

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

MONDAY, 8 SEPTEMBER 1879

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LEGISLATIVE ASSEMBLY.

Monday, 8 September, 1879.

Petition.—Motion for Adjournment.—Supply — committee.—Adjournment.

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

PETITION.

Mr. COOPER presented a petition from John Hurley, of Sydney, asking for leave to introduce a Bill to construct a Line of Railway from the Burrum to the Mary River.

Petition received.

MOTION FOR ADJOURNMENT.

The Hon. S. W. GRIFFITH said that some time since the Minister for Works had referred to a matter concerning him, and had accused him of personal corruption. He (Mr. Griffith) had said he would not reply to the charge until the papers referring to the matter had been laid on the

table of the House. They had since been tabled, and this was the earliest opportunity of referring to them. The matter really at issue might have been put upon three sides of paper, but there was a large quantity of irrelevant matter printed with the correspondence. The nomination day for Townsville was November 14th, and the polling day was the 28th. He (Mr. Griffith) had been in Townsville in October, and at that time there were two sites mentioned for the new telegraph office, one of them being nearly covered at high-water. He (Mr. Griffith) had no hesitation in selecting the site at the corner of Denham and Flinders streets. He afterwards, on October 25th, received a telegram from Mr. Head, the Mayor, stating that the site decided, selected by him (Mr. Griffith), for a telegraph office was not being adopted. In reply to that he, as Minister for Works, telegraphed that the telegraph office at Townsville was to be erected at the corner of Denham and Flinders streets, on the creek side of the latter street. He afterwards received a letter from the Mayor of Townsville, dated the 28th of October, stating that he had spoken to Mr. Davey, upon whose property the site selected for the telegraph office stood, and that Mr. Davey was willing to accede to the wishes of the Government in removing, but trusted that the Minister for Works would use his influence in having some allowance made for the losses he (Mr. Davey) would sustain, and that Mr. Davey said he had expended £80 for filling-in the land alone, and hoped the Government would allow him £100 in helping to repay his losses. The Mayor stated that it was considered in Townsville some compensation should be allowed Mr. Davey, and trusted that his (Mr. Griffith's) favourable influence would be brought to bear in the matter. On that he (Mr. Griffith) made a minute that the matter would receive consideration. Then there occurred some formal correspondence. The election took place on November 28th. Previously to that Mr. Davey had become a candidate for Townsville, but was defeated. On December 16th Mr. Davey wrote, stating that for the past six years he had been occupying Government land, rented from the Townsville Corporation; that some six weeks prior to December 16th he received notice to remove his buildings, as the land had been chosen for the new telegraph office; that when he took possession of the land it was quite valueless, owing to its low position; that it was flooded by spring tides, and to remedy this he had spent about £100 in filling-in; that the Mayor considered the improvement a permanent one, and that Mr. Davey was entitled to some compensation from the Government. Mr. Davey asked that the matter might be laid before Gov-

ernment. In reply to this, he (Mr. Griffith) instructed the Under Secretary to ascertain what claim Mr. Davey had, and what was the value of the improvements. In replying to Mr. Davey, on December 30, Mr. Deighton, the Under Secretary, asked for particulars of the compensation claimed. On January 3rd came a telegram from Townsville from the electric telegraph station-master, stating that the site selected by the Colonial Architect was still occupied by Mr. Davey, blacksmith, and that there was no appearance of his moving; that the work had been delayed over a month in consequence, and that Mr. Rooney's bonds were still unsigned pending the decision on the site. The matter was referred to the Colonial Architect, who reported that the matter lay between the present occupants of the site and the corporation, who gave notice to the occupant in November to remove by the end of the year. Mr. Stanley also suggested that, as the land was the property of the Government, the police should be instructed to give the occupant notice to quit. After this he (Mr. Griffith) telegraphed to ask the corporation to take the necessary steps to place the site at the disposal of Government immediately, as the work was delayed in consequence of Mr. Davey's removing. Mr. Davey wrote on January 6 that the land which he occupied was overflooded by every tide, and that to utilise it he had filled up 100 feet square at a cost of £80; that the workshop, which was a forge, cost £120, and, if removed, would be valueless to him; that he had already removed his cottage at a cost of £50, and that he trusted Government would make him a concession against the above of £125. Mr. Davey was served with the notice, but declined to move until he received a reply to his demand referring to compensation. The matter was then referred to the officer of the Works Department, Mr. Ferguson, who estimated the improvements Mr. Davey had effected at about £30, and on this he (Mr. Griffith) instructed that an offer of £50 should be made to Mr. Davey, without recognising any legal claim. That was the whole case from beginning to end, and he considered that he had been justified in offering £50. He had been accused of corruption, and he left it to the House to say whether it was corruption to act as he had done. He moved the adjournment of the House.

The MINISTER FOR WORKS (Mr. Macrossan) said he had not even seen the papers since they were printed, but the facts were very much as the hon. gentleman had put them, with some little exceptions. The hon. gentleman must not forget that he was on an electioneering tour at the time he spoke of in Townsville; and, although he might have known nothing

about Mr. Davey at the time he was there, he (Mr. Griffith) must have had him under notice as a man who had an idea of becoming a candidate in the interests of the late Government. At any rate, he was asked to stand by several persons, including the hon. gentleman's own partner, Mr. Sachs. The selection of the site was a rather different matter. There were only two sites under contemplation when the hon. gentleman went to Townsville. Putting out of consideration the site chosen, the only other sites under contemplation were one offered by Mr. Head, the Mayor of Townsville, at the Court-house Hotel, and a vacant allotment on the lower side of Clifton and Aplin's store. The Colonial Architect, who was consulted on the matter, reported in favour of the Court-house Hotel, which he (Mr. Macrossan) believed would have been much better than the one actually chosen. That property was offered to the Government at a lower price than it had been parted with since. The site selected by the leader of the Opposition was only incidentally mentioned by the Colonial Architect, to say that it was out of question, as being not so good a site and costing more for filling-in. Another advantage of the site not selected by the hon. gentleman was that the face of the rock was much nearer the surface; while the one selected consisted of alluvial soil, and was so near the banks of the creek that it would be impossible at any future time, the foundation being so bad, to erect any substantial building upon it. Mr. Davey had been in occupation of the land for six or eight years, and had erected upon it a blacksmith's shop. As the ground was liable to be flooded at high spring tides, Mr. Davey filled-in sufficient on which to build his shop, and the filling-in consisted, as the hon. gentleman might have seen, of the cinders emptied from the blacksmith's shop; and that was what Mr. Davey claimed £80 for. He did not intend to refer to the question as to the dates of nomination and election, because it was well known, long before the day of nomination, that Mr. Davey was a candidate, and that he was the only possible candidate who could be found there to oppose Mr. Deane. Mr. Ferguson, the Inspector of Works—a practical tradesman—when asked by the leader of the Opposition to report on the value of the improvements made by Mr. Davey, reported—"Filling in 68 cubic yards in shop, £10." That was the total value of the improvements as far as the Government were concerned—they had nothing whatever to do with the shop—and as compensation for this Mr. Davey was awarded £50. He (Mr. Macrossan) willingly admitted having made a mistake in using the word "corrupt," and apologised for having done so. But he might fairly use the word

"illegal," because the money was given as compensation for a claim which the hon. gentleman knew to be illegal. He (Mr. Macrossan) had since had occasion to refuse similar claims based on similar grounds sent in by other people in Townsville, even in regard to this very telegraph office. When he was in Townsville, as a candidate for election on the retirement of Mr. Deane, he was waited upon by a small deputation who wanted to know what he intended to do with regard to compensation to an individual named Wilson, who was living on the ground required for the telegraph office. His reply was, that as the land was Crown land, and that as Wilson had no right to occupy it beyond the shadow of a right given by the municipal council, no claim for compensation could arise. He was then told that Mr. Davey had got £50, and he replied that if such was the case Mr. Davey must have got it as something else than compensation. Since that time he had been compelled to eject Wilson from the ground forcibly. In giving compensation to Mr. Davey, the hon. gentleman had placed him (Mr. Macrossan) in a false position, for Wilson and one or two others, whom he had also been obliged to eject forcibly, considered that they had just as much right to get £50 as Mr. Davey. With the exception of one small block, all the land in Flinders street belonged to the Crown, and every occupier, on being requested to remove, would put forward Mr. Davey's claim as a precedent. Many of the buildings there were far better than Mr. Davey's, which was only kept up by being tied together with strings. Mr. Davey had been in possession of this site—one of the most valuable in the town—for years, while sites opposite him had been sold for hundreds of pounds, and were bringing in a rental of from £50 to £150 a-year, within fifty yards of him; and yet he claimed from the Government a sum of money for being removed from land which belonged to them, and for the occupation of which they were entitled to a large sum in the shape of rental. All he had to say—and all hon. members must know it as well himself—was that the leader of the Opposition acted wrongly in giving that compensation. It was useless to urge that the contractors would claim for every day's delay during which they were prevented from carrying out their contract, because if the order had been given Mr. Davey would have been obliged to leave and give up the ground to the contractors. The hon. gentleman must have known that better than he (Mr. Macrossan), who was no lawyer. He would repeat, in conclusion, that he was sorry he had used the word "corrupt" in connection with the matter; but he was quite within the mark in saying that the action of the then

Minister for Works, to which he had been referring, was wrong.

The Hon. J. DOUGLAS said he was glad the hon. gentleman had apologised for having used the word "corrupt"—and here the matter probably ended. When a charge of the kind was made by a gentleman in possession of the documents, and supposed to be thoroughly informed as to the facts, it assumed a very serious aspect, and was rightly regarded with indignation by his hon. friend (Mr. Griffith), who knew that he could not be guilty of a corrupt action in that way. All that could now be said was that it was a matter of regret that the word was ever used. Even on the question of legality and discretion, he doubted whether his hon. friend did not make a right use of his discretion. It was evident, from the correspondence, that there was urgency in the case, and it was of considerable importance that immediate possession should be obtained. Possession, according to the old saying, was nine points of law, and it was often difficult to eject a person who had no title whatever. Even granting that Mr. Davey could have been ejected from this land, equitable consideration arose in the case. Mr. Davey put in a claim for £250, and expressed his willingness to take £125. That was no doubt "trying it on;" but as Mr. Ferguson had reported that the improvements on the spot were worth £30, and as it was necessary to get immediate possession, he did not think the bargain a bad one. All that remained for the hon. gentleman was to impugn the judgment of the then Minister for Works, but imputations of that kind might be made against many perfectly honest and upright acts of administration. Whether the facts of the case justified the course taken by his hon. friend was a mere matter of judgment and discretion, and he was pleased to hear the Minister for Works acknowledge that he had incautiously made use of a word which was quite unjustified.

Mr. ARCHER said that he, too, was pleased with the way in which the Minister for Works had withdrawn the strong word he had made use of on a previous occasion; but he could not go so far with the hon. gentleman (Mr. Douglas) as to say that the question under notice was a matter of discretion. It was a matter of duty; and the term "illegal," as used this afternoon by the Minister for Works, might fairly be applied to it. The hon. gentleman (Mr. Griffith) acted, to say the least, injudiciously in giving £50 as compensation to a person who had been sitting rent free on Crown land for five or six years, and whose filling-up improvements had been valued at £10. A blacksmith was obliged to clear out his shop and cart away the cinders somewhere, and, if Mr. Davey used them for filling-up, it saved him the trouble of taking them a

greater distance. On that ground, he was not entitled to a penny of compensation, to say nothing about his having occupied the land for several years without paying any rent for it. While believing that the action of the leader of the Opposition was wrong, he was certain the hon. gentleman was not actuated by corrupt motives. That the action was ill-judged was evident from the fact that others had applied for compensation on similar grounds, but he was glad that the Minister for Works had had the courage to do his duty and put a stop to this attempt to swindle the Government. Such a step must have an admirable effect, and he was sorry it was not done in Mr. Davey's case. It showed the whole country that the Minister for Works was not to be imposed upon by such petty and perfectly unfair claims. As to the question of urgency, the delay need not have been greater than two days—one day in telegraphing to the Minister for Works for instructions, and another in putting the order into execution. That was no argument in favour of the granting of compensation.

Mr. GRIFFITH, in reply, said that he accepted the apology of the hon. gentleman. As to the mode in which he (Mr. Griffith) had exercised his discretion as Minister for Works, he was quite prepared to defend it, if necessary. As for comparing the case of Wilson with that of Davey, it was absurd. The property for which Wilson claimed compensation was, in the words of Mr. Brand, who reported upon it—

“Simply a tumble-down shanty, valueless. It is partly built of the timber from old fruit cases, and iron saved from one of the large fires which occurred here some years ago. The place would be a perfect nuisance to anyone living next, owing to the accumulation of rotten fruit which is thrown out (Mr. Wilson being a hawker of fruit); and he has an open cesspit, which the tide flows over occasionally, thereby causing a nuisance.”

The idea of giving compensation for property of that kind was too ludicrous. On this particular piece of land, which was of considerable extent, a considerable amount of filling-up had been done with, as he considered, hard stuff.

The MINISTER FOR WORKS said the filling-up cost the Government £327 in addition to the contract.

Mr. GRIFFITH thanked the hon. gentleman for the information, because Mr. Stanley reported that the site which he recommended, but which he (Mr. Griffith) rejected and which was not one-third the size, would require a similar outlay of £350; and he contended that, such being the case, he had exercised a wise discretion. But that was a matter of detail connected with the Works Department, and was not worthy the attention of the

House. As to Mr. Davey being a candidate for the representation of Townsville, he could only say he was not aware of it until that gentleman was nominated. He begged to withdraw the motion.

Motion withdrawn accordingly.

SUPPLY—COMMITTEE.

On the motion of the PREMIER (Mr. McIlwraith), the House went into Committee of Supply.

The MINISTER FOR LANDS (Mr. Perkins) moved that the sum of £8,590 be granted for services under the head of “Sale of Land.”

Mr. GRIFFITH asked the intention of the Government with regard to cases which had been before the Supreme Court respecting various selections alleged to have been forfeited? There had been, he said, three different kinds of cases tried. The test case under the Act of 1866 had been entirely disposed of on its merits by the decision of the Privy Council, and in all similar cases selectors were entitled to their grants. With respect to the test cases under the Act of 1868, it was merely decided that Mr. Coxen had committed an informality in the manner of holding his court, and the merits of the cases were in no way decided. In those cases Government, if they chose, could order another inquiry, to be decided upon the merits of the case. There must be a great number of such cases open, and it was not to the credit of the Government that matters of that kind should be left unsettled.

The MINISTER FOR LANDS said the cases had been divided into four classes, and had been submitted to the Attorney-General for consideration.

Mr. GRIFFITH said it was rather late in the day for a Government in power more than six months, just at the close of the session to make such a statement, especially as the Attorney-General was counsel for the defendants in all those cases. It was no question of law now—that had been entirely cleared away by the previous litigation. The simple question was, were the Government going to refer the cases to the proper tribunal, or were they going to proclaim a general amnesty?

The MINISTER FOR LANDS said he was glad to hear the hon. gentleman say the question of law was now settled, and he wondered, if the cases were so simple, that they had not been disposed of long before. With one or two exceptions, all the cases were surrounded with difficulties. Until now he was not aware that the Attorney-General was counsel in all the cases. For his own part he had taken great trouble with the cases, and tried to make himself acquainted with them; and he hoped soon to be able to announce that many of the cases had been finally dealt with one way

or another. If he saw any other method of adjusting matters he should not recommend the Ministry to reopen the cases, as he would be no party to encouraging either the State or individuals to go to law.

Mr. O'SULLIVAN said he was very glad to hear that there would be no more law cases, and he hoped where there were doubts the selector would be allowed the benefit. The regulations had been too hard on the selectors, and he hoped the House would allow the cases to be settled and the Lands Office cleared of a good deal of rubbish in it. He had himself had a great deal of trouble with the department, as a very small difficulty was enough to delay the selectors in getting their deeds; and he trusted the Minister would not be too nice in keeping back titles. He was glad the leader of the Opposition had stated his opinion that there was not likely to be more law, and that his feeling was in favour of softening the present restrictions as much as possible.

Mr. GRIFFITH said he had always held that in cases between the Crown and a subject, the subject, as in criminal cases, should have the benefit of any doubt. He had not referred to the one case—the "*Attorney General v. Simpson*"—which stood upon its own merits; but with regard to the rest there could be no further litigation. If the Government intended to do anything in those cases, they must refer to the commissioner according to law. He now wished to know whether the Government intended to follow the course pointed out by the law and refer them to the commissioner, whose decision would be final? That decision would determine every case that had ever been raised in the Lands Office from 1868 to the present time, with the exception of the one he had mentioned.

The PREMIER said he was rather glad to hear from the hon. member for North Brisbane that the cases decided by the Privy Council had left the whole land question so easy of solution as he imagined. He heard, for the first time, with a good deal of astonishment, that that decision would justify the Government in taking up such a position. He was very doubtful on the subject, and it would take a good deal to convince him that the Government could throw over their responsibilities and trust everything to the commissioners. At all events, he was not inclined to accept the *ipse dixit* of the hon. member for it. He understood the hon. gentleman to say that the decision of the Privy Council in the case of Smith pointed out that the only true course open to the Government was to refer every disputed case to the commissioner and take his decision. He should be glad to be able to adopt such a course as that.

Mr. GRIFFITH said the cases he referred to were only those in which the question of

abandonment had been referred to the commissioner for decision. The Act of 1868 said that if it could be proved to the satisfaction of the commissioner that the selector had abandoned his selection or failed in regard to the performance of the condition of residence for a specified time, it should be lawful for the Governor in Council to forfeit. The course taken in those cases had been in accordance with the Act of 1868. The cases had been referred to the commissioner, who had investigated, and it was proved to his satisfaction that the selectors had failed in the residence condition or had abandoned. The decision of the Privy Council admitted the right of the Governor in Council to forfeit, but said that the mode of inquiry was unsatisfactory, because no sufficient opportunity of being heard was given to the selector. That was the ground upon which the decision was set aside. He possibly used too large an expression in saying that all questions had been settled, but he was then speaking only of questions that could be decided by any tribunal. On matters of discretion the Minister would have to be satisfied. All those cases, however, in which selectors had been accused of abandoning their selections, and in which the properties had been declared forfeited in the *Gazette*, could be determined by that simple mode if the Government chose to use it.

The Hon. J. DOUGLAS said, while he considered it very undesirable that questions of property should be hung up longer than possible, he heard with some satisfaction the statement of the hon. gentleman at the head of the Government. It would not be the duty of the present or any Government to condone anything that still remained of real offence against the law. If they were to condone such offences simply from a sense of mercy to selectors, they would be opening the door to all sorts of objectionable practices in the future, as selectors would quote what had been done in the past as a precedent. It was quite right to get a decision on the subject, and nothing could have absolved the Government from the duty of doing so. He should have been glad had the decision been contrary to what it was. He believed that selectors had acquired land by a mode fraught with fraud, but he had no wish to raise that question again. Nothing should be done, however, to encourage future selectors to do likewise. The Government were bound to be exceedingly careful to set aside all personal considerations or desire to deal leniently with any specific case. There were cases such as the "*Attorney-General v. Simpson*," and he thought the Barolin cases, which were not covered by the late decision. He spoke with great deference upon these technical questions of law, upon which the hon.

member (Mr. Griffith) was so much better informed than he; but such was his opinion. The Minister for Lands, who he presumed was anxious to discharge his duties faithfully to the public, should deal very carefully with these matters. His own distinct opinion was that the law should be made as simple as possible, in order to get a solid foundation for dealing with such cases. There was another matter to which he wished to advert, as he had not been present when the Estimates of the Lands Department were previously under consideration. He noticed that some blame had been attached to the present Under-Secretary for expressing his opinions too freely in the report laid before Parliament. If any blame were due in that respect, it would attach more to himself than to Mr. Tully, as he had encouraged the Under-Secretary to speak out his mind freely on those matters. When he first entered office there had been no reports from the Surveyor-General and the Under-Secretary, beyond the bare tabulated statement of results, and no authoritative statements from the heads of those departments. He therefore addressed a memo. dated June 8, 1876, to Mr. Tully, stating—

"I have observed that of late years there have been no reports from the Surveyor-General or the Under-Secretary as to the condition of the department under his charge. It seems to me most desirable, not only that the actual sales of Crown lands, whether conditional or otherwise, should be enumerated as they now are, but that the permanent head of the department should occasionally have an opportunity of referring to these more in detail, and of drawing the attention of the Minister for Lands to the operation of the different land Acts, as also to the manner in which the wishes and intention of the Legislature are carried into effect in the detailed work of the officers of the department. The changes which so frequently occur in the parliamentary heads of the department make it the more necessary that the work of the permanent and professional staff should be understood."

Then followed a definition of the subjects to be reported upon, and the memo. continued—

"I wish the Under-Secretary to make the report to me, in order that I may myself be informed on matters to which he may wish to direct my attention, and, also, that members of Parliament may be enabled to form their own conclusions from the facts to which their attention may be drawn. On matters affected by political consideration, I, of course, do not invite an expression of opinion on all matters; however, connected with the professional aspect of the department, I think that the permanent head of the department ought to be entitled to speak. The efficient management of this department, as of all other Government departments, must so much depend on the capacity and fidelity of its permanent officer, that Parliament, I am sure, will always be found willing to listen to their representations."

Of course, discretion must be shown, and he believed it had been. Before any such report came up for the consideration of Parliament it was laid on the table by the Minister, and if there were anything in it absolutely objectionable to the Minister his attention would be drawn to it, so that any evil that might arise from a too free expression of opinion by the permanent head of the department would be avoided. He personally derived much information from the reports, and considered it very desirable that heads of departments should be encouraged to candidly express their opinions. Those opinions could be over-riden, and there had lately been an instance of the expressed opinion of a permanent officer being set aside—it was hoped for a good reason—by the responsible Minister. They were the final judges of what was desirable to be done, and must take their own choice, but let hon. members have the impartial opinion of men who were constantly watching the operations of the land law, and who were entitled to have their say. It had been said that Mr. Tully was too much given to "red-tapeism;" it might be that he was, but he (Mr. Douglas) would defy anyone to satisfactorily administer such a land department as this colony's with such a variety of definitions and channels of administration, without having recourse to the forms and modes designated as "red-tape." Further, he wished to say that he did not think Mr. Tully was too dictatorial. It was mentioned that several officers had left in consequence of his dictatorial conduct. There were two cases—Mr. Phillips and Mr. Briggs—in which he (Mr. Douglas) was confident such was not the cause. Mr. Phillips removed to another office because it was advantageous to him to do so, and Mr. Briggs, a young man who was rather ambitious, was one of the expedition party to Port Darwin. It was made an especial favour that he should be allowed to leave for this purpose, and he was enabled to qualify himself somewhat earlier as a matter of favour, simply because it was desired that he should join the expedition.

The MINISTER FOR LANDS agreed with most of what the hon. member had said about the difficulties of administering the Lands Department. Amongst other charges that had been made against Mr. Tully was that his land returns were not true; but if hon. members would look to the first paragraph on page 2 of his last report they would find that he exonerated himself. Mr. Tully said—

"In the case of the returns required by the Lands Department, which I may mention are not authorised by law, it is sought to obtain similar information in regard to the leasehold portion of the holdings, apart from the freehold. This, I need not say, presents serious difficulties to the holders of both classes of land

(many of whom are ignorant and illiterate men) in supplying the necessary information, as the land occupied by them is in most cases worked as one holding, and it is not easy for them to give an accurate statement of the manner in which the leasehold portion is occupied. The result is that the returns are not reliable. Many, also, of the selectors resent any application being made for the particulars required, and, as there is no legal authority for the demand, the refusal to furnish the information has to be submitted to."

It had also been said that there was disorganisation as well as want of harmony in the office; but he was curious to know what state the other offices were in, if there was any disorganisation in the Lands Office. There might be two or three officers who might perhaps be removed with advantage; but the generality of the officers worked with a will. No one, except a person who had been in the office, had any idea of the amount of work that had to be done; and hon. members should bear in mind that when a mistake was made it was magnified and made the most of outside. There was both harmony and efficiency in the department. He believed the great majority of the officers did their work honestly, and gave an adequate return for the salary they got, and he could add that during the time he had been in office he had never heard Mr. Tully speak in an offensive way to an officer in the department.

Mr. BAILEY said it was customary for a selector when he wished to obtain a certificate of fulfilment of conditions to sign a declaration that he had fulfilled the conditions, and have it certified by two persons who signed before a magistrate. By some regulation the commissioner now forced the witnesses to accompany the selector on a certain day, no matter what distance they might be from the land court, which entailed a very serious expense upon the selector. Though it might be necessary for the commissioner to be enabled to cross-examine the witnesses, the cases were few and far between. It was a great hardship upon the selector to have to travel, perhaps, sixty miles to support his application, but when he had to bring two witnesses also and pay them their expenses it became still harder. In nineteen cases out of twenty it might be left optional with the commissioner to require the attendance of the witnesses. If he had any doubt he had the Crown lands ranger to report, and if he was still not satisfied he might then require the attendance of the witnesses. Sometimes, also, he would point out, the cases were adjourned to another court day.

The MINISTER FOR LANDS said he was not aware there were many cases of witnesses having to travel sixty miles, for there was generally a land office near to where there had been any large extent of selection. The hon. member's suggestion

would leave the door open to fraud. The Act had been evaded in many directions, and he would leave hon. members to picture what would follow were a selector allowed to get a certificate upon an affidavit made by witnesses who might be quite unknown to the commissioner.

Mr. REA asked why the land commissioners at Bundaberg and Gympie got larger salaries than the commissioners at Rockhampton?

The MINISTER FOR LANDS said the commissioner at Bundaberg went there under a special arrangement, he believed, to get the same salary that he was in receipt of at Brisbane. There was very little selection going on at Rockhampton: he did not know a place in the colony where it had been so slight as it had been there for some time.

Mr. REA was sure that the sum total of the selections at Rockhampton would far exceed Gympie or Bundaberg, and that in the future there would again be a large quantity of land taken up. He noticed that there was an increase down for the commissioner at Roma. He did not grudge that officer the increase, but he hoped the Minister for Lands would see his way to equalising salaries and placing Rockhampton on the same footing as the places he had named.

Mr. DOUGLAS said he was quite prepared to pass the small increase to the land commissioner at Roma, feeling sure that the officer there must have found it somewhat difficult to live upon £240 a-year.

Mr. HENDREN said there was no provision for a land agent at Helidon. Was it intended to discontinue the office, and, if not, from what source would the salary come?

The MINISTER FOR LANDS understood the public would not be inconvenienced by the abolition of the Helidon office. At the same time he wished to place on record his opinion of the efficiency of the officer there, and he hoped that the Government would at all events be able to give him employment.

Mr. GRIFFITH said the Minister for Lands had given no explanation regarding the increase of £60 down for land commissioner and land agent, Roma.

The MINISTER FOR LANDS said that last year the officer was only commissioner for pastoral country and recording clerk, but this year he was also land commissioner and was paid accordingly.

Mr. GRIFFITH said that last year £240 was voted for "Land Commissioner and Land Agent, Roma." Evidently a change of some kind had taken place, but what it was had not been explained.

The MINISTER FOR LANDS said that in 1879 the duties of land commissioner had been added, and the officer now held three offices instead of two.

Mr. NORTON said that at present the land agency at Gladstone was undertaken by Mr. Wodehouse, of Rockhampton, but the arrangement worked very inconveniently, as that gentleman only visited Gladstone once a month, and if any information was required in the interim it could only be got by letter to Rockhampton. There were two or three Government officers at Gladstone, and one of these might carry out the duties of acting land agent in addition to the work he now did. Such an arrangement would be more satisfactory, and possibly cheaper.

The MINISTER FOR LANDS said he might inform the hon. member that there was at one time a resident land commissioner at Gladstone, who, he believed, did not give satisfaction. The present arrangement was only temporary.

Mr. REA said it was evident there was favouritism in one place and not in another. The Rockhampton commissioner had the duty of Gladstone thrown upon him, but there was no addition to his salary.

Mr. DOUGLAS said the Roma agent was commissioner for Crown lands for the Maranoa district, and had been so for a long time. It would be, no doubt, hard living inland for £240 a-year, but to give an increase was to proceed dead in the teeth of the principle upon which the Committee had been acting throughout the Estimates.

The PREMIER said it could not be said that £300 a-year was too much for a commissioner for lands in the Maranoa district. The fact was the officer in question used to get £240 a-year, and it was now proposed that he should have £350—£300 as land commissioner, and £50 as recording clerk. He was appointed commissioner only three or four months ago, and that was why the increase was put down.

Mr. GRIFFITH said it was all nonsense. It was only a juggle to give him an increase of salary.

The PREMIER: I know it is a proposal to give him an increase, but he is land commissioner now, which he was not before.

Mr. KELLETT called attention to the omission of £200, this year, for land commissioner at Helidon. This was a great injustice to the district, the inhabitants of which had to come to Ipswich; and the Minister for Lands had been petitioned to that effect.

Mr. TYREL said that it was only a waste of time to ask these questions, the answer to which might be easily obtained at the Lands Office. He might just as well ask for a land agent at Stanthorpe, and could, no doubt, get a petition signed by everybody in the district.

Mr. DOUGLAS said there was a small amount on the Estimates for commission on sales at auction. Was the principle of

entrusting sales by auction to a private commission agent being extended; or was it likely to be?

The MINISTER FOR LANDS said there were five or six auctioneers appointed as Government auctioneers, and it had been the practice to give them sales in their districts.

Mr. DOUGLAS thought it was not desirable to extend the system to provincial towns, where there were Government officers who could perform the duties. An auctioneer had been appointed at Maryborough. During his (Mr. Douglas's) term of office he constantly refused the application, and incurred a great deal of hostility in consequence. It was, to be sure, a very small amount of patronage, but still it gave a degree of standing to the auctioneer who was appointed, and he regretted that the Government had seen fit to make the appointment. It was unnecessary, especially where the Government had, as at Maryborough, servants perfectly competent to discharge the duty.

The PREMIER explained that no goods or land previously sold by Government officials would be sold by auctioneers;—in other words, the Government would not pay a commissioner for work previously done by Government officers. No doubt they had appointed a Government auctioneer at Maryborough, and for sufficient reasons; but the Government, instead of being out of pocket, would effect a saving, as they had already done in Brisbane.

Mr. MOREHEAD said the hon. member must be merely trying to obstruct, since the same amount was voted for the same purpose last year.

Mr. DOUGLAS said he was not obstructing, and he could tell the hon. member that the Committee were not furnished with half the details given last year, although more money was being voted, nor had the Opposition submitted the Government to half the nagging which took place when they were in opposition.

The MINISTER FOR LANDS, in answer to Mr. Kellett, said that he did not appoint a land agent at Helidon because the business did not warrant it; but as it was now brisker he would re-consider the matter.

Question put and passed.

The MINISTER FOR LANDS proposed a grant of £3,861 for pastoral occupation.

Mr. GRIMES drew attention to an increase of £100 for "officer in charge," and asked for an explanation.

The MINISTER FOR LANDS said the duties were increasing every year. The present occupant had been many years in the office, and was a most efficient officer, and it was thought only fair that he should receive as much as chief clerks in other offices.

Mr. GRIFFITH asked why the Government did not speak the truth at once, and

said that it was simply an increase of £100 a-year without any special reason for granting it. Besides, all other chief clerks did not get £500 a-year. It was simply an increase to a favourite, and nothing else, although the Government declared at the beginning of the session that there should be no increases, and that they were ready to strike off all that were upon the Estimates. Was it because the Committee were few in number and they were anxious to take advantage of the opportunity?

The PREMIER said the hon. gentleman knew perfectly well that the Estimates were printed within a day or two of the opening of the session. There were special reasons why this increase should be given. The officer was entitled to promotion, and would have got it, but that he was so efficient that they did not wish to move him from his present office. It was ridiculous to give the chief clerk in the same department £500 a-year, and only £400 a-year to another officer whose duties were quite as onerous—as onerous, in fact, as those of many under secretaries.

Mr. GRIFFITH said it was very strange, as clearly no new reason had arisen within the last three or four weeks why increases should be given.

Mr. GRIMES moved the reduction of the vote by £100.

Mr. DICKSON said he should vote for the reduction, not because he thought the officer was not entitled to the salary proposed, but because he understood that all increases were to be withdrawn, and it was only right to observe that principle throughout.

Mr. MESTON considered that officers should receive salaries in proportion to the work performed by them; but he found that the Land Agent at Ipswich received only £200, whilst he did more than half as much work as was done by the officer in charge at Brisbane, and was one of the most competent men in the Service.

Mr. GRIFFITH said the officer in question had under him one draughtsman and two clerks, and he was at a loss to know how, then, an injustice had been done to him for so many years, as stated. He believed he was an extremely efficient officer, and also one of those gentlemen in the Public Service who were not receiving salaries adequate to the work they performed, but that was no reason why his case should be made an exception. It seemed very absurd that when all other increases had been negatived with the exception of an increase to one boy, this one was to be allowed for no other reason than this—that he was an excellent officer. Such a thing was unfair to the whole Service.

The MINISTER FOR LANDS said that the amount of work performed by the officer in question, both as regarded quantity and

the manner in which it was performed, was sufficient to justify the increase proposed.

Question—That the item be reduced by £100—put.

The Committee divided :—

AYES, 11.

Messrs. Douglas, Dickson, Meston, Bailey, Griffith, Kellett, O'Sullivan, Beattie, Hendren, Beor, and Grimes.

NOES, 18.

Messrs. Macrossan, Palmer, Perkins, Cooper, McIlwraith, Swanwick, Archer, Hill, Amhurst, Hamilton, H. W. Palmer, Rutledge, Norton, Lalor, Low, Morehead, Sheaffe, and Stevenson.

Mr. DOUGLAS said there was a matter connected with pastoral occupation to which he wished to draw attention. Hon. members were aware that the Treasury issued, in the form of a supplement to the *Government Gazette*, a list of the runs on which the rents should be paid before the 30th September, and he desired, if such a thing would not be inconvenient, to amplify that return to some extent by including in it the area of the runs for which rent was paid, and also the number of years for which rental had been paid on each. That information, if supplied through the *Gazette*, would be in a more convenient form than if he moved for it as a parliamentary return. If the Premier would undertake that on a future occasion when the *Gazette* was published it should contain that additional information he should be satisfied; but if the hon. gentleman would not do so, he (Mr. Douglas) would take care to move for the said information in a parliamentary return.

Mr. MOREHEAD said the hon. member was always making discoveries. If there had been any difference in the modes of issuing the *Gazette* now to that formerly adopted, he could have understood the hon. member's remarks; but the hon. gentleman, having himself been Minister for Lands, it was strange that he should not have discovered, until now, that this information was necessary.

Mr. DOUGLAS said they were always making discoveries, and he had no doubt they would succeed year after year in doing so. There was no reason whatever, because he had failed to do certain things when in office, that his successors should do the same. He was quite sure that every succeeding Minister hoped to be followed by a better man than himself. That was only an aspiration which any Minister might fairly be entitled to entertain.

The PREMIER said that the information the hon. gentleman wanted would, if published in the *Gazette*, render it extremely cumbrous. At any rate, a fresh *Gazette* could not be published this year containing that information; at the same time, there was no reason why it should not be given on a future occasion.

Mr. DOUGLAS said he had simply pointed out that if the information was given in the *Gazette* it would save the publication of a very heavy and almost duplicate return. If the hon. gentleman would undertake that the information would be supplied next year, in the ordinary *Gazette*, he (Mr. Douglas) would be quite satisfied. What he desired to have would be the period at which a lease commenced, so that it might be ascertained at what stage it was advancing and when it would expire, and also the actual area of the runs. There were returns annually made which showed the actual area available and unavailable, and all those figures, which were in the Government offices, could be easily given in the *Gazette* without encumbering it, by merely adding a couple of columns of figures.

The PREMIER said the hon. gentleman had better move for a return.

Mr. GRIFFITH said the Government had succeeded in carrying an increase which was an entire departure from the policy they had hitherto professed, but they had succeeded in carrying it simply by accident, as a large number of members were absent who, as was well known to the Government, would have voted against the increase. It was now known that the Minister for Lands could get an increase of salary for a favourite officer, when increases in all other departments had been cut down, and when the salaries of old officers in the Police Department had been most mercilessly reduced. It was a most unfortunate thing this should have been done.

The PREMIER said the hon. gentleman had, over and over again, said that the Government had departed from the principles they laid down at the commencement of the session; but he (the Premier) had, over and over again, told him that the Estimates were brought in at the commencement of the session, in the state in which they now were, and that the Government had not departed from them in any respect, nor had they changed their minds in reference to them. The hon. gentleman seemed to think that the Government experienced great gratification in carrying the vote; but it gave him (the Premier) no gratification, nor did the carping way in which the hon. gentleman treated the Estimates afford him any.

Mr. DOUGLAS said that no doubt there might be some reason for giving increases, as there were deserving officers who ought to be rewarded in that way, and he was willing to admit that the gentleman in question was a deserving officer—in fact, he would almost go so far as to say that he regretted that gentleman's salary had not been increased before now; but, when they had rigidly excluded from the Estimates, with only a few exceptions, the very idea of increases, it bore the appearance of favouritism to give an increase to this

officer. It was because the Committee had not entertained any other increases that he had voted against this item.

Question put and passed.

The MINISTER FOR LANDS moved that the sum of £24,683 be granted for salaries and contingencies in connection with the survey of land.

Mr. GRIFFITH desired to call attention to a matter which he was sorry some other hon. gentleman, perhaps better acquainted with the subject than he was, had not taken up. He referred to the survey of land and the fees allowed to licensed surveyors. He was informed that a great deal of dissatisfaction existed among the licensed surveyors about the scale of fees allowed, and he also heard that that scale in many cases would not pay the cost of the work, with the consequence that a good deal of work was not done at all. He felt sure that if any set of men was paid less than their work was worth they could but feel it as a very small encouragement to do it well. They had no general system of surveys, and Government appeared content to pay for this class of work at an inadequate rate. The whole matter required revision. It had been considered by some that Government should take the survey of land into their own hands, instead of allowing a sum of £11,000 for fees to licensed surveyors, and that by that means they would probably get it done quicker and more accurately. In the case of easy country—downs, or country of that description—the present fees were liberal enough, but when they came to difficult country the surveyors' fees did not really pay chainman's wages. This was something of serious consequence. They knew there were many inaccurate surveys, and if other evidence were wanting reference need only be made to the Real Property Commission. They were aware that there had been cases in which a man having, say, 20 acres of land, had sold first one portion of 10 acres, and afterwards a second portion of 10 acres, and had then a fair-sized piece remaining. It was time that such an unsatisfactory system as led to these results should be discontinued, and the survey of land fixed on a definite basis. By instituting a trigonometrical survey it might be accomplished, but he thought that expense would not at present be necessary. However, unless his information was very wrong, he could arrive at no other conclusion than that the present system was bad.

The MINISTER FOR LANDS said that the information of the hon. member could not be quite accurate; at least, he (Mr. Perkins) had heard nothing of the inaccuracies in the Survey Department to which the hon. member had alluded. If the surveyors did their duty it was next to impossible that the mistakes should be made which used

to occur. Of course, when surveyors got beyond the Downs country they would not earn so much as they had been accustomed to get in open country, but he did not hesitate to say that the present system would have to undergo revision within a reasonable time. In reference to a statement that Government should take the surveys into their own hands, it had not escaped attention, but he had the authority of the Surveyor-General for saying that at present it would not work. If the licensed surveyors were placed on the staff, the probabilities were they would grow careless, and would require others to look after them, and it would probably cost an additional £10,000 per annum to get the same amount of work they got now. The surveyors in the North did not stand on exactly the same footing; they could not do the same amount of work as others in more favourable localities. However, the whole matter was under consideration, and alterations would be made, but the time had not arrived for them at present.

Mr. DOUGLAS believed the best reform would be by introducing contract surveys, expensive as the system might be. The base line should be laid down in the commencement, and hon. members would understand that, if they were to correct their old survey, and to lay down future data for demarcation of property, it would have to be done before a very long time elapsed. The work done by licensed surveyors was sometimes indifferent—in some cases it was scamped, and that sort of work could only be checked by a proper supervision. He did not quite agree with his hon. friend (Mr. Griffith) that it would be better to employ a staff of surveyors to do the work. No doubt, good men could be obtained, but they would have to be paid high salaries, and very little work would be got out of them, though certainly it could be better depended upon. He did not think the colony could afford to do away with licensed surveyors who, with proper supervision and safeguards, might be made very effectual for the purpose. They were putting off the evil day with regard to the commencement of a trigonometrical survey, which was at the bottom of all effectual surveying. It would soon be necessary to face the question and come to some decision or other upon it.

Question put and passed.

The MINISTER FOR LANDS moved that £2,000 be granted for survey of roads.

Question put and passed.

The MINISTER FOR LANDS moved that £2,000 be granted for bailiffs and rangers of Crown lands.

Question put and passed.

The MINISTER FOR LANDS moved that £2,065 be granted for the Botanical Gardens—salaries and contingencies.

Mr. MOREHEAD said there was a great deal too much money wasted in the Botanical Gardens. The terracing to the small lake, and the tawdry fountain in the centre, might very well have been done without; the natural slope of the land being, in his opinion, much preferable. Eight gardeners were employed at £90 per annum each, and he would ask any hon. member whether their work was properly done: the only thing they did was to be constantly destroying the appearance of the Gardens. £2,065 a-year for a luxury for the people of Brisbane was a large sum to pay in the present state of affairs, and he felt convinced the Gardens could be carried on for a great deal less. He did not wish to reduce any particular salary, but he thought the whole amount might be reduced by £500.

The MINISTER FOR LANDS said the terracing was being carried out by a special vote of the House passed last year.

Mr. MOREHEAD asked, with reference to the item "Botanical Library, £50," where was the library, what had been expended upon it, and was it accessible to the public? Also, information about the two horses, for which the State had to find forage?

The MINISTER FOR LANDS replied that the botanical library was at Mr. Hill's residence. The horses were two draught horses, at work in the Gardens.

Mr. MOREHEAD said he had been informed that Mr. Hill drew a portion of the vote for a saddle horse, which he used on foraging expeditions.

The MINISTER FOR LANDS said that, according to his information, such was not the case; there were two horses at work in the Gardens.

Mr. MOREHEAD said he had not yet had an answer to his question as to what the botanical library had cost, as far as it had gone?

Mr. NORTON said that, with regard to the labourers, there did not seem to be too many, and it would scarcely be wise to knock any of them off at present.

Mr. MOREHEAD said the Gardens were a disgrace. There were weeds all over the beds, and Mr. Hill seemed to have a mania for breaking up and spoiling the soil. Would any private individual—even a millionaire—be prepared to spend £2,065 on a garden of similar acreage? He believed that if the Government were to take a contract for the work they could get it done far better. He did not see why one of the Crown lands bailiffs or rangers could not be put in charge of the Gardens. Everyone knew that Mr. Hill was not a scientific botanist, though he might be a very good gardener. In Sydney, for many years, a man of very much higher attainments, Mr. Charles Moore, was content with a salary of £300 and residence. To pay £475 to a man for

superintending a few acres of land was chucking the people's money away.

Mr. REA said it was evident that either Brisbane was overpaid in this respect, or some other places were underpaid. The highest amount put down for other places was £500, whereas £2,715 was down altogether for adornments about Brisbane.

The Hon. G. THORN said, if the hon. member for Mitchell visited the lodge he would find a very good library of useful and entertaining volumes. With regard to salary he considered Mr. Hill was underpaid, as he had been in the Service a very long time, and did a great deal of work in going round the country collecting plants for the Gardens and for distribution throughout the colony. A few weeds in the Gardens might be accounted for by the continual rains lately. The hon. member for Rockhampton should remember that the Botanic Gardens were not for the benefit of Brisbane only, but of the whole colony, and that they were the admiration of visitors to the colony.

Mr. MOREHEAD said the hon. member showed his utter ignorance when he said that the Gardens were the admiration of people coming to the colony, and implied that they were nurseries for the whole colony. As a fact, they were utterly worthless except as a place of recreation for a few people in Brisbane, and a laughing-stock to all who came to the colony. Had the hon. gentleman applied his remarks to the Acclimatisation Society he should have agreed with him. Leaving the avenue of bunya trees and the locality out of the question, the Gardens were nothing. To test the sense of the Committee, he moved that the item be reduced by £500.

Mr. AMHURST said the hon. member for Northern Downs gave as a reason for the high salary, that Mr. Hill went round the country collecting plants. If such was the case, who received the £140 for plant collecting, incidental expenses, including forage for two horses?

Mr. RUTLEDGE said £475 seemed a very high salary to pay to a gentleman who, it was said on good authority, was not a scientific botanist. While Mr. Hill was receiving £475 and residence, they had in the colony a scientific botanist (Mr. F. M. Bailey), who had been spoken of by Tenison-Woods as being the only botanist on the east coast of Australia. With the exception of Baron Mueller, he believed Mr. Bailey to be the only real botanist in Australia, and he considered that there should be a more equal distribution of good things than was apparent on the face of this estimate.

Mr. DOUGLAS said, while giving Mr. Bailey all the credit he deserved as a thoroughly scientific botanist, the Committee should not overlook the services of one who had been in Government employment for many years and acquired a good

character, not perhaps as a highly scientific botanist, but as an efficient curator. He found that Mr. Hill had drawn the same salary since 1865, and he could remember when that gentleman had been looked upon as a great authority and public benefactor. The hon. member for the Mitchell could hardly be sincere when he said that nothing was done to the Gardens, as a good deal of ground had been gone over and many improvements made. The average yearly expenditure on the Gardens had also been nearly the same as the amount now put down. Improvements had been going on, and in spite of what the hon. member said he contended that the colony had reason to be proud of the Gardens, and that strangers admired them very much. The increased expense, if any, had been due to the higher price of labour—formerly men were paid £84 a-year, and now they were paid £90. If kanakas were employed the work could be done for very much less, but good gardeners could not be kept permanently at a lower salary. Whatever faults Mr. Hill might have, he was an earnest, zealous man, who had devoted the best of his time to that pursuit. He was therefore loath to see younger men even of higher attainments supplanting a faithful servant, or any mistrust shown towards one who, on the whole, had faithfully done his duty.

Mr. MOREHEAD said he was astonished at the want of logic shown by the hon. gentleman when he said that, because so much had been paid in past years, therefore the payment should continue. Year after year the same statement was rammed down their throats that the Gardens were nearly improved to the proper point when all further expenditure would cease. But Mr. Hill was apparently too wise, or too unwise, to leave well alone, and must go on breaking up soil and making terraces. They all remembered the wonderful report in which he suggested making a croquet-ground for the upper-ten-thousand. Something of the same kind appeared to be going on now, and it would simply be a tremendous waste of money. If a faithful servant were found wanting in the performance of his duty, it was simply a question of the duty of hon. members to those who had returned them. Mr. Hill, besides his salary of £450, had also a nice vegetable garden and a residence—in fact, his position was worth about £600 a-year. Could the State afford to give £600 a-year to the curator of thirty-five acres of ground, and when the work was indifferently performed? The State was actually being asked to pay about £60 per acre to keep the Gardens in order. As for the argument about Mr. Hill having been many years in the service of the country, it must be remembered that he had

been enjoying a good salary all the time, and that he had no doubt done well out of the country.

Mr. DOUGLAS said the hon. member would recollect that the outer portion of the Gardens was in a very rough state a few years ago. It was now being made a good cricket ground of, and by reference to the Auditor-General's report he saw that £141 was expended, leaving something to lapse. The terraces, he believed, would be improvements. As the levelling on the lower side had been done, and the terracing was approaching completion, he doubted very much whether the item of £300 down for Queen's Park was wanted, and should vote for its reduction.

The PREMIER said he was told the £300 would be required to carry out the alterations now being made. If the amendment was carried, he would understand that all the items from the curator's salary downwards would be reduced *pro ratâ*.

Mr. NORTON said he should not vote for the amendment, but if the hon. member for Mitchell would withdraw it, and propose a reduction of £300 for Queen's Park, he should support him. The improvements to the park were almost entirely for the benefit of the people of Brisbane, and he saw no reason why the public money should be voted for such a purpose. Any alteration should be in the way of making the Gardens more ornamental. Mr. Hill might not be a scientific botanist, but he was a thorough practical gardener. Baron Mueller was no doubt a scientific botanist, but during the time he had sole control of the Melbourne Gardens, they were admittedly very far from what they were later when Mr. Guilfoyle, a thorough practical gardener, was placed in charge. He should be very sorry if any alteration were made in Mr. Hill's salary. The item of £50 for a botanical library might be omitted, as not many persons availed themselves of the books. The expenditure in making the terraces was rather a waste of money; a little expenditure in smoothing the natural slope would have been very much better.

Mr. STEVENSON said the hon. member who had just sat down, and whose word was entitled to some consideration as he knew something about botany, had told them Mr. Hill was simply a practical gardener, giving the Committee to understand that he was not a scientific botanist. He (Mr. Stevenson) therefore considered that £450 a-year, with handsome allowances, was too much to pay for a practical gardener. The director of the Rockhampton Gardens was getting £250 a-year, and was as good a practical gardener as Mr. Hill.

Mr. NORTON said, in correction of the last speaker, that he did not know that Mr. Hill was not a scientific botanist. He (Mr.

Norton) knew something about botany, but did not profess to be a botanist.

Mr. GRIMES did not see that the vote was for the benefit of the Brisbane people alone, when the advantages were shared in by nearly every town in the colony. He believed Mr. Hill assisted in the establishment of domains throughout the colony, not only by sending trees to various places, but by superintending in many instances the laying out of the domains. Mr. Hill, who was worth all the salary he received, had also five or six acres in the neighbourhood of Indooroopilly bridge, which served as a nursery for raising large trees. He had also a nursery for sugar-canes, and these were being sent far and wide throughout the colony, and also into New South Wales.

Mr. BEOR said that undoubtedly a salary of £450, with a house and garden, was a large one for a gentleman who was admitted to be little more than a head gardener. With regard to the money being spent on the terraces, if it was true that it was for the purpose of a croquet-ground it was more than shameful waste. It was a disgraceful robbery of the people of the whole colony to spend public money for the benefit of a few people who could well afford to make a croquet-ground for themselves.

Mr. THORN said that Mr. Hill had nothing to do with the croquet-ground. The late Government put a sum upon the Estimates for the improvement of Queen's Park, and this was part of it. The amount had probably been expended, or would be immediately required, and should therefore be voted. Mr. Hill, he believed, was as much a botanist as many who professed to be so. Mr. Bailey was no doubt a good botanist, and there were Dr. Bancroft and others, but that was no reason why Mr. Hill should be displaced. He (Mr. Thorn) was astonished at any objection to this vote, seeing that the Botanical Gardens were for the recreation, not of the people of Brisbane only, but of the people of the whole colony.

Mr. MOREHEAD said that he should like to add to a remark that had been made by the hon. member for Port Curtis, that Mr. Guilfoyle was something more than a gardener;—he was one of the best botanists in the colonies. He (Mr. Morehead) agreed with the member for Bowen that it was disgraceful that the colony should be taxed to make a place of amusement for a small sub-section of the gilded youths and youthesses of Brisbane to go and amuse themselves and flirt and make themselves agreeable to each other at the expense of the taxpayers of the colony. He objected to the people being taxed for any such purpose; and, as there might be some difficulty in carrying his amendment, he was willing to withdraw it to allow the items to be taken *seriatim*.

Mr. AMHURST said he, for one, should object to the withdrawal. Let it be negatived in the usual way.

Mr. DOUGLAS said he remembered when this vote was previously under discussion that he had looked up the expenditure in the neighbouring colonies, and found that in Melbourne they spent £10,000 a-year on their Gardens; at Adelaide, £5,000; at Sydney, something about £6,000—in all cases the expenditure being far in excess of anything that had ever taken place in Brisbane. He questioned very much whether the public who visited us did not consider that the Brisbane Botanical Gardens compared favourably with any in the neighbouring colonies. With regard to the croquet-ground, it must be remembered that it was part of a general scheme for the improvement of the Queen's Park. The money had not, therefore, been voted simply to make a croquet-ground; but, there being a level portion favourable for the purpose, it was utilized in that way, and it would be a place of recreation, available, not for a section, but for anyone who chose to use it. In the same manner, a part of the Park had been levelled for cricket and football.

The amendment was eventually withdrawn.

Mr. MESTON moved that the item of—salary of Colonial Botanist, &c.—£475, be reduced by £75. He believed the most enthusiastic admirer of Mr. Hill could only claim that that gentleman was a very good gardener; but Mr. Guilfoyle, the landscape gardener of the Botanic Gardens in Melbourne, besides being a most successful botanist, was also a most tasteful gardener, and the consequence was that his gardens were a realisation of the beautiful. As to the sums which were spent on the Botanical Gardens in Sydney and Melbourne, he had no doubt that the Committee would be willing to vote more money if they knew it would be spent with the same results as in those places. The work for which the Committee were asked to vote £1,525 could, if let by contract, be done for £600. It was said that the Gardens contained an area of thirty-five acres, but there were, in fact, only six acres to attend to, and for those ten men were required. He had no hesitation in saying that the Acclimatisation Society's Gardens, for which only a small sum was voted annually, were practically far superior to the Botanical Gardens, independently of the public good they did by the distribution of seeds and plants. Although Mr. Hill's salary was put down at £475, he indirectly received what brought his remuneration up to £700, and that for only a first-class gardener, who at home could be got for about £150 a-year. The words "Colonial Botanist" should be struck out, as it was an insult to

the colony to say that a man who knew nothing about botany was the Colonial Botanist.

Question—That the item of £475 be reduced by £75—put.

The Committee divided:—

AYES, 10.

Messrs. Morehead, Sheaffe, Meston, Kellett, Hill, Stevenson, Lalor, H. W. Palmer, Beor, and Hamilton.

NOES, 21.

Messrs. Garrick, Griffith, Dickson, Perkins, Rea, Macrossan, Palmer, Douglas, O'Sullivan, Stevens, Swanwick, Amhurst, Grimes, Norton, Low, Thorn, King, Cooper, Hendren, Beattie, and Archer.

Question—That the sum of £2,065 be granted—put.

Mr. MOREHEAD said that, if it were not that he did not want to adopt a policy of obstruction, he would move the reduction of the vote shilling by shilling, and thus point out the enormity of asking for such a large sum in return for so little. He trusted the Government would accede to one thing, and would have the decency to withdraw the words "Colonial Botanist," and leave only the words "Director of Botanical Gardens."

The MINISTER FOR LANDS said that the vote had been under that name for years, and it was rather late now to make the discovery that it was an incorrect one. He might inform the Committee that, in addition to the other duties performed by him as Director of the Botanical Gardens, Mr. Hill had to prepare exhibits and report upon the timbers of the colony. That gentleman had, in fact, visited the Daintree and Mossman Rivers, and others in the Northern territory, where he had discovered new timbers and reported upon them. He (Mr. Perkins) confessed that, whilst the colony was languishing in many respects, it was a great pity that the terraces in the Gardens should have been commenced; but it would be unwise now to leave them in an unfinished state.

Mr. DOUGLAS, in reference to Mr. Hill's having reported on the northern timber, hoped that this report would be laid on the table and printed. He (Mr. Douglas) had himself visited Fraser's Island, and recommended that Mr. Hill should send in a report of what the forests were there, in order to ascertain what would be best to do with the timber, which included a considerable quantity of kauri. The question of forest conservation would arise some day, and these reports would prove of value.

Mr. NORTON moved the reduction of the item—Botanical Library, £50—by £25.

Mr. MOREHEAD said that, having allowed the first item in the vote to go, they might as well pass them all. At the same time, he could not help saying that the first item was the biggest swindle on the Estimates,

Mr. REA thought the hon. member was going rather too far. The objections taken to Baron Mueller, the hon. member should recollect, were the very reverse of those now advanced against Mr. Hill, for it was urged against the former that he was too much of a botanist. Would hon. members of the other side define where a gardener left off and a botanist began?

Mr. NORTON asked if the hon. member for Rosewood had any authority for saying Mr. Hill was not a botanist?

Mr. MESTON said he had the authority of two of the ablest botanists in the colonies for saying so.

The COLONIAL SECRETARY (Mr. Palmer) said that he had very good reason for saying that Mr. Hill was the best botanist in the colony. He (Mr. Palmer) knew nothing at all about him personally, but he had it on the authority of a man who would not tell a lie. Sir W. Carter said that Mr. Hill was the best botanist in the colony.

Mr. GARRICK said that, although Mr. Hill might not be well up in the terms of botany so as to correspond, he was certainly a good botanist.

Question—That the item be reduced by £25—put and negatived.

Mr. NORTON moved the reduction of the vote by the item “£300, Queen’s Park.”

Question put and negatived; and question that £2,065 be granted for the Botanical Gardens, put and passed.

On the item—£4,650, Reserves—

The MINISTER FOR LANDS said there was one increase of £250 for the Queen’s Park at Toowoomba. Hon. members knew that acclimatisation gardens had been worked there for some years. They had often heard that the Darling Downs were capable of growing everything that could be produced in the temperate zone, and it had been considered desirable that experiments on a considerable scale should be carried out as early as possible. The results, so far, might be considered very satisfactory both as regarded grain and grass.

Mr. THORN asked where were the reserves for aborigines, and what was being done about them?

Mr. GARRICK asked for information of the Durundur aboriginal reserve. The reserve was two or three thousand acres in extent and of the best land in the district, but it was not fitted to the purposes of the aborigines, being good agricultural land, which would be rapidly selected if it were available for that purpose. There was other land in the locality, non-agricultural, which would serve for the aboriginal reserve. The present reserve had been fenced, but he had been told that the owners of Durundur Run ran their cattle over it long after it was proclaimed a reserve.

The MINISTER FOR LANDS said the vote was the same as that granted last year. He had no recent information of the Durundur Reserve, but now that his attention had been called to it he would cause inquiries to be made. In reply to other hon. members he might say that the Queen’s Park at Mackay was a new one, he had already referred to the work being done at Toowoomba. What was being done at Ipswich and Townsville he did not know, but both Rockhampton and Maryborough were well managed.

Mr. THORN wanted to know what was being done with regard to aboriginal reserves, and whether there was any chance of reclaiming aborigines and prolonging their existence?

The PREMIER said the item should not have appeared in the Estimates of the Minister for Lands, who had nothing to do with the expenditure of the money. That was done by trustees outside the Cabinet.

Mr. AMHURST said the reserve at Mackay had worked fairly well; it civilised the aborigines to a certain extent. It was so much in favour with the people that, since the 30th June, when the money voted for it was exhausted and the passing of the present vote seemed doubtful, it had been carried on by voluntary subscriptions.

Mr. THORN said the Mackay Reserve might be made self-supporting, or else kept going by a levy on the rich planters in the neighbourhood. An aborigine could work better than a South Sea Islander, and he always paid his aborigines 5s. and 6s. a-day.

Mr. MESTON was of opinion that the money for the Mackay Reserve would simply be used to enable kanakas to play at leap-frog on Sundays. One of the northern papers had spoken of it as a bribe, and it certainly did look very suspicious.

Mr. GARRICK said there were 2,500 acres of very fine land at Durundur, and he had frequently been asked by his constituents to ascertain what was being done with it. There had been no blacks there for some time, and he was informed that the reserve was in lease to some one.

The MINISTER FOR LANDS said he knew nothing about the Durundur Reserve, which was managed by trustees in the interests of the aborigines. He would cause inquiries to be made into the matter.

Mr. GARRICK suggested that the land, if no longer useful as a reserve, should be thrown open.

Mr. DOUGLAS said he was not aware of what had taken place lately, but a few months ago the reserve at Durundur—a very proper selection for the purpose—was fenced in and divided into two paddocks. One of them was used for camping in, and for feeding a small herd of cattle which he had caused to be purchased for

them; the other was let annually, and the proceeds were devoted to the aborigines. The trustees were the Commissioner of Crown Lands, Mr. Nicholson, and Mr. Wood. Seeing that the whole territory of the blacks had been forcibly taken from them, they ought not to begrudge them a little slice like this, which they could look upon as their own whenever they chose to make use of it. During certain seasons the aborigines were employed in stripping bark and cutting cedar, and might be found from twenty to fifty miles from the reserve, but they looked upon it as their head-quarters and always returned to it. The reserve at Durundur was as fine a little pocket of country as any he knew of in East Moreton. No doubt there were people who wished to select it, but it would be far better to retain it for its present purpose, and when it had ceased to be useful for that it would be time enough to consider what should be done with it.

Mr. GARRICK asked if he was to understand that a herd of cattle had been bought for the aborigines?

Mr. DOUGLAS: Yes; by the Government, of which the hon. gentleman was a member.

Mr. GARRICK said he had heard nothing of it; the hon. gentleman (Mr. Douglas) always kept these things as quiet as he possibly could. Information was gradually coming out, and they now found that one of the totally irresponsible trustees, Mr. Wood, was one of the owners of Durundur. The fencing, which must have cost £400 or £500, ought to have been done by the blacks. What the herd of cattle had cost he could not tell. It was now found that half the land was let out—probably to the owners of Durundur themselves. He trusted the Minister for Lands would make inquiries into the matter.

The COLONIAL SECRETARY said he would strongly recommend the Minister for Lands not to interfere, and leave it to the late Government to work out.

Mr. STEVENSON wanted to know why £600 had been put down for the Toowoomba Gardens, and only £500 for those at Rockhampton, a town of more importance?

The MINISTER FOR LANDS said Toowoomba was the centre of a large farming district, including the Darling Downs from the North Branch of the Condamine to Warwick and the intervening country, to the New South Wales border. The Board of Inquiry into the Diseases in Plants and Animals had found it a suitable locality for experiments, and there was a capital man in charge of the Gardens who had been very successful in showing what grains and grasses were adapted to the Darling Downs district. He did not see any necessity for a similar increase for Rockhampton, where the climate was tropical and not so well suited for experiment.

Mr. STEVENSON said the Committee had heard quite enough lately about the Board of Inquiry, and the expense to which the country had been put in connection with it. There was no necessity for the increase at Toowoomba, and he considered that Rockhampton had been badly treated. There was a good man in charge, who was insufficiently paid. To test the Committee, he moved the reduction of the item by £250.

Mr. ARCHER said he should like to have seen as large a sum on the Estimates for Rockhampton as for Toowoomba. He would not, however, vote for reducing that sum, believing that the experiments at Toowoomba would be of some benefit to the country. He hoped, however, that next year the Minister for Lands would see the justice of letting Rockhampton have as much as Toowoomba.

Mr. HENDREN said there could be no better locality for experimental farming than the Southern Queen's Park, Ipswich. There were about 40 acres very advantageously situated, and if 10 or 20 acres were fenced off and formed into a model farm a vast benefit would be conferred on West Moreton and other places. The grounds were in the charge of a man of great experience and knowledge. He would not vote against the grant for Toowoomba, because he believed it was good that the experiments there should be continued, but he trusted that the Minister for Lands would see that Ipswich was properly provided for next year.

Mr. MOREHEAD said this was an extraordinarily constructed estimate. The sum of £4,650 had apparently been taken to fit in with last year's, and the amounts had been adjusted by dividing £400 for Woolongabba Reserve, which had been omitted, between Mackay and Toowoomba. If all the coast towns were to have Queen's Parks, why should not those in the interior have them? Mackay was only a little one-horse town, and there were a dozen towns in the interior of more importance. It was monstrous that more money should be spent on the Queen's Park in Toowoomba. At present it was a miserable-looking place, and if it were to be bolstered up by votes from the Committee the sooner it died the better. He should like to know why the vote for Woolongabba Reserve was omitted this year, and, if the amounts were to be put down for other towns, he should ask the Minister in charge to put down similar amounts for Tambo, Aramac, and Blackall. These parks seemed to be enclosures for the recreation of goats, but if the coast towns had them he was determined that the Mitchell district should not be without one, and he hoped the hon. members for Gregory, Warrego and Port Curtis, would also insist upon having

Queen's Parks in their districts. He should be inclined to move the excision of the whole vote.

Mr. GRIMES said he noticed that £400 for the Woolongabba Reserve had been omitted, but he hoped the omission was unintentional and the Minister for Lands would do justice to South Brisbane by replacing it on the Supplementary Estimates. This reserve was between Kangaroo Point and South Brisbane. The requirements of North Brisbane had been well attended to, and he was sorry to see that South Brisbane had been left out in the cold.

Mr. MESTON said he hoped the item had been left off intentionally, and that there was no intention of putting it on again. The land was quite unsuitable, and the man who set it apart as a reserve deserved seven years at St. Helena for doing so. It would take, not £400, but £400,000, to make the reserve fit to grow enough vegetation to feed the goats in South Brisbane.

Mr. O'SULLIVAN said the Minister for Lands had said nothing in favour of the vote for Toowoomba that would not apply with equal force to the case of Ipswich. It was very improper and unfair that certain pet towns should be selected, and others left in the lurch. Nothing would grow in Toowoomba that would not grow in Ipswich, and Toowoomba was not a more important centre than Ipswich was. More revenue was produced by sale of lands in Ipswich than in any other district in the colony. The park there was a fine black soil, and any money laid out in it would not be wasted. If experimental gardens were intended to instruct farmers, there were not so many to be instructed in any part of the colony as in the West Moreton district. It would look like jealousy on his part to vote against the money for Toowoomba, but he would protest against it. When the Supplementary Estimates were prepared he did hope £250 additional would be put on for Ipswich.

Mr. MOREHEAD said the Mackay business was the most dangerous of all, for when once a thing got on the Estimates it would be difficult to get it off. With regard to the item of £250 for a "Government domain," he had reason to believe that the domain was used for depasturing horses for sale. In any case he could not understand what £250 was wanted for. He took it the domain was the paddock around Government House. The approaches to it did not require £250 to be spent upon them; he only wished the country roads or those nearer home were in as good condition, and he did not see why the Divisional Boards Bill should not be made to apply to the occupants of Government House as well as to the poorer people outside. Out

of the £4,650 proposed for reserves, close upon £1,000 was to be spent around Brisbane, besides the enormous amount voted for Botanical Gardens.

Mr. BAILEY said there were fourteen reserves embraced by the vote, of which five were Brisbane ones; the rest belonged to coast and inland towns; but there were other towns still which were equally as well entitled to reserves. Tiara had as much right to a recreation ground as any town mentioned in the vote, and the people there were quite willing to fence it and make it a good ground at their own expense if Government would only grant them the land. If any amendment were moved in the vote he should support it, especially at this time.

Mr. MOREHEAD said he should propose an amendment that the vote be reduced by £4,650—the whole amount.

Mr. BAILEY asked whether these reserves had not to be provided for by the divisional boards? It would be unfair to some districts, who would have to tax themselves to get recreation grounds, that others should have the start of them by having theirs improved at the expense of the country.

The CHAIRMAN said the hon. member for Mitchell's amendment could not be put, a prior amendment not yet having been disposed of.

After some further discussion, in the course of which it was suggested that the item should be postponed until the members for the Darling Downs were present,

The PREMIER said there was not the slightest reason for postponing the vote. No one would be more glad to see the item out of the general Estimates than himself. It was put there because the responsibility of keeping up these parks and gardens lay with the Government, who could not divest themselves of the responsibility all at once. The whole of these votes, no doubt, in a year or two, would be taken out of the Estimates altogether. If the Committee decided they were to be taken off now he would endeavour to do without the money, and might possibly struggle along without it, but it was at least high time the matter came to a vote, and, of course, it was his duty to support his Estimates. Occasionally he was of opinion that the vote for aborigines should be omitted, for he had long thought that it was the most wasted money of the whole.

After further discussion,

Question—That the item of £600 be reduced by £250—put.

The Committee divided:—

AYES, 13.

Messrs. Morehead, Sheaffe, Norton, Low, Hill, Hamilton, Lalor, Kellett, H. W. Palmer, Beor, Grimes, Stevenson, and Bailey.

NOES, 16.

Messrs. Garrick, McIlwraith, Dickson, Rea, Griffith, Macrossan, Douglas, Baynes, Stevens, Perkins, Hendren, Rutledge, Cooper, Beattie, Amhurst, and Archer.

Question—That the sum of £4,650 be granted—put.

The Committee divided:—

AYES, 22.

Messrs. McIlwraith, Perkins, Rea, Dickson, Thorn, Cooper, Douglas, Hamilton, Amhurst, Kellett, Stevens, Baynes, Beor, Rutledge, Hendren, Griffith, Garrick, Beattie, Macrossan, Archer, Grimes, and O'Sullivan.

NOES, 10.

Messrs. Norton, Hill, King, H. W. Palmer, Low, Stevenson, Lalor, Morehead, Bailey, and Sheaffe.

The MINISTER FOR LANDS moved the item—£4,275, Miscellaneous Services.

Mr. THORN asked what was the amount expended last year in the destruction of Bathurst burr? The Act was at present inoperative. He also wished to know why the sum of £5,066, voted last year for miscellaneous purposes, was not in the Estimate now? If it was wanted last year it would be certainly required again, and there could be no doubt it would have to be placed on the Supplementary Estimates.

The MINISTER FOR LANDS said the greater portion of both votes was unexpended, and it was unnecessary to put the item "Miscellaneous" on the Estimates.

Mr. BAILEY asked for information as to how his constituents could obtain the land for a recreation ground? They were desirous of obtaining a grant for that purpose. He had often been asked how to set about it, but until he received the information from the Minister for Lands he would be unable to state what course was to be taken.

The PREMIER said the information the hon. member asked had nothing to do with the question before them.

Mr. DOUGLAS said that a small vote had been omitted—that for the formation of the forest nursery which was being carried out at Oxley. The amount had only been £200. Red cedar had been planted in the nursery, and was being distributed. He hoped the Minister for Lands would not overlook this nursery, as it might be made the foundation of future wealth for the whole of the colony. A small amount of money would be sufficient to keep it going. The distribution of seeds had already taken place, and people should be encouraged to apply for them.

Mr. BAILEY having repeated his desire for information as to the means of obtaining a recreation ground for his constituents,

The CHAIRMAN said the hon. member was out of order, as he was debating a subject which was dealt with in the item just passed.

Mr. MOREHEAD objected to the Chairman's ruling, and thought it could not be sustained. They had usually had considerable licence in Committee, but such a ruling was more calculated to obstruct than accelerate business.

Mr. SHEAFFE asked the Minister for Lands what the item £3,000, survey of runs, was for, as, standing as it did, it was likely to mislead hon. members and cause them to fancy that the Government paid for the survey of runs for the pastoral lessee. The fact was the owners of runs paid very heavily for what was in many instances indifferently performed work. Although he did not reflect on the work of any individual surveyor, much of it was badly done. As the owners of runs had to pay the survey fees, why was the amount down at all?

The MINISTER FOR LANDS explained that the runs were surveyed for the pastoral lessee, who naturally had to bear some portion of the cost. It was an amount granted by the State, in the first instance, for surveying purposes, the lessees being afterwards charged with the cost of surveying each run. In reply to the hon. member for Wide Bay, he must say that hon. member did not require to be told how to obtain a recreation ground for his constituents; if he did not know, he (Mr. Perkins) would be happy to give him the necessary information at the Lands Office.

Question put and passed.

On the motion of the PREMIER, the Chairman reported progress, and obtained leave to sit again to-morrow.

ADJOURNMENT.

On the motion of the PREMIER, the House adjourned at sixteen minutes past 10 o'clock.