expressing his feeling on the subject; beyond that he did not mean now to go. He only warned the Colonial Secretary not to come down to the House again with a bundle of papers, and say he had the authority of

the Governor to make this or that explanation about tin-pot and trumpery accounts. He begged to move the adjournment of the House.

The SPEAKER said a similar motion had just been negatived, and, therefore, the motion could not be put.

GRANTS TO AGRICULTURAL SOCIETIES.

Mr. GROOM said the hon. gentleman at the head of the Government had suggested that, the opinion of the House not having yet been fully expressed on the subject of retrenchment, it would be advisable to postpone the motion. He was prepared to accede to the suggestion, and to postpone the motion until next Thursday week.

GRANT FOR GOLD-MINING PURPOSES.

Mr. STUBLEY moved—

That the House will, at its next sitting, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates the sum of £10,000 for mining purposes—

1. £8,000 as bonuses for the further development of the various goldfields of the colony.
2. £2,000 for prospecting purposes.

In doing so he would first inform the House of the manner in which he proposed that the money should be expended. The £2,000 should be offered in two sums of £1,000 each, as rewards, for prospecting purposes. The £8,000 should be allotted for expenditure under boards of management on the various goldfields, as follows:—Charters Towers, five sums of £500—£2,500; Hodgkinson, five sums of £250—£1,250; Palmer, four sums of £250—£1,000; Gympie, four sums of £250—£1,000; Ravenswood, four sums of £250—£1,000; Etheridge, three sums of £250, and one sum of £100—£850; Cape, two sums of £200—£400. The miners would in each case elect a committee of five, with the warden or police magistrate of the district as chairman. The committee would select the claims, and they would be surveyed before work commenced. The shareholders of such claim would be required to subscribe an amount equal to the proposed subsidy, to be placed in the bank for the specific purpose of sinking the underlie to a greater depth, the warden or police magistrate seeing that all moneys were duly deposited. The committee would call for tenders for sinking to the extent of the amount of money at their disposal. Where payable gold was obtained the Government should be reimbursed from the first net proceeds the amount of subsidy with 5 per cent. added. The principal reasons he had for asking for the grant were the general depression and the

unwillingness of the banks to assist miners in any way. The money asked for would only be a loan to be repaid from first proceeds. His proposition was that the money should be entirely devoted to sinking, whether gold was obtained or not. Large bonuses for a similar purpose were given in nearly the same form in Victoria; and in New South Wales money was actually given where the work was properly done. In the latter colony contractors took the work at from 10s. to 35s. per foot, and the money voted was given on the sole condition that bondsmen should vouch that it had been duly and properly spent in sinking. It was not necessary for him to go into details or enlarge on the advantages that would result to the colony from the expenditure of these sums in stimulating the production of gold and leading to the revival of trade. He would now leave the subject in the hands of the House for discussion.

The MINISTER FOR WORKS said he believed the hon. member for the Kennedy was actuated by a sincere desire to push forward the mining interests of the colony as much as possible, and no doubt the hon. member would give him and the Government the credit of being actuated by the same sincere desire. He would point out, first, that in regard to the £2,000 for prospecting purposes, the hon. member had been anticipated by the Government, as there was already £2,000 upon the Estimates-in-Chief which had not appeared on the Estimates before. In addition to that, by Act of Parliament £1,000 was offered for the discovery of goldfields within the colony. As to the bonuses, he did not quite understand the method by which the hon. member intended to carry out his purpose. The best form of encouragement to the mining portion of the community would probably be the construction of good roads for them. The greatest drawback in Queensland was the want of good roads. If a comparison were made between the yield of gold in New South Wales and Victoria and that of Queensland, and between the amount received per head of the miners in those colonies, they must come to the conclusion that there was some special cause tending to depress the mining industry in Queensland. In Queensland the miners were handicapped in having to pay high prices for everything they ate or drank, caused by the high price of carriage from the seacoast to the goldfields. They had also to pay a higher price for machinery and the carriage of machinery, and for mining materials of every description. Wages were higher than in other colonies, but not sufficiently so to be an item in the consideration. In Victoria, reefs yielding 6, 7, or 8 dwts. per ton paid good dividends; but such reefs would not pay in Queensland

simply because there were not good roads. In Victoria there were railways to nearly all the goldfields, and that was why they were worked so cheaply there. The average yield of reefs in Victoria was 9 dwts. per ton, whereas the average in Queensland was something over one and a-half ounces. In New South Wales, also, the conditions were more favourable than in Queensland. If the Government assured the hon. member that the goldfields would have a share in everything to be distributed from the general revenue or loan account he would, no doubt, be satisfied. The miners of the colony had never asked, and would not ask, for anything more than fair play. To press this motion at the present time would embarrass the Government, and he hoped that, out of deference to the intention just stated, the hon. member would withdraw the motion and allow the Government to take their course in trying to develop the mining interests of the colony according to their lights and the means at their disposal.

Mr. McLEAN said if the Minister for Works had given some little idea as to how the Government were going to spend the £2,000 for prospecting purposes, the House would be in a better position to deal with the motion. On the debate on the Financial Statement he (Mr. McLean) referred to that item, and said he did not consider it sufficient for the purpose. With reference to the bonuses, if he understood the hon. member rightly, he did not think the plan would be the best possible one. The Minister for Works was quite right in showing that a small quantity of gold in Victoria would pay; he also told the House that miners in this colony were handicapped by bad roads and consequent expensive machinery. But the hon. gentleman knew perfectly well that, twenty years ago, reefs in Victoria yielding 3 dwts. to the ton paid, although the miners then were just as much handicapped by bad roads as miners in this colony were now. It was quite true that bad roads made machinery on goldfields expensive, but machinery could be purchased here just as cheaply as at Bendigo or Ballarat. There must be some other cause, therefore, for the depression of the mining industry in the colony. In his opinion that industry was just in its infancy—hardly properly begun, and that if a little encouragement were given towards developing our goldfields now they would astonish the whole of Australia in a very short time. He doubted whether £2,000 would be sufficient to give an impetus to gold-mining; and should have liked to have heard how it was proposed to deal with the amount on the Estimates before making up his mind. The hon. member might very well withdraw number two, because that was already provided for by Act of Parliament.

Mr. REA said the Minister for Works proposed to substitute good roads for the £8,000 moved for by the hon. member; but at the same time he proposed to help the miners by the Divisional Boards Bill, which would leave them to a great extent to make their own roads. Surely, he was making fun of the miners. At all events, he had given no reason why the hon. member for Kennedy should withdraw his motion.

Mr. GRIFFITH said the House should have more information from the Government. The hon. member for the Kennedy, who knew something about the subject, brought forward a definite proposal as to how mining—one of the most valuable industries in the colony—might be encouraged in a practical manner. All the answer he got was that the Government were going to spend £2,000 for the benefit of mining, but in what way they would not tell. They did not say whether it was for the discovery of new goldfields or not—apparently it was for that purpose. But the Minister for Works said the miners would have a fair share of the Government sugar-plums when distributed. They had seen a specimen of the Government sugar-plums in the Loan Estimates which had been handed round. They reminded him of “pool,” or of the handing round of buns and oranges at a children’s treat. They would have an opportunity of discussing those on another occasion. The Minister for Works said the mining districts would get a fair share; but that was nothing to do with the present question—they wanted to know how the £2,000 was to be expended. This motion did not refer to prospecting above the surface, but to prospecting downwards to test reefs. That appeared to be a practical object which, if attained, would improve the mining industry and benefit every class of the community. Government had told them nothing except in the usual terms, this session, “Go your own way, and do what you like—don’t bother us.” The Minister for Works said it would be a trouble, an inconvenience, to the Government to have this motion carried now. Before the Government asked the hon. member to withdraw his motion they should tell him what they meant to substitute. What was the hon. member to gain by withdrawing the motion? He hoped the House would get a little more information from the Government.

Mr. STUBLEY, in reply, thought the Government ought to make some tangible promise before asking him to withdraw his motion. They had already given a subsidy towards deep-sinking to the Gympie goldfield; but what he asked for was simply a loan—the Government, of course, would have to take the risk of losing some of the money, but the probability was that they would recover the most of it with 5 per

cent. He asked for a loan to assist mines already developed to a great extent, and it would be applied by men who thoroughly understood the district. The warden and police magistrate would see that it was properly expended, and the mining surveyor would measure the underlay of the claim to see that no swindling was done, so far as the contract was concerned. Under the system he proposed, it would be impossible for the Government to lose more than about a fourth of the amount involved in his motion;—£2,000 was the outside sum that they might expect to lose, whilst the benefit that would be derived from the expenditure would be incalculable;—it would give a stimulus to all the principal goldfields of the colony. The money would not be required immediately, for it would take some months to form committees and get to work. Charters Towers and Gympie would be exceptions, as those goldfields had committees, and the only question that would have to be decided was to which of the reefs should the expenditure be applied. With the provision that the warden, police magistrate, and mining surveyor should superintend the expenditure, there would be little chance of the money being wrongly spent; and, considering that large sums of money had been given in New South Wales and Victoria for similar objects, and that great depression existed in the colony, this was the proper time to stir up the country by means of their mines. Twice their goldfields had brought prosperity. Since Gympie broke out, in 1867, there had been almost a regular succession of prosperity owing to the various goldfields discoveries in the colony, which had caused a considerable trade and a large influx of people. Of course, they wanted good roads to the goldfields; but he was perfectly satisfied that if the gold-mining constituencies were asked which they would prefer—an expenditure of £2,000 on their roads, or on the development of their reefs, they would choose the latter. At anyrate, he was ready to submit to the decision of a single goldfields member in this matter. In reference to the Minister for Works’ remarks about the Victorian reefs, there were a great many reasons to account for their being payable on the small yields stated. It could never be expected that Queensland reefs would pay on such a small percentage, unless larger lodes were opened out than had yet been seen. It was the immense size of the Victorian reefs which made them pay with small yields. The workings on the reefs there formed quarries, and one man could break down from six to twenty tons of stone in a day. Crushing was in reality the principal expense, and here Victoria again had an advantage. If they had railway carriage from Brisbane to Gympie, or

Townsville to Charters Towers, gratis, and had the crushing material found, they could not reduce stone as cheaply as in Victoria; the cost of taking out the stone would be twice as much, in most claims, as it was in Victoria. He would repeat that it would be only fair that the Government should make some promise that they would at some future time, at all events, do something towards developing the goldfields, independently of the formation of roads and the granting of a subsidy for prospecting purposes.

Mr. O'SULLIVAN said the hon. member for Kennedy called upon the Government to grant a loan, but his motion was for a bonus. If the hon. member went in for a loan for such a promising industry as gold-mining, probably the House would be inclined to grant it on certain terms; but it would be only proper, also, that other industries should come in. The gold miners were not in greater distress than the farmers of the colony, who had sometimes to go to the storekeeper and borrow money at a rate of from 15 to 30 per cent. to buy seed and the necessaries of life—the miners of the colony were not doing that. No man would wish to see gold-mining going ahead more than he did, but he did not like the way the hon. member brought forward the motion. The hon. member proposed to distribute £10,000 in a way that he did not approve of; and, besides, he (Mr. O'Sullivan) did not believe in granting money to prospecting parties, because the money was generally wasted. He agreed with the proposition to give a thousand pounds or more for the discovery of a goldfield. The hon. member, certainly, in his first speech, said that the money was to be given as a loan, but the only guarantee that he proposed to get it back was the watchful eye of the police magistrate or warden. Then there was a certain sum to be given to sinking, and no matter whether any result or not was obtained, the money was to be spent and the men kept at work. If the hon. member laid out £10,000 of his own money he would like to see some result. There was a bit of method, also, in his apportionment of the money: £8,000 was to be expended all over the colony, and £2,500 in the hon. member's own district. Well, charity began at home; and he supposed, on the same principle, the expenditure of public money began at home. The hon. member said £2,500 was to be spent on sinking at Charters Towers, whether it paid or not, but there were a great many other goldfields in the North. He would be as willing as anyone to do all in his power to assist the development of goldfields; but there were other industries which were more in need of assistance, and when they were going in for retrenchment, and were told there was not a shilling in the Treasury, he would not support a loan of this kind, especially

as he believed the chief part of it would be squandered.

The MINISTER FOR LANDS said he was quite sure that the object of the hon. member (Mr. Stubley) was to promote the welfare of the goldfields. That object had his sympathy, and could he see that a case had been made out he should vote for the motion; but the hon. member had failed to make out a case for his scheme. He did not quite catch the manner in which it was proposed to allocate the money; but the hon. member's idea, as he understood it, was to distribute the money over all the goldfields. He (Mr. Perkins) did not object to the appropriation of £2,000 for Charters Towers, believing that the colony had received a substantial return from that goldfield. He happened, however, to know how similar efforts had resulted in Victoria and New Zealand. He believed £50,000 was spent on the Thames, and was not attended with any results. He also remembered £20,000 being given in Victoria to prospect different parts of the colony. Periods of ten and twelve weeks elapsed before any information was received from the prospecting parties, and he believed with one exception, which had been the means of discovering a mine or two, no beneficial results had been secured. If the hon. member had any definite plan to propose—if he could show that any important results would be likely to be secured, and that his scheme would not produce chaos and confusion and jealousy between the districts amongst whom the money was to be distributed—he (Mr. Perkins) would support him, now or at any time, for he held that the colony needed the discovery of good goldfields. He believed the gold was in the colony, and he adhered to the principle that the real prospectors were men of the stamp of the hon. member. He had not seen any important results accrue from the expenditure of Government money for prospecting purposes: three-fourths of it was wasted. Where any benefits had accrued to the community or the individuals themselves, the prospecting was done by private enterprise and men of experience. If the hon. member chose at any time to sketch out a matured plan likely to lead to important results he should support him, but he could not vote for his present scheme.

Mr. STUBLEY asked for leave to withdraw his motion.

Motion withdrawn accordingly.

PURCHASE OF DIAMOND ROCK DRILLS.

Mr. BAILEY, in moving the following resolution—

That, in the opinion of the House, it is desirable, in order to assist the development of the mineral resources of the colony, that at least the sum of (£50,000) fifty thousand

pounds of the next loan should be devoted to the purchase and working of diamond rock drills and other appliances for testing the reefs at considerable depths on and near the present goldfields, and also for prospecting purposes—

said that he felt the responsibility of the task he had undertaken. He was not a mining representative, and exceedingly regretted that on this occasion he should be deprived of the valuable advocacy of the hon. member for Gympie; but he felt sure that the House would not refuse the motion. He did not propose a system of bonuses for the discoveries of goldfields, or a system of rewards for prospecting purposes; but his proposition was for a geological and scientific prospecting of the lower depths of their goldfields. It would be acknowledged that the colony was depressed, and that the only industry that had been able to raise it from depression in the past had been gold-mining. In years gone by, on more than one occasion when the colony was almost at its lowest pitch, the discovery of a new goldfield had taken place, and there had immediately followed a number of years of great prosperity. The colony was now rapidly approaching its lowest stage of depression, and the question was whether there was any chance of another new goldfield being found to raise it out of its difficulties? He did not think there was by the ordinary means of surface prospecting. From one end of the colony to the other the country had been well prospected by many hundreds of miners, who had gone through any amount of hardship and exposure and had expended much money; and they could hardly hope, at this stage, for the discovery of a new goldfield. He now proposed that the Government should take the matter in hand, and should attempt to find new goldfields, not on the surface, but at the lower depths—at 800, 900, or 1,000 feet from the surface—depths which the miners were perfectly unable to reach unless they could be certain of being rewarded. He only proposed to place in the hands of the Government the power to make such a survey of the goldfields as would enable miners to ascertain whether they would be justified in going in for deep-sinking. Some remarkable discoveries had been made by deep-sinking. On one of the Gympie claims black-slate had been found at a depth of 670 feet by means of the diamond drill, and he believed that so long as they could get black-slate there were sufficient data for a man to go upon for deep-sinking, for if the slate was lost the probability was that no gold would be got until another bed was found beneath. He did not propose that the money should be expended in finding gold, but in furnishing a survey of the goldfields at a depth, so that the miners knowing

what strata they would have to go through might prospect at great depths. They had been told that the reefs here were thin, and that unless they contained much gold they would not be payable, but the probability was that at greater depths—greater than men could be expected to reach unaided—thicker lodes might be found. Volcanic action might have caused their reefs to split up on the surface; these probably were the veins they were now working, and if they sank deep and found that black-slate still continued, it was likely that bigger reefs would be then met with. A remarkable result had been obtained in New South Wales lately, as was apparent by the following extract from the official mining report:—

“North of Gulgong, at Tallawang, the coal-measures cover a large extent of country; their lowest beds have here been found to be payably auriferous. I reported this interesting discovery to you in November last, stating that during my examination of the Tallawang Goldfield Reserve I observed the important fact that the gold found in the tertiary alluvial deposits at the Old Tallawang and Clough's Gully diggings has chiefly been derived from conglomerates in the coal-measures. These conglomerates are associated with beds of sandstone and shale, containing *glossopteris*, the fossil plant characteristic of our coal-measures. At Clough's Gully the conglomerate is being worked *in situ*, and yields from 1 to 15 dwts. of gold per ton, while nuggets weighing 5 ozs have been obtained from it.* * * This is the first time that gold has been noticed as occurring in payable quantity in the coal reserves of this colony, and it is not unworthy of remark that we here possess one of the most ancient auriferous alluvial deposits in the world.”

This was a most remarkable discovery, and was especially interesting to this colony, because the whole of the country surrounding Gympie—he could not speak for the other goldfields—contained coal, and where coal was gold was seldom got, according to the generally accepted theory; but, according to this statement, they found that in the lowest coal-measures payable gold might be expected to be obtained. The importance of a geological survey of the lowest strata in or near their goldfields could not be over-stated. If the survey were made as he proposed—by means of diamond drills—the miner could exactly see in the mining museum of each goldfield the kind of strata through which the boring machine had gone. The cores of the strata would be there exhibited, and miners could exactly see what the strata were in a certain part of the goldfield, and act accordingly. If the strata were found to turn out well there would be a sufficient guarantee to a miner that his skill and ingenuity and practical knowledge could be made available in deep-sinking. He had said that he considered the gold-mining industry most important to the colony, and for the reason

that it it was really the most important industry in the country. They were now, as it were, almost done with the upper strata—they were not likely to make any fresh discoveries there, and as the miners themselves were not able to penetrate to the lower depths they were not likely to find other goldfields. He thought if the whole of this £50,000—which need not be spent in one, two, three, or four years—only succeeded in discovering one fresh goldfield in the colony at a thousand feet below the surface, the country would be amply repaid the expenditure. Matters of detail he had left entirely in the hands of the department. He did not tie the department down to any particular form of work—to diamond drills or any other form, but he thought the gold-mining industry here should be put upon the same footing as other industries of the colony. He believed in a few days they would be asked to vote £100,000 or £150,000 for a railway to Sandgate; but he asked would it not be very much better to have a proper geological survey made of the different gold-mines of the colony than to make such a railway as that? He hoped the Government would not oppose the motion, and that it would be adopted by the House, because he was sure that it would result in great good to the colony.

THE MINISTER FOR WORKS said the House was asked to vote £50,000 on the next Loan Estimates for the purpose of carrying out what the hon. gentleman called a geological and scientific survey of the bowels of the earth. This survey was to be carried out by means of a three or four inch bore, but he was afraid that when it was made they would not know very much of the geological features of the country. It would have been much better if the hon. gentleman had told them a little more of the details of his scheme; but he had very carefully avoided telling them how he was going to work these diamond drills so as to produce the great benefit to the country that he anticipated. He could understand the motion of the hon. member for Kennedy, but he was quite at a loss to conceive how any hon. member could bring forward such a chimerical and outrageous proposition as this. The hon. member had not even shown that diamond drills had been successful in the other colonies, and he submitted that it was incumbent on him to do so before asking the House to consent to such a motion. He had told them something about black-slate at Gympie, and seemed to think that black-slate was necessary before gold could be found; but on Charters Towers they never saw black-slate—there was none there, nor on Ravenswood or the Palmer. The hon. member had also quoted from a mining report, as something very novel and curious, the fact of gold and coal having been found to-

gether; but he (the Minister for Works) worked a golden claim many years ago in New Zealand upon a bed of coal. It was well known that in New Zealand coal, gold, and copper were found together in the same reef; so that what the hon. member thought was very new was really very old; and he appeared to have just awoke to the discovery that he was a mining representative. It was only three or four weeks ago since he (the Minister for Works) saw in the *Telegraph* newspaper in Brisbane an extract from a Bendigo paper stating that the diamond drill had been tried at Sandhurst, where there was every chance of its being properly tested, there being very rich miners and men of means there who were ready to spend money to develop mining—and it had been condemned. The only place where it had any appearance of success was Gympie, and there it had yet to be proved. He supposed the hon. member was aware, from his geological and scientific readings, that one mine in Victoria was down 1,500 feet, and another at least 2,000, and that depth had been attained without the aid of a diamond drill. It had been attained in the usual way that miners reached such depths—by following the reef downwards; and he was sure that no impetus would be given to mining by the use of diamond drills. A great deal was thought of them at first, and he himself was carried away with the idea of them at first, but on thinking the matter over seriously he found he was mistaken. A diamond drill might go right through a good reef, and give no indications whatever that it contained gold. This proposition was perfectly preposterous, and he was only surprised that a member possessed of practical common-sense should bring forward such a motion. It would have been far better if the hon. member had seconded the motion of the hon. member for Kennedy than to bring forward this. Why, even now they had a diamond drill in the Works Department, and it was like a white elephant—they did not know what to do with it. He had proposed to his colleagues to hire it out, if he could find any person willing to hire it in the colony, but no such person could be found. There were plenty of people who would take it as a gift, or work it at the Government expense, but not at their own. The hon. member for Darling Downs (Mr. Miles), in a fit of enthusiasm, spurred on by the hon. member for Mitchell, he believed, bought this diamond drill for the purpose of sinking for water in the waterless plains of the far West, but he quite forgot that water was necessary in the first place to work the drill itself; and it was now in the Works Office—a white elephant that had cost the country £1,600. He should be happy to hire it out to the hon. member

for Wide Bay, or any other enterprising member who was very anxious to develop the mining industry. He hoped the hon. member would follow the example of the hon. member for Kennedy, and withdraw the motion, because, whatever could have been said in favour of the motion of that hon. member, nothing could be said in favour of this. He was certain miners did not expect much from diamond drills. Although it might be of advantage to ascertain whether black-slate could be obtained at a considerable depth at Gympie—because he believed black-slate and gold were usually found in close proximity there—still that would only apply to Gympie, and there was a diamond drill there at the present time; and if the parties connected with it desired the assistance of the Government they would get it upon proper conditions—they would get a fair share of the £2,000 on the Estimates for prospecting. When he was applied to by a number of persons from Gympie, he proposed, first, to give them one-third and then one-half; but they were not satisfied with that, but wanted the whole of it. It should also be borne in mind that, even if they expended this £50,000 in diamond drills, as proposed by the hon. member, there would be considerable expense in working them. They would require a department of engineers to carry out this geological survey; but he thought they had departments enough at present, and if they had a new one at all it should be a department of agriculture.

Mr. MILES, whose remarks were very indistinctly heard in the gallery, was understood to say that he should not have addressed the House on this motion but for the remarks of the Minister for Works in connection with the purchase of a diamond drill by the Government. When there was any difficulty it was always better to choose the least of two evils; and during the session of last year, when the Opposition came rushing down for sums of from £2,000 to £5,000 for various purposes, he found that the hon. member for Mitchell had tabled a motion for £4,000 or £5,000; and that hon. member stated that if he got the assurance of the Government that they would purchase a diamond drill he would withdraw his motion. He (Mr. Miles) thought it was better to give a promise to put a sum on the Supplementary Estimates to buy a diamond drill than to allow the hon. member's motion for £5,000 or £6,000 to go; but he never had the slightest intention of buying the diamond drill, because he believed the whole thing was a humbug. When he got the money he would take very good care that it was not expended.

The COLONIAL SECRETARY: Did you pay for it?

Mr. MILES said he never ordered it. He regretted exceedingly that he could not support the motion, because he believed that if diamond drills were to be useful at all they must be worked by private enterprise and not by the Government. He could assure the Minister for Works, and the House, that he never intended to buy a diamond drill, and they all knew that if the money was voted and not appropriated it would lapse. It pleased the hon. member for Mitchell at the time, and gained the object he (Mr. Miles) had in view.

Mr. O'SULLIVAN said it was very fortunate that the hon. member had managed to get over the difficulty of the motion of the hon. member for Mitchell. He stated that of the two evils he should always choose the least, and it was a great pity that he did not carry the thing a little farther, and, when he could not get the water necessary to work the diamond drill, he did not get a little whisky, and have got over the difficulty in that way. This was a terrible way of lavishing money. They had made discoveries this evening as to the lavish expenditure of public money which he did not believe any Ministry would be guilty of. Here was another £1,500 or £1,600 paid for a diamond drill, which might as well be thrown into the Brisbane River, besides the money wasted in trips in the "Kate;" and he hoped they would have no more of such trips.

Mr. MILES, by way of explanation, stated that he never bought a diamond drill, and never had any intention of doing so.

The COLONIAL SECRETARY: The hon. member only promised to do it.

Mr. STUBBLEY said he would support the motion, as being only a small item in the way of speculation. Hon. members were not satisfied to take his small item of £8,000, and, therefore, he should support this motion for £50,000. It was very likely they looked upon his proposition for a vote of £8,000 as too insignificant a sum to bother about. In reference to the remarks of the Minister for Works respecting the allocation of the moneys mentioned in his (Mr. Stubbley's) motion, he did not think that hon. gentleman did him justice when he said it was not fairly divided. In making the division he (Mr. Stubbley) took into consideration not only the population of the several districts, but also the possibility of there being a number of persons in a district having means to subscribe a sufficient amount to be able to carry out his views, and he thought he had made a just division—at all events, he had divided it fairly, to the best of his ability. With respect to diamond drills, he advocated them in connection with gold-mining, especially where the underlay of the reefs

had an angle of from forty-five down to thirty-three. He was perfectly satisfied that diamond drills were one of the finest things that could be possibly used for such reefs; but on vertical reefs he did not think they were so serviceable. On other reefs he was quite sure they would be a great saving, and would be the means of developing the present goldfields of the colony within a couple of years to the extent of the present goldfields of Victoria, which had been working for over twenty years. He mentioned some months ago, in his electioneering tour, that he considered diamond drills would be a great advantage to the country, and he proposed that they should be utilised in this way—that on the underlays of the reefs they should be used to test the reefs at considerable depths. Previous to sinking the ground should be gazetted by the Government as Government ground, and in the event of getting a good reef the ground should be marked off in blocks, according to the depth of the sinking—say, from five to fifteen or twenty acre blocks, and these blocks should be allotted in the same way that they were allotted in Victoria and that it was proposed to allot the Allora lands in this colony. In that case, being certain that gold would be found at a certain depth, he was perfectly satisfied that the miners who were successful in drawing tickets for the different blocks of ground would be able to raise a large amount of capital for the necessary sinking, in order to develop the mines as far as it could possibly be done. It was well known in the North—on the Etheridge, Charters Towers, and Ravenswood—that sinking beyond 100 or 200 feet was very expensive, costing in some cases £12 or £14 a foot; and if they required to go to a greater depth considerable outlay would be necessary. They could not get local money to do this work; but if by means of a diamond drill they were certain that the gold was there, they could get money from the other colonies to float companies to work these mines, and he believed it would be a means of prosperity to the colony.

Mr. McLEAN said the hon. member for Wide Bay had informed the House, in bringing forward this motion, that he had no practical knowledge of gold-mining, and he (Mr. McLean) thought, from the speech that hon. member made, that fact was very evident. He (Mr. McLean) knew a little about quartz-mining here; and with reference to the diamond drill now in the possession of the Government, he could state that when he was Minister for Mines the matter was brought under his consideration—it was lying in the Works Office as a sort of white elephant, and he suggested that some attempt should be made to utilise

it. He was prepared to make use of it, not from any conviction of his own that it would be a success, but simply to prove to the miners as far as they possibly could whether it would be successful or not. The Minister for Works was quite correct in stating that a diamond drill might go through reefs without showing there was any gold in them. He thought that the hon. member for Gympie had made a mistake in stating that it would be a valuable means of testing reefs, because that hon. gentleman must know as well as any practical quartz-miner in the House that, if a reef tailed off very small, they might put down fifty diamond drill bores and not get the slightest indication that it had passed through the reef, because the water that was necessary to keep the drill in operation would obliterate all traces whatever of any such indications—as a practical miner would see, in putting down a shaft. The hon. member for Wide Bay appeared to wish the House and the country to believe that there was very little chance of any further alluvial gold discoveries being made in Queensland; but he (Mr. McLean) had a very different idea. He believed that valuable alluvial gold would yet be found. Valuable discoveries of alluvial gold had recently been made in Victoria, where the number of miners was greater than the whole population of Queensland. They had been told by members of that House that there was very little probability of any rich discoveries being made in this colony in connection with alluvial gold; but he believed that, considering the vast extent of this colony, rich alluvial diggings would yet be discovered. The motion of the hon. member did not bear out the speech made by him. The hon. member told them that his idea was that a geological survey should be made, but that question was not before the House; and he (Mr. McLean) was under the impression that the motion was only for money for prospecting quartz reefs. But, provided there was such a survey, not one miner out of twenty, if he went to the School of Mines, would be able to get any information whatever from the geological survey which was to be provided by a diamond drill. Another item in connection with the geological survey was this—that gold was found under very different conditions. He had known it to be discovered under 40 feet of solid blue-stone, so that the survey proposed by the hon. member would be no guide whatever to practical miners. He thought it would be as well for the hon. member to withdraw his motion, as, from the remarks of the Minister for Mines, who was a practical man, it would be seen at once that the thing was quite impracticable, and would be only a waste of money.

Mr. H. PALMER said that he agreed with the remarks of the hon. member for Logan in regard to the motion, as it stated that it was for the purpose of buying diamond drills, whereas the hon. member for Wide Bay stated in his speech that it was for a geological survey. The diamond drill would be of no use for prospecting for gold; in fact, some time ago he was applied to by members of the Charters Towers committee to ask the Minister for Mines to put a sum of money on the Estimates for the purchase of a diamond drill; but, when he came to talk to persons who had seen those drills at work, he found that they would be a complete failure—among many other reasons, for this, that they would require a great deal of water to work them, whilst at the places on the goldfields where they would be most wanted there was not a drop of water without carting it. He represented to the parties what he had discovered, and he had heard nothing of the matter since. He had been ten or eleven years connected with mining, both alluvial and quartz; and he quite believed that a geological survey would be perfectly useless to miners.

Mr. BAILEY, in reply, said that when he brought in the resolution he had no expectation of its meeting with a better reception than it had done. He had not expected any sympathy from the hon. member for Logan, and less from the Minister for Mines, as the latter gentleman had already declared, that day, that all the miners wanted was a few paltry roads to places where they were trying to develop the mineral resources of the colony. He (Mr. Bailey) contended that a geological survey would be of immense advantage, both to the miners who were here and those whom they might hope to see. But it was not so much in the interest of the miner that he had brought forward the motion as in that of the farmers, who were wanting markets for their produce, which they were not at all likely to get from the present Ministry. The extension of the railway out west would not afford a market to farmers, who had always looked to the miners as the principal consumers of their produce. It was on that ground that he had brought forward the motion; but seeing the company in which the Minister for Mines now was, he was not surprised at the speech he had heard. With regard to the diamond drill which had been so much condemned by the Minister for Mines, he was quite aware that in Victoria those drills had failed to do their work; but that was because they were machines of inferior make, imported from America. The one at Gympie was of a very different character; and in reference to it he had received a letter from a gentleman there giving an account of the enormous amount of work

which had been performed with it, and speaking of the great advantages which would be derived from a more extensive use of diamond drills on goldfields. What was intended was to save miners many thousand pounds, and many years of hard work without any result at the end of their time. He wished, by the introduction of the diamond or other drills, to enable miners to see what there was at a great depth from the surface, and to enable them to discover the various strata at a much less expense than could be done by sinking shafts in the ordinary way. It was proposed to fritter away a great deal of money in railways; and he thought that some small portion of it should be expended in the development of the goldfields. In the one instance the Minister for Works did not give a full share of the sugar-plums, and in the other he was willing to give £1,500,000 to extend a railway out west for the benefit of a few squatters. As he had said before, he was not surprised at the reception given to his motion; but he believed that at some future time he should succeed in carrying out his object. With the permission of the House, he would withdraw the motion.

Motion withdrawn accordingly.

THE PETITION OF CHARLES WILLIAM COX.

Mr. McLEAN moved—

1. That a Select Committee be appointed to consider and report upon the allegations contained in the petition of Charles William Cox.

2. That such Committee consist of Mr. Bailey, Mr. Kingsford, Mr. Lalor, Mr. H. W. Palmer, the Minister for Lands, and the mover, with power to send for persons and papers, and to sit during any adjournment of the House.

The facts in connection with the motion were very simple, and he would lay them before the House as briefly as he possibly could. Mr. Cox happened to be in Beenleigh on a certain day, and the then land agent, Mr. Chisholm, informed him that a portion of land had been forfeited, and if Mr. Cox wanted it, he must be in Beenleigh on a certain day to buy it. Mr. Cox, not finding it convenient to be in Beenleigh that day, forwarded a cheque to his solicitor, Mr. Boag, who went to the land office and purchased the land, giving Mr. Cox's cheque to Mr. Chisholm. Mr. Cox, thinking it was all right, went to the Brisbane land office for his deeds, when he was told that they knew nothing about his having purchased the land. He then went to the bank at Beenleigh, and found that his cheque had been paid in, endorsed by Mr. Chisholm. He then went to the land office again, but could get no relief. He afterwards applied to his (Mr. McLean's)

predecessors, and also to himself; and knowing the circumstances of the case well, he (Mr. McLean) called in Mr. Tully, the Under Secretary, and asked him to place the amount paid by Mr. Cox on the Estimates, being sure that the House would not refuse to pay it when they were acquainted with the particulars of the case. The only difficulty was that, when the land agent was first established at Beenleigh, all the business of the office was recorded on two or three sheets of foolscap paper sewn together, and those sheets could not be discovered either in the Brisbane or Beenleigh offices. That the land was sold he had no doubt, as Boag received the cheque from Cox, and he had a letter from Mr. Chisholm to Mr. Cox showing that applications for the same land had been made by people who were told that it had been purchased by Mr. Cox, of Pimpama. Mr. Cox, believing he had been swindled out of his money, applied for a warrant for the arrest of the land agent, but, in the meantime, the land agent had been dismissed from his office for irregularities, and somehow the warrant was not executed. During the time the hon. member for Maryborough (Mr. Douglas) was Colonial Secretary, he (Mr. McLean) asked him why the warrant was not put into execution, as it was well known that Chisholm was in Victoria; but it appeared, from what the hon. gentleman told him, that there was some difficulty in the way. It was a very simple matter, after all. The money was paid by Mr. Cox, and his cheque was paid into the Beenleigh bank endorsed by Chisholm. He did not think it was right that any person should suffer for a loss from the malpractices of a land agent; and he was confident, when all the facts were put before the House, they would be prepared to vote that the money should be refunded to Mr. Cox. If the Government would say that they would place the sum on the Estimates, he would withdraw his motion; but, if not, he hoped that when the facts were made known, the House would stand by him and see that justice was done.

The MINISTER FOR LANDS said the hon. member had stated the case pretty correctly, but there were one or two inaccuracies, and they were of an important character. The case had been going on for some years, and when he (Mr. Perkins) took office it was brought under his notice. He had gone into it and discovered this—that Mr. Cox was desirous of purchasing some land at Beenleigh, and had entrusted a cheque to Boag, who was at the time practising as a solicitor at that place, and who had a series of transactions with the land agent there. The correspondence disclosed that there must have been some collusion between those two men, and also that the money had never

been traced to Chisholm. If it had been he (Mr. Perkins) would not have troubled the hon. member to put his motion on the paper. It was very unfortunate that Chisholm had been absent from the colony for a long time, and that Boag was dead. The transaction occurred three years ago, and it would have been very easy for Mr. Cox to have taken steps some time back, before the difficulties in connection with it had so increased. The hon. member had a right to an inquiry, as Mr. Cox was a constituent of his; and, as he (Mr. Perkins) had stated already, if he could have traced the cheque to Chisholm he would not have troubled the hon. member to move for a committee. He would, however, go through the papers again.

Mr. McLEAN asked if the hon. member intended to oppose the granting of a committee?

The MINISTER FOR LANDS said he had no objection to a committee.

Mr. McLEAN said, in reference to tracing the cheque to Chisholm, he had the cheque in his possession at the present time. It was paid into the bank and bore the endorsement of Chisholm, and he could swear to Chisholm's handwriting out of a thousand. He happened to know something about the man Chisholm, as his (Mr. McLean's) family had suffered through him. When Chisholm was clerk of petty sessions a friend of his (Mr. McLean's) died, and some of his relatives went to Chisholm and consulted him as to what steps they should take to get some money from England for which the life of the deceased person was insured; Chisholm told them he knew all about it, and he would draw up a document which they must send home. For doing that Chisholm charged them two guineas for the document and one shilling and sixpence mileage, saying he was entitled to it as a justice of the peace. He knew that Chisholm received the money from Mr. Cox for the land and spent it on himself. He had received two letters from men who knew nothing of the transaction, but who went to the Beenleigh land office to take up the very land Mr. Cox wanted, and were told that Mr. Cox had bought the land that morning. He was quite confident there was a genuine case for inquiry, and he would recommend the Government to pay the money, which was only £42, as they would find it cheaper to do so than to have a committee.

Question put and passed.

RETURNS OF EXPENDITURE.

Mr. REA moved—

That there be laid upon the table of the House,—

1. A return of the Sums of Money paid in each year, from 1st January, 1863, till 1st

January, 1879, from the Public Treasury of Queensland, as expended on the roads, bridges, and culverts situate in each district named hereunder; the expenditure in each of said districts to be kept separately; said districts being those set forth in the Queensland Government Atlas as Darling Downs, Moreton, Port Curtis, and Leichhardt.

2. The money paid from the Treasury during said periods for construction of the bridge connecting Brisbane with South Brisbane, and for constructing the bridge between Rockhampton and North Rockhampton, to be set forth as separate items, and not to be included in said above-named annual payments.

His object was that, as there would be a probable change of the law if the Divisional Boards Bill was passed, each district should be able to ascertain how they had been treated in the past and what they would have to do when they started afresh under the Bill. It would also enable the House to see whether a fair amount of expenditure should not be accorded to those districts which had not been fairly treated in the past.

The MINISTER FOR WORKS said he had no intention of opposing the motion; but he warned the hon. member, before it passed, that it was doubtful whether he would be able to carry out his intention by getting the return—which could not be made sufficiently accurate. It could only be a return leading to an approximation since the year 1869-70: previous to that there could be no attempt made to give the required figures. Anyone who looked at the Auditor-General's reports for the previous years would see how the accounts of the different districts were run into each other. There were no vouchers kept for those years owing to the bad system of book-keeping prior to 1870, and since then on account of the expenditure on roads running into different districts; so that the vouchers would not be able to show the return as the hon. member wished. Referring to the Auditor-General's report for the year 1864, the hon. member would see that there was £6,704 for roads in Port Curtis and Leichhardt—putting the two together; and certain sums for Brisbane and Ipswich conjointly, and others in the same way; so that the returns for each district could not well be separated. The department would, however, make the return as accurate as they could.

Mr. REA, in reply, would be quite satisfied if the Minister for Works would even give outlines of the returns of a wider character than he asked for, taking the central district with the metropolitan—anything, in fact, that the books would give as an indication of the comparative expenditure in the two districts. It was very manifest that such expenditure as that ought to be found in the Government books somewhere or other, but he was

willing to take the approximate returns even if they did extend beyond what he required.

Mr. AMHURST said that, from what the Minister for Works had stated, the very best return they could get would be perfectly useless, and as it would probably prove a very expensive return to prepare, and when prepared would be useless, the hon. member ought to consider whether it was worth while wasting the money of the country over such an affair. The hon. member must be aware that an imperfect return was worse than none, and nothing could be proved from it. The officers of the department were fully occupied now, and there could be no use in taking up their time in preparing a perfectly valueless return.

Question put and passed.

APPOINTMENT OF MR. GAMMIE.

Mr. HENDREN moved—

That there be laid on the table of the House, copies of all Papers and Correspondence relating to the appointment of Mr. Gammie on the Construction Staff of the Bundaberg Railway.

It might be remembered that some time ago the Minister for Works told the House that Mr. Gammie's speciality was that of a stonemason; and in reply to his question as to on whose recommendation the appointment was made, the hon. gentleman gave an unsatisfactory answer by saying that the appointment was made by himself. That answer led him to think there was some cause for keeping back the facts of the appointment, and as if a billet had been created for a stonemason when very little stone work was required.

The MINISTER FOR WORKS said that, so far from the Government wishing to withhold information on this matter, had the hon. member been in his place when the motion was first called—and it had been on the paper a long time—he would have had his return long ago.

The PREMIER said the hon. member himself cried "Not formal" when the motion was called on.

Question put and passed.

FASSIFERN RAILWAY REPORTS.

Mr. HENDREN, in moving

That there be laid on the table of the House, copies of all Reports by Surveyors and Engineers, in possession of the Government, relating to the proposed Branch Line of Railway from Ipswich to Fassifern, from 1st January, 1877, to the present date—

said that, some time ago, in moving that the plans and specifications of this branch line of railway be laid on the table—and it was known that such plans and specifications had been in the Works Office for

years—the answer he got from the Minister for Works was that if there were no such plans he could not expect to get them. That was quite true; but it was hardly likely to be so after so many surveys had been made and so much money spent upon them.

The MINISTER FOR WORKS said this motion belonged to the same category as the last: the hon. member postponed it himself. The hon. member had fallen into an error in saying it was well known that plans and specifications of this line had been in the Works Office for years. The line was not even surveyed yet, and how plans and specifications could have been in the office for years passed his comprehension. Had the hon. member been in his place when the motion was called, any reports there might be in the office would have been furnished long ago; but reports were different from plans and specifications.

Mr. HENDREN, in reply, said he thought the Minister for Works was unintentionally mistaken. When a surveyor had completed a survey of a certain line, did he not lay down plans and specifications? Were there no papers in connection with the surveys? What he wanted was the information supplied by the surveyors—in whatever form it might be. He did not make this inquiry for himself, but on behalf of his constituents, who were deeply interested in the question—as they were likely to be when maize was 1s. 9d. a bushel, and they had to pay 7½d. to get it to the railway.

Question put and passed.

FEEES TO LEGAL MEMBERS.

Mr. BEATTIE said the motion standing in his name was as follows—

That there be laid upon the table of the House, a return of all Moneys paid as professional fees for services rendered to the Government by the legal gentlemen, Members of this House, from 1st January, 1879, to 30th June, 1879;—

but he had been requested by the Premier to make it extend over a longer period. His reason for inserting the date January, 1879, was that he did not wish to put the Government to any unnecessary expense in preparing the return. He would, however, comply with the request, and with the permission of the House would extend the time to January, 1877.

Mr. GROOM said they might as well make the return complete while they were about it, and he presumed the hon. member had some ulterior object in moving the resolution. He would suggest that the return should go back as far as 1870, when there were only one or two lawyers in the House.

Mr. RUTLEDGE questioned whether the resolution could be put in an amended

form. The "Members of this House" only dated their membership from the time they took the oath in January of the present year.

Mr. BEATTIE said he had no objection to extend the date back to 1870. In reply to the suggestion of the hon. member (Mr. Groom) as to what his ulterior object was, he might state that he had in his mind a decision arrived at in the House some time ago with reference to legal gentlemen in the House being allowed to receive fees; whilst other members, acting upon boards, were precluded from doing so. He had then pointed out that gentlemen in another place were prevented from receiving fees for acting on boards where their professional knowledge would render their services very valuable to the country. That circumstance had led him to move for this information. With the permission of the House, he would be glad to alter the date to January 1st, 1870.

Resolution amended accordingly.

Mr. RUTLEDGE said he did not understand from the terms of the motion whether it referred to gentlemen who were now members of the House or gentlemen who were members of any House during those years.

Mr. BEATTIE said the motion referred to gentlemen receiving fees while members of Parliament.

On the suggestion of the SPEAKER, the words, "while members of Parliament," were substituted for "members of this House;" and the resolution, as amended, was agreed to.

BRIDGE OVER THE CONDRAMINE.

Mr. MILES said the Minister for Works had informed him that instructions had been issued with regard to this work. He therefore begged to withdraw the motion standing in his name upon the subject.

Question put and passed.

CASE OF H. M. CLARKSON.

Mr. RUTLEDGE moved—

That the House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates the sum of three hundred pounds, as compensation to Henry Milner Clarkson, in accordance with the recommendation of the Select Committee, in respect of the matters complained of in his Petition received on the 21st May.

The Select Committee appointed to investigate this matter had, he said, after examining the witnesses who had any knowledge of the case, come to the conclusion that Clarkson was entitled to the sum of £300,

the amount of legal expenses incurred by him in testing the case at law. The object the Committee had in view in fixing that amount was that the implied guarantee given by the last Government, and ratified by their successors, should be fulfilled. Without that implied promise Clarkson would not have undertaken legal proceedings. There was no doubt he had lost his property through an error on the part of the Real Property Office, but the Committee had shown no disposition to recommend any amount as compensation to him for deprivation of his property. In this case common usage was not in accordance with law. Legally, a second mortgage could be effected without the production of titles, but, as a matter of fact, banks would not advance money on mortgage unless the certificate of title was produced. That was a *sine quâ non* to the consideration of the subject. There was, no doubt, a difference between the amount of the mortgage and the value of the property; and Clarkson had lost the property through inability to obtain a temporary loan. The Committee, though unanimously of opinion that he lost probably many hundreds of pounds through the error, had not recommended anything in the shape of damages, but only the amount of legal expenses incurred. It was bad enough for a man to be ruined through an error in the Real Property Office, but to be subjected, in addition, to legal expenses made the matter infinitely worse. The Committee had been anxious that the amount, if voted, should get into Clarkson's hands without the unnecessary delay that putting it on the Supplementary Estimates would entail. Having been detained by attending an important deputation to the Minister for Works on the day the report was drawn up, it had, however, unfortunately slipped his memory that the only way money could be taken from the Assurance Fund of the Real Property Office was by a verdict or decree of a court of law. He had been guided by the Colonial Secretary in selecting the members of the Committee, and he hoped their labours would not be rendered entirely nugatory by any opposition on the part of the hon. gentleman.

The COLONIAL SECRETARY rose to a question of order. He submitted that the resolution could not be put, and begged to call the Speaker's attention to the words of the resolution and the report of the Committee. The former asked that £300 should be placed on the Supplementary Estimates as compensation to Henry Milner Clarkson, in accordance with the recommendation of the Select Committee. The recommendation of the Select Committee, according to the last paragraph of their report, was that a sum of £300 should be paid to the petitioner from the Real Property Assurance

Fund. This recommendation could not be carried out. The Assurance Fund was protected by statute, and could only be affected by an order of the Supreme Court. He held that the terms of the resolution were perfectly inconsistent with the recommendation of the Select Committee, and therefore the former could not be put.

The SPEAKER said that, although the motion seemed to be inconsistent with the recommendation of a select committee, he did not see that on this account it should not be put. There was no violation of the Standing Orders. The motion might be incorrect in point of fact, and that might be a reason for negativing it; but it was no reason why it should not be submitted to the House.

The COLONIAL SECRETARY said he bowed to the Speaker's ruling, but was sorry to say it did not alter his opinion. He should have to oppose the motion, on the ground that Mr. Clarkson was not entitled to any redress. He admitted, at once, that the deed to Mr. Clarkson's property was improperly delivered by the Deputy Registrar-General (Mr. Mylne), but maintained that Mr. Clarkson had quite put himself out of consideration as to any damage by the Real Property Office because he would not take the advice of the Deputy Registrar-General, by which he might have put himself right without any trouble. He was instructed that the Deputy Registrar-General carefully explained to Mr. Clarkson how he could have dispensed with the deeds if he wished to raise money on his property, and repeatedly urged him to avail himself of section 95 of the Real Property Act, by adopting the method prescribed in cases where deeds were inaccessible—and this was before Mr. Clarkson was served with notice of foreclosure; and, after this notice had been served, Mr. Clarkson had a clear month in which he could have paid off the interest, and thus have prevented foreclosure by the mortgagees. Instead of availing himself of this advice, by which he could have put himself in a proper position, and registered a second mortgage without the production of the deeds, Mr. Clarkson preferred to proceed against the parties who had received the certificate of title, by entering an action for £5,000 damages for the unlawful detention of two deeds. It was very plain that Mr. Clarkson had no desire to act on the advice of the Deputy Registrar-General, and it was clear, also, that he never communicated to the manager of the bank the fact that a second deed of mortgage might be registered without the certificate of title. In question 289 of his evidence, Mr. Paige said the second mortgage could not be registered without the deeds. Personally, he should be very happy to act up to the recommendation of the Select Committee

if he thought it was correct, but he was placed in a peculiar position. The Assurance Fund could not be touched except under an order of the Supreme Court, and he had to consider the Consolidated Revenue. No attacks upon it should be permitted unless they were perfectly fair, which he did not think this was. Judge Lilley said, when the case was brought before him in Chambers, that

"Mr. Clarkson alleged that he was deprived of the use of the certificates, and, in consequence, was not able to pay the interest; but it was clear he might never have been able to pay the principal."

It also appeared that the property was mortgaged to its full value, for Mr. Clarkson said, in answer to question 117, that he could get no one to take up the mortgage. The whole evidence showed that the mortgagees were doubtful whether they would realise the full amount of their loan, and this was borne out by the fact that, after foreclosing, the property was sold at Mr. Cameron's auction mart for £3,800. Again, Mr. Clarkson evidently damaged the sale of the property himself by his own action in entering a *caveat*, and thus creating doubts in the minds of intending purchasers. He said, himself, that the reason the property did not fetch more was because it was known that an action was pending. Then the auctioneer said the price it fetched (£3,800) was remarkably good.

Mr. AMHURST: That was only hearsay evidence.

The COLONIAL SECRETARY said there was evidence that the auctioneer was heard to say that the price was remarkably good, and that there were letters received from Mr. Clarkson at the time of the default, stating that some of the houses were empty for months before and were in a bad state of repair. He thought that pretty good evidence that the property was sold for the full value. If any person would read over the evidence he would come to the conclusion that even if Clarkson had the deeds he would have found great difficulty in raising an additional sum. The only evidence there was that he might have raised a little more was that given by Mr. Paige, to the effect that he might have considered an application for an additional loan of £130. That did not show that there had been a loss of £300. Mr. Paige did not say that he would have advanced £130, but that he might have done so, and he twice denied that he had ever given a promise to Mr. Clarkson; the most he would say was, that it was not unlikely he would have granted the application had the deeds been produced. Then he came back to the judgment of Judge Lilley, who held, in reference to the

plaintiff's allegation that in consequence of the detention of his deeds he was unable to get the money and pay the interest, and so lost the property—

"That the damage alleged was too speculative and remote."

Judge Lilley also said that the mortgagor's title was held by the register, and not the certificate, and that—

"The most Clarkson could recover would be the amount it might have cost him to call in and get the certificate of title for the purpose of having the second mortgage endorsed upon it."

Without going much further into the matter, he (Mr. Palmer) contended that, on the evidence before him, Clarkson was not entitled to recover. It was becoming too much the fashion, when any member of the community suffered a loss, or thought he suffered a loss, by any action that could be fastened upon a Government officer, to come immediately upon the Government for compensation. He believed it to be a vicious system.

Mr. RUTLEDGE: There was a promise to pay compensation if Clarkson could prove his claim.

The COLONIAL SECRETARY said he denied that the last or the present Government promised to pay this money. The only guarantee was given in the letter of the Under Colonial Secretary of the 29th November, 1878, in which Mr. Clarkson was informed that should it transpire in the event of his bringing an action for the recovery of the deeds in question that the documents should have been delivered to him by the Registrar-General, then the Government would be prepared to consider his claim for any expenses he might have been properly put to in testing his position in the manner suggested. Was that a guarantee? It was neither an implied, expressed, or understood promise. There was nothing about £300. After the present Government came into office, Clarkson made another application for an additional guarantee or for a sum of money to carry on the action, and he received the following reply, and if it contained a promise he did not understand what one was—

"Referring to your letter of the 24th ultimo, I have the honour to inform you that, the same having been laid before His Excellency the Governor in Council, it was decided that no further guarantee than that already given by a previous Ministry can be given in this case."

Why did not Clarkson, if he thought a promise had been given by the Government, apply to the Government, and ask them to consider his claim for expenses, which was the only promise given by any Government? But he never made any such claim, but preferred bringing the

matter before a Select Committee of the House. That Committee, he had no doubt, judged the case to the very best of their ability; he did not dispute their judgment at all according to the evidence laid before them; but he did dispute that Clarkson had any claim on the country whatever for what could have been put right by his own action if he had taken the advice of the Deputy Registrar-General; and held that he had put himself completely out of Court, as far as the Government were concerned, by not asking them to carry out the guarantee, such as it was, that they would consider any expense that he was put to in trying the case. He considered it his duty, as Colonial Secretary, to dispute any claim of this sort, and he should dispute it right through.

Mr. HENDREN supported the motion for two reasons—first, because it was clear that Clarkson had suffered pecuniary loss by the wrongful delivery of his title-deeds, without his authority, by which he was unable to obtain the advance he required. It was all very well to say that banks knew the law, but every business man knew that they always required security for advances. The second reason was that they had appointed a Select Committee to inquire into the matter, and they had done so, and sent in a report, after mature consideration, recommending that £300 should be paid to the petitioner; and he should be very unwilling to show disrespect to the recommendation of any select committee of that House.

Mr. AMHURST said he could not congratulate the Colonial Secretary upon his remark that he considered the Committee in this case were merely following the fashion in making this recommendation, which was tantamount to saying that they had not done their duty in considering the case in all its bearings. As a member of that Committee he could say they were not likely to follow the fashion any more than the hon. member. The first important point in the case was, that there was a mistake made in the Real Property Office; of that there was no doubt whatever—in fact, it was admitted. The next point was, could Clarkson have adopted any remedy to put himself in his proper position? In an ordinary case he could have done so by adopting the suggestion of the Deputy Registrar-General; but, being in financial difficulties, the only party he could apply to was his banker, to help him out of his difficulties. That he did, and stated clearly his position—that the property was mortgaged, and that he had not the title-deeds, upon which he was told that when he produced his deeds his application would be considered. As was shown by the evidence it was the custom of that bank not to make advances, however small or however temporary, without having the title-

deeds, and when the bank manager was asked if he would have granted the temporary accommodation required if Clarkson had produced his deeds, he said it was very likely he would. In answer to a further question, he said if the deeds had been produced he should have taken the matter into consideration. It was clear that Clarkson was wrongly deprived of his title-deeds by a mistake in the Real Property Office, and he was unable to take advantage of the other remedy to retrieve his position because he was in financial difficulties. He did not say that the Colonial Secretary was not right in opposing all these votes. He believed most Governments considered themselves, as custodians of the public purse, bound to oppose such motions; but he could assure hon. members that the Committee, which was an impartial one composed of hon. members on both sides of the House, had given the matter their earnest consideration, and he hoped the House would support them in their decision.

Mr. SIMPSON said, as one of the Select Committee appointed to inquire into this case, he should give his principal reasons for agreeing to the recommendation contained in the report. It was very clear, in the first place, that a wrong was committed in the Real Property Office by the delivery of the petitioner's deeds;—in fact, that was not denied, but it was distinctly admitted by the officer who came from that office to be examined that they ought never to have been delivered. The next point which led him to join in the recommendation—which he might say the Committee all agreed in—was the letter from the Colonial Secretary's Office, dated the 29th of November, 1878. He considered that letter quite sufficient to draw anybody into legal proceedings to try the question; and that it was wholly responsible for drawing Mr. Clarkson into law expenses, and the Committee strictly kept their recommendation down to the amount he had actually incurred in law expenses. He would not consent to anything beyond that, and he thought the petitioner was fairly entitled to that amount.

Mr. GROOM regretted that the Colonial Secretary could not see his way clear to support this very small claim. He had devoted a considerable amount of attention to the case, and arrived at the conclusion that the petitioner was clearly entitled to the amount recommended by the Committee. The two principal questions which came under the notice of the Committee were—first, that the petitioner sustained a wrong through the action of the Real Property Office in delivering over his deeds to persons who were not entitled to them; and secondly, the letter of the Colonial Secretary of the 29th November, 1878. The Colonial Secretary said to-night that that letter was not a promise implied or under-

stood; but he (Mr. Groom) would point out what was the opinion of the legal gentleman who had charge of the case. He was asked by the Chairman—

“What was the nature of Mr. Douglas’ promise?—Was it that he would assist in having this question tried? I looked upon it in this way; that it was necessary, of course, for Mr. Clarkson to take the initiative—to take the necessary steps to endeavour to compel the company to hand over the certificates of title, and also to pay damages; but then, as Mr. Douglas felt that the original wrong emanated from the Real Property Office—that is, that they handed over the deeds to a person who was not entitled to receive them—any assistance the Government could give Mr. Clarkson in regard to the matter would be afforded him.

“Have you a letter to that effect? Yes.”

That was the letter in question, and no one could read that letter, which was couched in the ordinary official phraseology, without coming to the conclusion that it contained an implied promise—of that there could be no doubt. Upon the strength of that letter Mr. Wilson, the solicitor in the case, acted up to a certain point. The hon. Colonial Secretary laid great stress, and the officers in the Real Property Office also laid great stress, on the circumstance that the petitioner could have raised money on a second mortgage; but it was stated in evidence by Mr. Paige, the manager of the Commercial Bank, that the bank would not advance money on property without having the title-deeds. That gentleman admitted, in answer to him (Mr. Groom), that if Mr. Clarkson could have produced the deeds the probability was that he would have granted his application for an advance. Had Clarkson been in a position to do so he could have gone to the Commercial Bank and satisfied them on that point. He (Mr. Groom) pitied any Queenslander who got into the hands of foreign companies which, as was once observed by Lord Denman, of corporations, “had not a soul to be saved or a body to be kicked.” As far as the property itself was concerned, the hon. Colonial Secretary laid great stress upon the evidence given by the solicitor for the company, who, of course, endeavoured to make out as good a case as he could for his clients, and as bad as possible for the petitioner. He (Mr. Groom), however, would refer to the evidence given by Mr. Campbell, one of the tenants of the property belonging to the petitioner. That gentleman admitted that had there not been some question as to the validity of the title he would have given from £1,500 to £1,800 for the two stores. The Prince Consort Hotel, next to the shops, was valued at from £2,000 to £3,000 alone;—in fact, the architect valued the whole of the properties at £6,050, and, if forced into the market, at £5,000. He was quite sure that the pro-

perties were worth far more than the mortgage, but as soon as the company got the title-deeds they did not care about the petitioner. He (Mr. Groom) knew a gentleman who had a mortgage at one time on the property, and who would never have acted as the company had done, and had never been known to so act. That gentleman was perfectly satisfied with the security, and expressed his astonishment when the mortgage was withdrawn from him. The amount asked for was very small, and all of it would go towards paying the law expenses which had been incurred by the petitioner, so that the petitioner would get nothing for himself, and had lost his property into the bargain. These cases had not come very frequently before the House—in fact, Mr. Clarkson was only the second—the first being that of Mr. Merry, who lost his property through its being wrongly described at the Real Property Office, and who received £1,500 as compensation out of the Assurance Fund, which did not, however, cover his losses. He considered it was only right that the sum recommended by the Committee should be paid to this unfortunate man, and hoped that the House would endorse the report of the Committee.

Mr. BAYNES said he was not acquainted with the facts of the case before the House beyond what had been brought out in the course of the debate. The Committee appointed to inquire into it represented the intelligence of the House, and, therefore, their report should receive proper consideration from the Government. The history of the case was contained in the report of the Committee, who concluded it by recommending that, as the petitioner had been put to about £300 expenses, in order to recoup him that amount he should be paid £300 from the Real Property Assurance Fund. It was well known that a large amount had accrued to that fund from fees paid upon all deeds that passed through the Real Property Office, and if that fund was not to meet cases like the present he did not know what it was for. He could not see the use of appointing a committee if their report was not entitled to respect; if it was not treated with respect he should certainly refuse, as a member, ever to sit upon a committee. In all fairness the Government should view the report favourably, and if the question went to a division he should consider it his duty to vote for the recommendation of the Committee.

Mr. MACKAY, as a member of the Committee, would remark that, although the motion was not strictly worded in accordance with the report of the Committee, the spirit of their recommendation was embodied in it. Mr. Mylne, of the Real Property Office, in his evidence, admitted frankly that he believed he was the officer who gave the deeds away from

the office, and that he did so in mistake; and there was not a shadow of doubt on that point in the minds of the Committee. It was true that advice had been given to Mr. Clarkson as to how he could get an advance, but the bank manager stated very plainly that he could not have advanced any money without having the title-deeds, which deeds had been given away as stated. The same gentleman also said that there was a margin for further advances. Another point was the value of the property. He knew that it was sold under a forced sale and under the most adverse circumstances. There was no doubt that if it had been sold without any question as to the title it would have brought a very much larger price, even during times of depression. There had been considerable debate in the Committee in regard to the sum which had been recommended, some members thinking Mr. Clarkson was entitled to £500. £300 was less than the law expenses of the petitioner came to, and the Committee considered that they were justified in recommending the payment of that sum out of the Assurance Fund. If that fund was not to be applied to cases of this kind, goodness only knew what it was to be applied to. He should vote for the award of the sum recommended by the Committee.

The PREMIER said he was sorry the case went before a Committee at all, for this reason—that it ought first to have been dealt with by the Government. The whole case was founded on a letter from the late Colonial Secretary, dated 29th November, 1878, in which it was stated that, should it transpire, in the event of an action being brought for the recovery of the deeds, that the documents should have been delivered to Clarkson by the Registrar-General, the Government would be prepared to consider his claim for any expenses he might have been properly put to. It naturally followed that Government should have had a chance of dealing with the matter, but they never had the chance. An appeal was made by Clarkson to Parliament for the consideration of his case, and the hon. member for Enoggera asked for a committee. He (Mr. McIlwraith) assisted in getting that committee, but, had he known as well as he did now the terms of the letter of November 29, he would not have assisted to make a committee to decide a matter which it was the duty of the Government to decide. The Committee, in coming to their conclusion, had evidently been guided by one point alone—that Clarkson was entitled to the fulfilment of his promise from the late Government, and in that light they had come to a proper decision; but, if he was entitled to this £300 to establish a suit at law, there would then be the further question to

consider what substantial damages would he be entitled to claim if successful. They would be admitting they were responsible for all the evils which had fallen upon the petitioner after the matter had passed out of their hands. It was therefore evident that by admitting the £300 they were giving encouragement to Clarkson to go further and establish a claim for substantial damages. In that view, he hoped the members of the Committee to whom the claim, if the motion was carried, would be referred by-and-by, would consider it. Why the late Government should ever have given any promise he did not know, but the Committee were no doubt right in holding that the Government should stand by their promise, only they had omitted to consider that if they gave the £300 compensation there would then be the greater question of what substantial damages would Clarkson be entitled to. There was a good deal more in the technical objection of the Colonial Secretary to the recommendation of the Committee in clause 13 than at first appeared. The clause said that the expense the petitioner had been put to was about £300, and in order to recoup him that amount the Committee recommended that a sum of £300 be paid him out of the Real Property Assurance Fund. That fund was understood to be a fund to recoup any member of the community who might have lost through the *laches* of the Registry Office. From the report, the only recommendation was that this fund should pay the money, but it was not shown that the money could be taken from the fund. The Committee appeared to think they were acting as judges, and that, an error having been committed, the money as compensation should come out of the Assurance Fund; but had they considered that the petitioner had a remedy at law they might have come to a different decision. He objected that a case of this kind should be decided by a committee before the Government had had time to deal with it. They never had a chance of fulfilling the distinct promise that, if Clarkson did certain things, Government would consider his claim; but he never asked them to, and the result was the appointment of the Select Committee before the matter was referred to the Government. If it had come before them, and he was not satisfied then, he could have asked for a committee. He would like to hear the Colonial Secretary in office in 1878 explain the letter he wrote. He could not admit the present motion unless it were final, for if Government admitted they were liable for £300, they must also admit substantial damages afterwards.

Mr. REA said Government would have been very much to blame if they had paid the money without referring the matter to a select committee. Had they done so it

would at once have been said that it was their duty to hear what the law officers had to say, and, if they found there was a claim, refer the matter to the consideration of the House, which had no interest one way or the other. Government would be to blame to pay any moneys without discussing the rights of the case.

MR. WELD-BLUNDELL said that a great deal of what had fallen from the Colonial Treasurer was perfectly correct. The late Colonial Secretary, in his letter of November 29, undoubtedly did encourage the petitioner to try the case at law. That was done, and he was put to considerable expense. It might have been better to go to the Government directly. Had he done so, the Government would probably have recommended that a certain sum should be paid to him as compensation. It was the idea of the Committee that he (Mr. Clarkson) had been encouraged to incur the expense, and they found that he was fairly entitled to have £300 to put him in a position to pay his losses, and enable him, if possible, to further try the affair in a court of law. If the Government, or any of their officials, acted in such a way as to cause serious losses to an individual, they were responsible for it, and it was only fair he should receive compensation if he had not the money himself to enable him to bring his case before a court of law. If the court decided that he was entitled to damages, the Government would be called on to pay. He supported the Committee in putting the petitioner in a proper position, as they had a far better opportunity of examining the matter fully and fairly, going as they did into all the details, and were more capable of judging than those who merely read through the evidence afterwards. There was not a doubt in the mind of any one of the Committee as to the petitioner being fairly entitled to some kind of remuneration;—some were in favor of a larger sum; not one was in favour of a smaller sum than £300. He hoped the House would take the case into consideration.

MR. DAVENPORT said the Premier had introduced a new argument as to what an after-claim might be. For many years past the Government had done very harsh and wrongful actions towards private individuals, who had got to believe there were two laws—one for the Crown, and one for the country. The sooner that idea was dissipated the better.

Question put and passed.

RAILWAY SEASON TICKETS.

MR. HENDREN moved—

That there be laid on the table of the House—

1. A Return showing the total number of Season Tickets (both first and second-class)

issued by the Railway Department between 1st January, 1877, and 21st July, 1879 on the Southern and Western Railway, specifying each year separately; such Return to show the number of Season Tickets issued from and to each station.

2. The said Return to show the Monetary Value (annually), or otherwise, of such first and second-class Season Tickets, and the Number of Persons to whom issued.

His object in asking for the return was to obtain information as to the passenger traffic from and to each station on the S. and W. Railway; also for statistical and other purposes.

Question put and passed.

BATHURST BURR AND THISTLE BILL.

On the motion of Mr. GROOM, the House, in Committee of the Whole, affirmed the following resolutions:—

1. That it is desirable that a Bill be introduced to provide for the more effectual destruction of the Bathurst Burr and certain Thistle Plants.

2. That an Address be presented to the Governor, praying that His Excellency will be pleased to recommend to the House the necessary appropriation for carrying out the provisions of the said Bill.

ADJOURNMENT.

The PREMIER moved—That the House do now adjourn till Monday next.

MR. GRIFFITH suggested that the convenience of the majority on both sides would be better met by adjourning till Wednesday, and giving up Friday to the Government as a sitting-day.

MR. BAYNES hoped the Premier would accept the suggestion of the leader of the Opposition, as some hon. members would be employed on Monday in judging at the Show.

MR. SIMPSON, as a country member, protested against adjourning over Monday. Hon. members, who were judges at the Show, could attend here in the afternoon; and as the Show would be open all the week, other hon. members would have plenty of opportunities to see it.

The PREMIER said he was anxious to meet the wishes of the majority on both sides of the House, and he had been led to decide upon sitting on Monday in order to meet the desires of country members, who, on a question of this kind, ought to be specially considered.

MR. McLEAN said that, as a country member, he could promise to assist the Premier to make a House on Friday, but it would be quite impossible for him to attend on Monday.

Mr. WELD-BLUNDELL said he was most unwilling to give up a day, but to meet on Monday and then break off till Wednesday would be very inconvenient. The better plan would be to meet on Wednesday and Thursday for Government business, and have Friday for a private members' day.

Mr. GROOM said it would be utterly impossible for him to attend on Monday without incurring serious loss in his business relations; but he would undertake to stay in town and help to make a House on Friday.

The PREMIER said, if hon. members could arrange to devote Wednesday and Thursday for Government business, Government would promise to assist in making a House on Friday for private business, and such an arrangement would be convenient to all hon. members.

Mr. GRIFFITH said, on that assurance the Opposition would be content to let Thursday be taken as a Government day.

The PREMIER withdrew his first motion, and moved that the House adjourn until Wednesday next.

Question put and passed; and

The House adjourned at four minutes past 9 o'clock.