

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 23 SEPTEMBER 1880

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LEGISLATIVE ASSEMBLY.

Thursday, 23 September, 1880.

Formal Motion.—Fees to Members of Parliament.—Case of Wildash and Hutchison.—Petition.—Factory for Curing Bacon.—Absence of the Administrator of the Government.—South Brisbane Railway.—Selections on Johnstone River.—Return Relating to Deeds.—Mining on Gympie.—Case of Mrs. Wells.

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

FORMAL MOTION.

On the motion of Mr. NORTON, it was resolved—

That there be laid upon the table of the House, a Return showing,—

1. The number of Sailing Vessels, above 400 tons register, which entered Moreton Bay during the years ended 30th June, 1879, and 30th June, 1880, showing register tonnage of each vessel.

2. The number of Sailing Vessels, above 400 tons register, which entered Keppel Bay during the years ended 30th June, 1879, and 30th June, 1880, showing register tonnage of each vessel.

FEES TO MEMBERS OF PARLIAMENT.

Mr. MOREHEAD moved—

That this House is of opinion that, with the exception of the Officers of the Legislative Council and Legislative Assembly, no member of either branch of the Legislature, other than those holding Ministerial Office, should receive payment for services performed on behalf of the Executive Government.

He said that he brought forward the motion to a great extent in consequence of what transpired in the House the other night. The question was not a new one to the House, as it had been brought forward and debated on several occasions. He thought the House was getting educated up to that point when it would agree to the motion. The hon. member for Maryborough (Mr. Douglas) proposed a similar motion last year, and twenty-five voted against it and nineteen for it; consequently it was lost. As they grew older—he included himself—they got wiser, and he thought some hon. members who voted against the resolution on that occasion would be found voting for it now. There were many reasons why the motion should be agreed to. The first reason was that it would relieve the Government of a great amount of trouble—of that he was quite certain. If a Government were in a position to say to a legal supporter who wanted briefs or Bills to draft that they were debarred by a resolution of the House from giving the work to him it would be a good thing. On the other hand, the passing of such a resolution would relieve many hon. members of the imputation or the impression that they went into the House for the purpose of receiving money from the Government. He knew that there were some barristers who might possibly be led to refuse to accept briefs, on the ground that if they took them the public would be led to believe that they were being improperly subsidised by the Government of the day. The hon. member for North Brisbane used an argument, when the matter was under discussion last year, which struck him, and that was that if they debarred the Government from employing barristers who were members of Parliament, they would be depriving the Government of the use of the services of some of the best men at the Bar. No doubt at one time that remark was perfectly true, and to a certain extent it might be true now; but he maintained that the Bar had been so strengthened within the last year or two that there were plenty of barristers outside the House who could be obtained to do Government work, and who were quite competent and able to do it. No doubt the state of affairs would improve year by year in that respect, but even if it did not—even if a little harm did arise, and the Government could not, through the passing of such a resolution, acquire the services of the most able men at the Bar, he maintained that all that would be compensated for by the avoidance of corruption which would otherwise be called into existence, and which had existed in the past. The subject had been so talked over that it was now almost threadbare. He hoped that hon. members would see with him that by passing the motion they would be going a step further in following the course which they adopted some years ago when they determined that members should not hold seats on boards if they were paid for their services. By that resolution legal members were not prohibited from accepting fees from the Crown, but if his motion were agreed to the principle would apply to legal as well as to lay members. He conceived that they would be taking a step in the right direction if they removed the liability to inducements being offered to a member which would lead him to act as he would not have acted had not those inducements been offered. They had facts before them year

by year which showed that his contention was a good and sound one. He was perfectly certain that all barristers who really had the honour of their profession at heart, who were desirous of maintaining the high and honourable position which the profession ought to assume, would vote for the motion and thereby relieve themselves from an unpleasant position. The motion would not only relieve them, but it would relieve the Government of what seemed to him to be a great and increasing difficulty.

The COLONIAL SECRETARY (Mr. Palmer) said he supposed some Minister was expected to reply to the mover, but why the question should be made a party one he could not see. The question was one which did not particularly concern the Government. There was no doubt a great deal in what the hon. member had said in favour of the motion. He did not speak for the Government but for himself. He had consistently supported the employment by the Crown of the best legal talent. On every occasion when the matter had been discussed he had held that the Crown ought to be able to avail itself of men holding the highest position in the profession. He found that on the 26th of June, 1879, Mr. Douglas moved—

“1. That in pursuance of the 6th section of the Constitution Act and of the 5th and 6th sections of the Legislative Assembly Act of 1867, no member of this House other than the officers of the same and those holding Ministerial ‘office’ should receive any payment for services performed on behalf of the Executive Government.

“2. That a Bill be introduced to give effect to the above resolution.”

On that motion he (Mr. Palmer) moved an amendment, to the effect that after the word “office” the following words be inserted, “and members of the legal profession holding briefs for the Crown.” The amendment was negatived—the voting being fourteen for it and twenty-seven against it. The previous question was then put and negatived, the voting being—Ayes, 19; noes, 25. As he had said before, the hon. member for Mitchell had said a great deal in favour of the motion, but he (Mr. Palmer) had seen very little reason to change his opinion. He should support the motion if it were amended as he proposed to amend the motion submitted last year. Although he might see a good many inconveniences arising from the practice of employing barristers who held seats in the House, he could not see sufficient reason to induce him to vote for the motion.

Mr. O’SULLIVAN said that from the time of Separation to that hour this sort of thing had been going on. They had it very plainly in the first two or three sessions of the Parliament. He had seen two barristers on the floor of the House scolding each other because one had got a bigger brief than another: they reminded him of two dogs fighting over a bone. He had always been opposed to it, and he should vote for the motion. Although there was a great deal in what the Colonial Secretary had said, he had never seen the time when the Bar outside the House was not as strong, as respectable, and as capable as was the Bar inside the House. It was commonly said that a barrister could not make a name for himself until by some feat of legerdemain or sleight-of-hand he got into the House—then, it was said, he would be taken notice of. They had never been short of barristers in the colony, and there seemed to be a sort of game of cards amongst them as to who should get into Parliament. The profession was the most respectable under the Crown, with, perhaps, the exception of the army, and members of it ought to be possessed of something in the shape of self-reliance, so that they might

work on their own merits and not endeavour to get into Parliament to make capital.

The ATTORNEY-GENERAL (Mr. Beor) said he supposed the House would expect him to say something with respect to the motion. Last year when a similar motion was before the House he voted against it, and he intended to vote against it again. He had said over and over again that he had the strongest objection to the employment of barristers who were members of the House, if it were only for this reason that it left members of the profession open to insinuations which must be unpleasant and painful to all. It must be exceedingly humiliating to members of the profession who sat in the House, to, from time to time, hear accusations made against them by other members of the House. But although he so strongly objected to the employment of barristers who held seats in Parliament, he would point out that there were times when it was absolutely necessary that they should be employed. It had often happened that a Government were unable to obtain gentlemen possessing sufficient attainments without having to avail themselves of the services of members of the House. The hon. member for Stanley seemed to think that barristers outside the House could always be secured, but in that the hon. member was in error. When the motion was last discussed he mentioned an instance which occurred in connection with the court at Maryborough, when none but junior members of the Bar were available, and a member of the House had to be employed. Anyone who understood the nature of the work required would be very loath indeed to employ young barristers who had very little experience, who perhaps had only been called to the Bar for a year or two. He should be very glad to see some gentleman permanently appointed to do the work, as he believed it would be a very good thing if the possibility of its being given to members of Parliament were removed. Until such an appointment was made he did not see how it was possible to prevent the occasional employment of members of Parliament.

Mr. McLEAN said the speech of the Attorney-General was a most remarkable one. The hon. gentleman said he strongly objected to the employment of members by the Crown, and yet he was going to vote against a motion which would put an end to the possibility of it. The motion had been before the House several times, and if it were not carried now he believed that, with a little further persistence, it would be soon agreed to. They had been told over and over again that there was a scarcity of legal talent in the colony. He doubted that, and he believed there were as good barristers out of the House as were in it. He did not see why lawyers should be allowed to receive remuneration for services rendered for the Crown when the same privilege was not extended to other members. The hon. member for North Brisbane had told him that the practice prevailed in the other colonies. If it did, all he could say was that it was time it was abolished.

Mr. WELD-BLUNDELL said it was rather to be regretted that the lawyers were not more fully represented in the House that afternoon, in order that other hon. members might have the advantage of hearing what they had to say in support of their right to the various pickings which they got in connection with the Attorney-General's Department. The fact that they were absent seemed to indicate that they were indifferent about the matter, and were quite as willing as other hon. members that the principle should be affirmed that whatever legal assistance was required by the Government should be secured from members of the profession outside the House. When the motion was last before

the House he opposed it, because at the time he thought it probable that the lawyers in the House were of higher standing in the profession than those outside, and that it would not be right to deter the Government from obtaining the services of the best men. Further acquaintance, however, with the state of things, and a more intimate knowledge of the lawyers, had clearly shown him that there ought to be greater ability amongst lawyers who were not members than there was amongst those who were. Whether it was that, or whether he thought that it was a dangerous practice to allow members of Parliament to be employed by the Crown, he could not say; but he felt it would be to the interest of the public that no member, except a Minister, should be employed by the Crown at a remuneration, and therefore he should support the motion. The practice, if it had not a direct tendency to corruption, tended to lower the status of the legal profession, as far as lawyers who were members of the House were concerned. There was always the risk of suspicion, and for that reason it was advisable that the practice should not be continued. In the same way, he held that members who were not lawyers should not be allowed to do any Government work. If the motion were not carried he sincerely hoped that the Government would so arrange the departments as to render it unnecessary for persons in private practice or lawyers in the House to be employed on Government work.

Mr. AMHURST said there could be no doubt that provision ought to be made whereby Government business could be transacted without the services of people not in the Government service being necessary. He advocated the appointment of a parliamentary draughtsman. Such an appointment would be highly advantageous, as Bills would be better drawn; and when members wished to propose amendments they could be framed so as to be in accordance with other portions of the Bill. He referred to the assistance rendered by the hon. member for North Brisbane (Mr. Griffith) in perfecting Bills. He moved as an amendment—

That the following words be added to the motion:—“That a Solicitor-General and Parliamentary Draughtsman, to act under the instructions of the Attorney-General, be appointed, and that it is desirable that the Government bring in a Bill to carry this into effect.”

The COLONIAL SECRETARY submitted that the amendment could not be put, as it was altogether foreign to the motion.

The amendment not being seconded it was not put.

Mr. WALSH said that when this question was before the House last year he voted against the motion. He did so because he thought that if the motion was carried it would prevent the Government from obtaining the best legal talent available. Since then he had seen the error of his ways, and intended now to support the motion of the hon. member for Mitchell. He might further add that had it not been for the aversion he had for some members of the legal fraternity he should not have been in the House to-day. He had refused several times to be a candidate for the Cook constituency, and it was solely with a view to keep out a member of the legal profession that he at last consented to stand;—when, lo and behold! he was left with two of them from whom to choose a bosom companion. Such was the unfortunate position in which he was placed. He felt it was advisable to prevent the Government from giving fees to barristers while they were members of the House. On the chance of getting those fees barristers came forward for constituencies, and what with their plausible speeches and the pro-

mises they made which they never intended to perform, other men had not a chance against them. There were more lawyers in the House now than was beneficial to the interests of the colony, and if the result of the motion was a considerable reduction in their numbers, he felt he should be doing his duty to his country by voting for it.

Mr. LUMLEY HILL said he should have great pleasure in supporting the motion, as he supported a similar motion brought forward last year by the hon. member for Maryborough. He had not the slightest doubt as to the necessity for such a measure, and had long been convinced of it. Not only was the practice of feeling legal members disallowed in the Southern colonies, but there was a very stringent Disabling Act—he thought it was called—which prevented any member of Parliament from taking any office under Government within six months of the time of his being a member. He should be very glad to support a motion of that kind if it came before the House. He should also be glad if the Attorney-General's office became a non-political appointment, so that the best men would be selected to fill the position, whether members of the House or not. He had very little faith in the conscientiousness of lawyers in political matters. The hon. member for Clermont alluded to the absence of some of the legal members on this occasion. He noticed that two of them were absent, besides the one who had gone away "picking up chips." Two of the Opposition barristers who were present had announced their intention the other night to support the motion, and it was to the credit of others, who felt that they could not support it, that they stayed away. Last session the whole of the legal members voted against the motion, and in favour of their own personal interests. He was glad to find that different ideas now prevailed. He agreed with hon. members that there was quite enough legal talent now outside the House to justify them in passing a resolution of the kind; and if it had the effect of reducing the large number of legal gentlemen who now presented themselves at every election, he should be glad. At the last election no less than eleven legal gentlemen—or one-fifth of the whole House—were returned. That was an undue proportion, and he should be very glad to see fewer of them returned in future.

Mr. RUTLEDGE said that as one of those who last year opposed the motion of the hon. member for Maryborough on this subject, he thought it only right to give his reasons for recording his vote in a different manner on the present occasion. He voted as he did last year, not because he believed that all the best legal talent available for the conduct of cases on behalf of the Government was then in the House, but because he assumed that a large proportion of the legal talent then and now outside the House would ultimately find its way inside the House, and that it might be an advantage to the Government to be always able to secure their professional services. Since then, he had thought over what had been said from time to time with respect to the abuses to which the practice was liable, and had come to the conclusion that it would be improper to continue to follow the system that had been in vogue hitherto. Not only was it an evil because of the patronage it enabled the Government to dispense to members of the Bar, but because it gave the Government an opportunity of offering inducements to members on the other side to absent themselves on critical occasions, such as a division on a vote of want of confidence. He himself did not pretend to be such a paragon of virtue that an offer of a 100 guineas to go away to Rockhampton or some

other place—especially if he needed the money—would not be a very strong temptation; and he should not like to be subjected to it. They were all human, and it was not a fair thing that any Government should have it in its power to offer something substantial in the way of support to those who supported them, or to offer to opponents inducements which might lead them to act contrary to the wishes of their constituents by refraining from opposing some particular measure of the Government. From the remarks which had fallen from some hon. members, one would imagine that lawyers were a set of harpies, who ought to be scouted from all respectable assemblies—that they had no conscientiousness, that their word could not be relied upon, and that, in fact, they were a dangerous class altogether. The hon. member for Gregory said there was too large a proportion of members of the legal profession in the House, and the hon. member for Cook had expressed a wish that the number might be diminished. The hon. member (Mr. Hill) complained that their proportion was one-fifth of the whole House. What would the hon. member think when he was informed that of the total number of members returned at the late general election in England no less than one-fifth were barristers? There was also a large number of solicitors to be added, which brought them up to the proportion of one-fourth of the whole. If the English people placed such faith in the ability and conscientiousness of the legal profession, when there were thousands of men of leisure and means and ability outside the profession to choose from as their representatives, Queensland need be under no apprehension because the proportion of representation by the legal profession had reached a total of one-fifth. The profession ought not to be stigmatised because there had been one or two black sheep in the flock. Black sheep were found in every fold, but it did not follow that because there had been unworthy members of the profession it should be branded in the way it sometimes was branded both inside and outside the House. The legal members of the House gave their votes without regard for personal reasons, and he hoped the day would be far distant when it would be held that a proportion of one-fifth of members of the legal profession was too large to be found sitting in a Legislative Assembly.

Mr. NORTON said that, perhaps, at the next general election in England the number of legal members might be found considerably reduced.

The ATTORNEY-GENERAL said that one-fifth was about the average proportion.

Mr. NORTON said that if that were so he had no more to say about it. When a similar motion to the present was before the House last year he voted against the amendment proposed by the Colonial Secretary because it seemed to give a direct sanction to the employment by Government of members of the legal profession and no others; and he voted against the motion on that occasion because, knowing very little of Brisbane, he was led to infer, from the arguments used, that the number of capable barristers in Brisbane outside the House was very small. Since that time he had come to the belief that there were plenty of capable men outside the House—men well able to undertake public business—and he should therefore, without the slightest hesitation, give a vote directly opposite to that which he gave last year. He could not see why members of the legal profession should receive any more consideration from the Government than any others, nor why, in fact, any member should be paid for his services. He should vote for the motion, and hoped to see it carried by a large majority.

Mr. MILES said he was under the impression that when this question was before the House last session he voted with the hon. member for Maryborough; but, on looking over *Hansard*, he found that his name did not appear on the division list. Had he been present, he certainly should have supported the motion. Without desiring to say anything against lawyers, he held that they should have no privileges which were not accorded to other members. As far as his vote went he should heartily support the motion.

Mr. KELLETT said his principal reason for supporting the motion was, that it would relieve the Government of the day from a great source of trouble. Whatever Government might be in power, they would have great difficulty, unless this motion was passed, in avoiding giving some small business to their legal supporters if they asked for it; and any Government would be very glad to see such a temptation removed. There was a good deal of legal talent outside the House, and the time had now come when they might safely do away with the pernicious practice that had been carried on for so long.

The Hon. J. DOUGLAS said the motion was almost the same as that which he proposed last year. There was a slight alteration in it, however, to which he thought it necessary to call attention. The resolution of last year simply referred to the Assembly, while the one now under consideration embraced the two Houses. What was good for one might be good for the other, but he hardly concurred in the change. He understood that the hon. member (Mr. Morehead) intended to bring forward a resolution identical with that of last session, and was rather sorry to find that that was not the case. If the resolution was made to apply to the other House, it ought certainly to be accompanied, with a supplementary resolution requesting their concurrence. No doubt the resolution would be approved; still, the opportunity of dissenting from it should be given. Practically there was no objection to a certain proportion of officers connected with the Government being in the Upper House, and any argument against it could only be sustained on the ground of expediency. It was not more desirable that members of the Upper House should be paid than members of the Lower House; at the same time they found in the Upper House certain gentlemen who had continued there for many years, and who had exercised their functions with satisfaction to the public and without detriment to the Legislature. He felt reluctant, therefore, to interfere with a practice which had not been productive of any great evil. He admitted that the principle might apply equally to the Upper House as to the Lower, but he would suggest that the hon. member (Mr. Morehead) should append to his resolution a second resolution requesting the concurrence of the Upper House in it. Nothing could be gained by stealing a march, and the resolution certainly involved the position of certain members of the Upper House at the present time.

Mr. MACFARLANE said the resolution would be greatly improved by the addition of the words "while Parliament is in session." That would be quite sufficient to meet the requirements of the case.

HONOURABLE MEMBERS: No, no.

Mr. MACFARLANE said he could not see why a legal member, while the House was not in session, should be debarred from being employed by the Government in the practice of his profession. They worked during the session, as all other members did, without fee or reward, and they surely ought to be allowed to work for the Government, for pay, at other times. However,

as his opinion on the subject did not seem to be appreciated, he would not press the matter further.

Mr. KATES said it was high time the pernicious system of feeing members of the House should be done away with. One good effect of the resolution, if carried, would be that not nearly so many hungry, greedy lawyers, who entered the House for the sake of getting Government employment, would be returned.

Mr. SCOTT, in reference to the remarks of the hon. member (Mr. Douglas), pointed out that in 1877 the present Colonial Secretary brought in a resolution which affected both Houses, and it was accompanied by a second resolution asking the concurrence of the Legislative Council. But this was amended, the second resolution was omitted, and the matter was never referred to the other Chamber in any way.

Mr. GRIFFITH said that when a motion somewhat similar to this came before the House last year he felt considerable difficulty in dealing with it. He did not see his way to support the amendment of the Colonial Secretary excepting lawyers, and voted against it. On the other hand, he felt a difficulty in voting for the resolution, and suggested that the previous question be moved. That was moved and the matter dropped. At that time he thought it was really necessary for the Crown to employ the services of legal members of the House. There was a case then pending in which the country would have been placed at a disadvantage if it had not the services of gentlemen who, when retained in the case, were members of the House. He had also known cases on the criminal side, where it would have been almost impossible to procure justice without the services of members of the House. That was a position of affairs that was remedying itself, and such a circumstance would very rarely happen now, if it happened at all. He was glad to say that the Bar was stronger now than it was then. There might, however, still be occasions when it would be expedient in the interests of the public service to obtain for the Crown the services of some member of the House, and when a contingency of that kind occurred the House would probably grant permission for its being done. He had thought last year that the general expression of opinion against the practice would have been sufficient to prevent its recurrence; but instead of that he found that the failure of the House to forbid the practice had been treated almost as a permission. There could be no question that the practice of giving fees to members of the House, except under absolute necessity, was highly injurious to the public interest. He did not know of any case but two within his recollection at the Bar in which it had been absolutely necessary to give fees to members of Parliament. By "absolutely necessary" he meant highly expedient, not in the interest of the barristers, but of the public. One was a case in which Mr. Lilley was engaged to prosecute a murderer, and the other was the case of "Macdonald v. Tully." There was a third in which he (Mr. Griffith) gave a commission to the present Attorney-General to prosecute, that hon. gentleman being at the time the only one of sufficient standing at the Bar whose services were available to enable the Crown to conduct its business in a satisfactory manner. Since then the Bar had become much stronger, and he thought no necessity was likely to arise. If it did, it could be provided for. He had not the slightest hesitation, therefore, in supporting this motion. While upon the subject he should have added a case during this year in which he himself held a brief, and, although he should not say so, the presumption must have been that it was thought desirable that he should

be engaged. With respect to the matter suggested by the hon. member for Maryborough, it would be better to confine the motion to members of this House. The other Houses could take care of its own dignity, and it would look better to confine the resolution to members of the Assembly.

The MINISTER FOR LANDS (Mr. Perkins) said he was not going into the constitutional aspects of the question. This was the third time he had taken part in a debate on the question in the House. After all, it seemed to be a somewhat one-sided question. Those who were against it when it was introduced last session seemed to have turned round, and their convictions, for some reason or another, sat upon them in a different manner at the present time. Without desiring to detain the House long, he would call attention to the fact that lawyers were gentlemen by Acts of Parliament. Some were gentlemen by nature, and some of them that he knew would not do anything dishonourable; and yet they found themselves aided and abetted and led on by members of both sides of the House to suspect and distrust barristers because of the paltry fees they got for doing their duty—fees which any client could give them, and which would be very small in comparison with what they earned elsewhere. If a gentleman was elected member of that House, the fact itself was a certificate of character, and he should have some honour about him. It was not for him to be suspected and pointed at by his brother members because he belonged to a particular profession. He (Mr. Perkins) had no doubt that some of the lawyers had attained the summit of success, and they should be the last to point the finger of scorn or throw a stone at others. Without referring to the debates on the last occasion, he had a very vivid recollection of the able defence then made. He held it that he and others had to associate with men in the House under circumstances that never occurred outside. There were many there perhaps that he would not care to meet outside, and the same might be applied to himself, for what held good on one side held good on the other. It was a pity they could not engage in some more important business appertaining to the welfare of the colony, and not be looking into one another's characters and suspecting them of all kinds of crimes because they belonged to a particular profession. If it so happened that the choice of a constituency fell upon a member of the Bar, he did not see why that fact should be thrown in their teeth. They should be treated as equals, for they were no worse than other men; some of them were bad, but taking them all in all they were no worse than others. Outside of the House they could move in the best ranks of society and they were not suspected, but it seemed directly they came inside the House they were fair game to be charged with all kinds of things, and to be told that a 20-guinea fee would fetch them at any time. He did not believe it. Those gentlemen were in the House because of the choice of their constituents. He did not think that the hon. gentleman who had last addressed the House had given any satisfactory reason for the sudden way in which he had wheeled round upon this question. For some reason or another he always managed to slip through one's fingers, and even now he had talked round about the question without touching the point. He (Mr. Perkins) intended to vote against the proposition, although he was sorry to differ from his friend the member for Mitchell; he deplored the unkind remarks that had been made, and that suspicion and distrust were cast upon the legal members of the House. The fact was they were regarded as little better than pickpockets at the present time. He never said so, and never

thought so. He knew some of them outside the House who, if they had their deserts, would be provided for down at St. Helena. But he would stick to the point, that when a man was elected a member of the House, whether he was a lawyer or not, he was deserving of fair consideration, and it should not be said because he was in the House that he was always looking out for plunder. He had not been acquainted with those hungry cormorants he had heard so much about, and it was to be regretted that there was a liberty, even a license, of speech in the House that would not be allowed outside of it. If he stood alone he intended to vote against the resolution, for he could not see why members of the House had not a perfect right to take a brief if it was offered to them.

Mr. LOW said he had a great respect for the legal profession, and because of it he intended to vote in favour of the motion, chiefly with the view of bringing forward those young members of the Bar who had not yet had an opportunity of giving a proof of their ability.

The ATTORNEY-GENERAL wished to correct an error he had made through a slip of memory. He said that he was sent to Maryborough some time ago: the occasion he meant to refer to was when he was sent to Rockhampton by the present Government at the beginning of the present year.

The MINISTER FOR WORKS (Mr. Macrossan) said he was almost beginning to doubt the wisdom of the Scriptures when he found the lawyers agreeing to vote against receiving fees. They were told in the Scriptures that the leopard did not change his spots, but it seemed that the lawyers were about to change their skins and become like other men. He intended to support the motion, believing it to be a very good one, but he wished to point out to the House that it went further than simply dealing with lawyers. It dealt with every member of the House who received money from the Government for payment of any services whatever, and he would point out that, this being so, editors of newspapers who were members of the House would not be able to receive advertisements.

Mr. MESTON said that editors of newspapers unfortunately were not in the habit of receiving the money for advertisements—that was a business which the proprietors looked after. Coming to the general question, he intended to vote for the motion this year as he did last year, and he quite agreed with the hon. member who had said that there was too many lawyers in the House. In a late medical work published by Dr. Mossley, that gentleman said that after a careful deliberation upon human nature he had come to the conclusion that the two greatest obstructions in the way of human progress were the doctor and the lawyer, and he saw no chance of the world moving forward until the law books and medical books were put into the stove, and the doctors and lawyers annihilated. The hon. member for Enoggera had referred to the large proportion of lawyers in the House of Commons; but that was very easy to be understood, because at the time of the last general election the minds of the English public were disturbed by most unnatural and unhealthy sentiments. They would have eventually to come back to the rule in vogue in the reign of Henry IV., and say that no lawyers should be admitted to the House of Parliament at all. Two or three lawyers were quite sufficient in any House. The Minister for Works had expressed his astonishment at seeing lawyers change their spots, as he called it. He (Mr. Meston) did not feel any astonishment, and, besides, it was not so much a case of changing of spots as

suffering from that phase of the measles when the spots, after having been driven inwards, came out again on some future occasion. He hoped that an overwhelming majority would record their verdict in favour of this motion, as an emphatic protest against the vicious practice hitherto carried out of feeing members of Parliament.

Mr. MOREHEAD said, with reference to what had fallen from the hon. member for Maryborough, he had carefully considered the point raised, and, taking one thing with another, he had come to the conclusion that the resolution was better in its original shape, because if it was passed it would be an expression of opinion that would stand on record for the guidance of this or any other Parliament. The weight of the argument had been altogether on the side of those who supported the resolution. He hoped that in the division it would be shown that the House was determined to put an end to a state of things that had existed too long. He wished to correct an expression made by the junior member for Enoggera. It was true in one way, but not in the way in which it might be accepted by the outside public, that one-fifth of the present House of Commons was composed of lawyers. In itself this was no doubt true, but everybody who knew anything about the English House of Commons knew that there were always in it a number of barristers who were called to the Bar but who never held a brief in their lives, and never proposed doing so when they became barristers. As a matter of fact, the number of practising barristers in the House of Commons was extremely small.

Question put and passed.

CASE OF WILDASH AND HUTCHISON.

Mr. MESTON, in moving—

That a Select Committee be appointed to inquire into the allegations contained in the Petition of Messrs. Wildash and Hutchison, presented to the House on the 9th September, 1879.

That such Committee consist of the Secretary for Public Lands, Mr. O'Sullivan, Mr. Amhurst, Mr. Kates, Mr. McLean, Mr. Miles, and the Mover, with power to send for persons and papers and to sit during any adjournment of the House—

said that on the 9th of November of last year a petition from Messrs. Wildash and Hutchison was presented to the House by the hon. member for Rockhampton (Mr. Paterson). The petition was received and printed, but no further action was then taken. The allegations contained in that petition were briefly these:—In 1865 Frederick Wildash, one of the petitioners, was negotiating with the owner of Canning Downs Station for the purchase of that property, and of Crown lands adjacent thereto. Before completing the purchase he inquired of the Minister for Lands whether renewed leases of those pastoral lands would be granted, and was assured by the Minister that such leases were in course of preparation and would shortly be issued. Relying upon that assurance he concluded the purchase of Canning Downs; but after he had done so the Minister failed to fulfil his promise, and the land was withdrawn and thrown open to agricultural settlement. In 1872 the other petitioner, Kenneth Hutchison, by payment of £7,500, became the partner of Frederick Wildash in the possession of the property; and afterwards, during the partnership, the property was mortgaged to a mercantile firm in Sydney. Some time after that it was agreed, by deed, that George Hutchison, the brother of Frederick Hutchison, on attaining the age of twenty-one years and paying £7,500, should be admitted to the partner-

ship. George Hutchison subsequently paid that £7,500, but he declined afterward to become a partner in consequence of the leases promised by the Minister for Lands not having been granted. The petitioners afterwards purchased a number of leases from selectors, and by that means acquired 21,291 acres of land, and they complied with all the provisions of the Land Act in order to entitle them to the grants of those leaseholds. The Crown, however, refused to issue the grants for those selections. After the lapse of some time the petitioners offered Canning Downs and the leased lands, together with all stock and improvements, to Messrs. Kent and Wienholt for £120,000, which Kent and Wienholt agreed to pay provided leases were granted. They declined, however, to complete the purchase until then, and the mortgages in Sydney, after waiting some considerable period of time, foreclosed. Previous to the foreclosure, the petitioners had offered the property to Messrs. Simms and Chapman, of Adelaide, who, after inspection, expressed their willingness to purchase for the sum of £124,000, but declined to do so for the same reason as had been assigned by Kent and Wienholt—namely, because the leases were not granted. Subsequently, the petitioners became insolvent in consequence of their inability to sell the property or raise money upon it. They alleged that they had spent £29,500 in improvements, and that since the decision of the Privy Council in the case of "Davenport v. The Queen," the Crown grants of the leased land had been issued to the purchasers from the mortgagees. The petitioners alleged that they had sustained serious injury by reason of the refusal of the Crown to issue those grants before the property passed out of their possession. He was not going to state his opinion upon this case. The petitioners had made a claim which was entitled to some consideration, and he desired that it should be ascertained whether the allegations in the petition were correct. He had every reason to believe that there would be no expenses in connection with the inquiry, and that it would not occupy a long time. He therefore hoped the motion would be agreed to.

The MINISTER FOR LANDS said the Government did not intend to oppose the motion. He could endorse to a great extent what was said by the hon. member for Rosewood about the misfortunes which had overtaken Messrs. Wildash and Hutchison. Those misfortunes might be to some extent attributable to the actions of the petitioners themselves, but there could be no doubt that the withholding of those grants and the immediate issue of them to the parties who purchased the interest of the petitioners in the property had shaken the confidence of intending speculators to its very roots. Such circumstances gave rise to the belief that hardships and difficulties could be placed in people's way or suddenly removed as occasion suited. He was aware of the offer of £124,000 by Messrs. Simms and Chapman, but he was not prepared to speak about the improvements that had been effected. The hon. member, in moving his motion, had omitted to state that Mr. Wildash—after the grants had been issued—publicly admitted in the papers of the colony that he had dummed a considerable portion of those lands. That might give a different colour to the business. Apart from that it appeared that the petitioner had been subjected to delay and harassed in various ways, and that he was afterwards pronounced by the highest tribunal to be acting within the law. The refusal to issue those grants had hunted him to misfortune, and placed him in the position he occupied to-day. Mr. Davenport, having more means and courage, had fought the matter out,

and made the discovery that the superior court would not uphold the decision of the court here, and the deeds were then issued. The Government had no desire to hinder the inquiry, which might possibly throw considerable light on the mode of selection adopted and the reasons for withholding those grants.

Mr. NORTON said he noticed that the petitioners complained that through the action of the Government they had been impoverished to the extent of £63,000 odd. It appeared from another portion of the petition that two offers to sell at £120,000 and £124,000 respectively, were made by the petitioners, and that the property was afterwards sold for £90,000. They might therefore have been losers to the extent of £34,000 through the withholding of the Crown grants, but he did not see how their loss could be £63,000.

Mr. DOUGLAS said he was somewhat surprised at the nature of the remarks of the Minister for Lands in connection with this proposition. Though not familiar with all the circumstances of the case, he knew some of them, and he should be very sorry to think that the result of the inquiry would be in the direction of remunerating Messrs. Wildash and Hutchison for any loss they might be supposed to have incurred. He gathered from the remarks of the Minister for Lands that the state of the law of Queensland had been such as to lead to serious loss to certain individuals, and to strike at the roots of the credit of the colony in connection with property.

THE MINISTER FOR LANDS: Hear, hear.

Mr. DOUGLAS said the inquiry might lead to an investigation of the operation of the land laws. He considered that the actual principles at the foundation of those laws were sound; but he was sure that the administration of them had been unsound and rotten. Those lands need never have been dummed if proper precautions had been taken to prevent it; and the Administration at that time was responsible for the evils which had crept in. Messrs. Wildash and Hutchison had no doubt dummed those lands, and now they professed to say that because the law had condoned that offence they were entitled to enjoy the benefit which had accrued to the purchaser under the mortgage. If the committee were granted he trusted they would not content themselves with a cursory examination, but would probe the matter to the bottom, and ascertain what was the tenure by which even the present holder held those lands. He doubted very much whether the original fraud committed in this case would not invalidate the tenure upon which those lands were now held; and he had not the slightest doubt that direct fraud had been committed in the acquisition of them. It might be very difficult to prove such fraud after the lapse of so many years, and it would be a question of policy whether it was desirable to raise questions in connection with property which had been improperly acquired. The highest authorities had sometimes asserted that even though the acquisition of property might have taken place by questionable means, the very lapse of time conferred upon the claim a value which ought not to be disturbed. Those were important considerations, and he would remind the hon. member that if he intended to investigate this matter he must go into it fully—he must not be content with the facts set out in the petition, but must thoroughly ascertain, if the House thought it desirable, the conditions under which those lands were acquired. The Minister for Lands stated that in consequence of the finding of the Privy Council these gentlemen suffered to some extent under an injustice. It was not necessary now to rake up

the Privy Council decision, but he felt satisfied that if the Government had been thoroughly represented before the Privy Council in the way it might have been, the judgment would never have been given in the direction it was. If the hon. member for North Brisbane had been privileged to sustain the case on behalf of the Government in the hearing of the Privy Council, as he was in this colony, he had not the slightest doubt the judgment would have been very different. Even now, he understood that these judgments had not been sustained by the highest courts of appeal. In cases bearing a somewhat similar complexion, the judgments in the Queensland cases had not been held to be binding. If this question was to be investigated it must not be regarded as a trifling thing to be gone into cursorily upon *prima facie* evidence—it must be investigated to the bottom or not at all; and he would warn the hon. member that in undertaking the inquiry he was entering upon a very serious investigation, as the Crown deeds under which the land was now held might still be tainted with the original fraud by means of which they were acquired.

Mr. MILES said that the hon. member for Rosewood, who had brought forward the motion, had put his name on the committee, and he had consented to that being done because he thought if the committee was appointed it would assist to have this matter fully investigated; and, so far as he was concerned, he intended to do his best to have the whole thing fully investigated to the bottom. He held the opinion that the law was not defective, but that it had been badly administered. He believed that when lands were taken up under the Act of 1866 the law was administered by the then Surveyor-General, who sent his officers to see that certain conditions were complied with, and were to report to the Government to that effect. He was sorry to state that the Government at that time was a Liberal Government; and he believed Mr. Macalister was Premier—at any rate, if it was not that gentleman it was Mr. Lilley; it was at least the party which professed liberal views. He himself had been very much annoyed at the action taken by the Government. On this particular occasion, when the reports were sent in by the Surveyor-General of those who had not complied with the conditions within the time specified by law, the Treasury was empty, and the Government could not afford to dispense with the rents under the Act of 1866, and he believed the Government came to the conclusion to receive rents from those who had not complied with the conditions rather than forfeit their lands, and put a notice into the *Government Gazette* that the rents would be received without prejudice. Consequently, the rents were continued to be paid, but when the selectors came to ask for their title deeds they were refused on the ground that they had not complied with the conditions. If the Government of that day had done what they should have done, they would not only not have received the rents but would have refunded two-thirds of the money which the selectors had paid; but the state of the Treasury would not allow them to do so. He had no hesitation in saying that when the hon. member for Drayton and Toowoomba (Mr. Davenport) appealed to the Privy Council, he (Mr. Miles) knew that he would gain his case, for this particular reason—that the Government themselves were the law breakers. There was no flaw in the Act, but the maladministration of it had brought about all these things. His own opinion was that the Minister for Lands for the time being sold them. If the Government had taken the course they were bound to do by law, and had refunded two-thirds of the instalments paid on the lands, they could have confiscated the

selections; but instead of that they went on receiving rents—under protest, it was true—simply because they had not the money in the Treasury with which to pay the refundments. It was intimated by the hon. member for Maryborough that if the leader of the Opposition (Mr. Griffith) had been heard before the Privy Council, the result of the appeals would have been different; but he (Mr. Miles) did not believe that, as then it would have been downright robbery, there having been an unmistakable maladministration of the law. If the committee was appointed, he, as a member of it, should do his best to have the whole question thoroughly investigated.

Mr. DAVENPORT said that as the hon. member for Darling Downs (Mr. Miles) had done him the honour to refer to him, he must say that he could support the statements made by that hon. member. The facts, as elicited at the trial of "*The Queen v. Davenport*," were these—that when the second payment of rents was due Mr. Taylor asked his colleagues in the Cabinet what they intended to do, and recommended that the rents ought not to be received and that the land ought all to be forfeited; but the Cabinet, or one of its members, the late Mr. T. B. Stephens, stated that not only could the Treasury in its then state not undertake to refund the rents paid, but that it most urgently required the incoming rents; and a notification appeared in the *Gazette* stating that the rents would be received without prejudice. Mr. Taylor, however, said that if they insisted upon taking the rents the selectors must be dealt honestly by and get their lands. He had no doubt that there were political views overlying any substratum of honest intentions there might have been on the part of the Government at the time, but he thought that had any private member done what the Government then did he would soon have been brought up at the police court charged with obtaining money under false pretences.

Mr. GRIFFITH said he hoped that this was not to be the beginning of a system by which everybody whose titles had been delayed by the Lands Department was to get what was called compensation by appealing to that House, because that would be a very novel and pernicious system. The *Gazette* notification referred to by the hon. member for Drayton and Toowoomba (Mr. Davenport) appeared in 1869, and the grants were refused very soon after that. The *Gazette* stated that rents would be received without prejudice to the right of the Government to forfeit, and if anyone paid money after that they did so with their eyes open and knowing that the title had been previously denied. A committee was appointed by that House in 1867 to inquire into the mode in which these lands had been acquired and they were generally called "dummied lands," so that he did not think much was to be said about the hardship that had been suffered. There was no doubt that they were bound now by the decision of the Privy Council in the cases sent to them. It was true, as stated by the hon. member for Maryborough, that in a later case before the House of Lords on the construction of a very similar statute a different decision was given. The House of Lords had declined to follow the decision of the Privy Council, and as the House of Lords was the other ultimate Court of Appeal, if they refused to follow a decision given by the Privy Council that in itself tended to lessen the value of such decision. But it was no use talking about the merits of the case now. The opinion on which the subsequent action of the Government was based was given by Mr. Pring in 1866, and from that time until the Privy Council gave its decision there was only one course that could be taken by

the Government of the colony. He hoped in the present case, if the committee was appointed, the members of it would consider the interests of the country as well as those of the petitioners. Perhaps the land had really been forfeited, and the country had not received proper value for it—the mere fact that people had acquired the land did not show that they had acquired it properly. It had not been decided that they acquired it properly, but it was only decided that the Crown, by acceptance of the rents, were prevented from setting up the truth of the matter. Under these circumstances, he hoped the committee would make it their business to investigate the whole truth of the matter, and that nothing would stop them from so doing.

Mr. FEEZ thought that instead of, as stated by the hon. gentleman, its being a pernicious system to have inquiries such as the one proposed, it would be a far greater evil if people who had suffered by the bad administration of the Government could obtain no redress. He knew one gentleman connected with the case and the wrong which had been done to him, and he remembered that at the time the whole squatting community of Victoria, New South Wales, and North Queensland expressed themselves very strongly on the matter. It had always been the opinion that a grievous wrong had been done to those people, and he thought it was one of those cases into which an investigation should be made.

Mr. MILES wished to say one word in explanation. He had stated that it was a Liberal Government that was in power when the second year's rents were received, but he had since found out that it was a combination Government—which was the worst of all Governments.

Mr. THOMPSON said that if the question came to a division he should vote for an investigation, as there could be no possible harm in it. At the same time, he should not like it to be supposed that, because he voted for it, he considered there was any valid claim on the Government by the petitioners. The facts were substantially as stated by the hon. member for Darling Downs (Mr. Miles). Originally the lands were taken up as a stop-gap, and not with any idea that they could be held, and the first year's rent was paid, the people paying it knowing that they would be safe for a year. At the end of the twelve months reports were sent into the Government that the conditions had not been complied with, and the lands were ordered to be forfeited; but another Government came in and reversed the order of forfeit and decided upon taking the rents. They all knew what happened since then; and, if the result had been disastrous to Mr. Wildash, he had only himself to blame. The present grants were perfectly good, and could not be otherwise; the present owners could not be said to have been deceived, because the matter was one of public notoriety, and was not only before the Government but before the law courts. It was not right to let it be supposed that after the grants were issued there could be no possibility of the title being called in question—that had been conceded. Since the grant was issued there was an end to the dispute, so far as the holder of the run was concerned. He should support the motion for the investigation, but fairly believing there was no claim whatever, either legally or equitably. If there was a legal claim it should be enforced in a court of law, and he could not conceive how there could be an equitable claim. In regard to the decision of the Judicial Committee of the Privy Council, he knew from a perusal of the case that the constitutional point was never raised. Whether there was any authority or not in that decision would pro-

bably come up somewhere; but it would never be of importance in this colony again, because the circumstances would never arise again. As a matter of fact, he did not believe the decision was worth anything. Although he was told the full case was sent to England, the matter was never argued on the only point on which it could be, namely, the constitutional point.

Mr. GARRICK said he did not rise to oppose the committee, but to say something which seemed to be necessitated by what was said by the hon. member for Maryborough, viz., that the present holders of these lands—the present grantees—had their titles affected by what had been previously done. There was no foundation whatever for that statement. If a wrong had been done, this committee would be granted on the assumption that it was wrong to withhold the grants from the petitioners before the decision of the Privy Council. But if it was wrong to withhold the grants from the petitioners, how much more so to withhold them from the presentholders after the decision of the Privy Council had been given? And if these grants were not issued except on the general principle arising from the decision of the Privy Council, there was nothing whatever affecting the title of the present holders.

Mr. THOMPSON, in explanation, said that the fiat for the forfeiture was issued by the present Colonial Secretary, then in the Mackenzie Ministry. The fiat for the continuation was issued by Mr. Macalister either as Premier or Minister for Lands.

Mr. DAVENPORT said, for the information of the House, he might mention that within half-an-hour after the commencement of the case "Queen v. Davenport," an expression of surprise was couched in these words, and addressed to one of the counsel, "What, Mr. Benjamin, do you mean to say that the Government of Queensland are keeping the land and the money too?"

The COLONIAL SECRETARY said he had asked the hon. member for Ipswich to correct what he had been speaking about, and give credit where credit was due. He wished to call particular attention to the fact that it was a Ministry generally spoken of as a squatting Ministry that had acted legally and ordered the lands to be forfeited, while it was a combination Ministry, which was always supposed to be a very liberal one, who did the illegal act. They took the money and tried to keep the land.

Question put and passed.

PETITION.

Mr. BAYNES presented a petition from a number of Graziers, Selectors, and other Residents in the Nanango Division of the Burnett.

Petition received.

FACTORY FOR CURING BACON.

Mr. DOUGLAS, in moving—

That the House will, at its next sitting, resolve itself into a Committee of the Whole, to consider of an Address to the Administrator of the Government praying that His Excellency will be pleased to cause to be placed on the next Estimates a sum not exceeding £5,000, for the establishment of a Factory for the Curing of Bacon—

said the resolution was a modest effort towards protection to native industries. It might be admitted that such a proposition was somewhat unusual, and probably he should be taunted by some—the hon. member for Enoggera, for instance—with being a protectionist in disguise. But he did not at all profess to be a protectionist in this guise. At the same time, by giving effect to such a resolution they might really be doing a great practical good. It had always

struck him that it was a great misfortune settlers did not turn their attention to this matter more effectually than they did. As good bacon and ham could be cured in the colony as in any part of the world. Bacon was subject to a duty of 2d. a-pound, which was really a very high protective duty; and yet it did not seem to have the effect of inducing the production of the native commodity. In 1879 some 307,444 lbs. of bacon and hams were introduced from England and the southern colonies. It seemed to him to be beyond belief that in a country like this people were content to buy bacon and hams subject not only to this heavy import duty, but saddled with all the expense of being brought out from England. Imported bacon was frequently sold in the colony for from 1s. to 1s. 6d. a-pound, while bacon produced in the colony and brought down by rail did not fetch more than 4d. or 5d., and was dear at that. He was rather a connoisseur in bacon, and infinitely preferred paying 1s. 6d. a-pound for good bacon than a low price for the wretched stuff produced by many of the small farmers.

Mr. MOREHEAD rose to a point of order. The hon. member had stated that he was interested in the passing of the resolution.

Mr. DOUGLAS, on the point of order, submitted that he was interested only in the same way as other hon. members, and that did not constitute a special disqualification. However, he really did think they ought to show the people how to make good bacon. They did not know how to cure it. Curing bacon was an art either lost in the colony or never acquired. But there were a few in the colony who could cure bacon to perfection. One was the hon. member for Fassifern, who he was sorry was not in his place or the resolution would have received his strongest support. That hon. member would have been proud to prove that bacon could be cured as well in this colony as in America, Victoria, or any other part of the world; but it was not done, as they did not know how to cure it. It was an art in its way, and his contention was that if by the establishment of such a factory as this, having as it were an industrial educational effect, they enabled people to see how this could be done, they would at once be creating a source of great future wealth. This was a commodity for which there was not only a local demand, but for which there was a large demand all over the world. They knew how much bacon came from America to England. He saw the other day in a return that it was estimated that there were 8lbs. of bacon consumed by every head of the population. Look what an enormous consumption that was; and though he suspected that the Queensland consumption of this commodity was very much less than that, still, looking at the import returns of the countries, he gathered that while the fact was that it was a luxury at the present time, it ought to be a commodity in common use, to be found in every house. It would be appreciated if the article was a good one. He hoped, therefore, that the Government might be induced to support this resolution. It was, he admitted, going out of the usual course to ask the Government to establish a manufactory of this kind; but Governments had done so. Governments had before now taken in hand the erection of machinery for certain purposes in order to educate the people in arts which were not understood. It was well known that the industry of beet-root had been promoted and eventually established by the encouragement given to it by the Governments of the different countries of Europe where it was now firmly established. In America, also, there were instances where the Government had taken the responsibility, in the

first instance, of introducing new industries of this kind, and going to the expense of showing how the thing could be done. The advantage of such an establishment would be that it would not necessarily be a permanent one. What he meant was that the factory having been established by the Government, and a competent person having been retained who understood how to work the industry and carry it on, it would become a self-supporting enterprise, and it would not require any annual dole for keeping it going. He believed it would turn out a very profitable undertaking, and after it had been firmly established he should be quite willing that it should be disposed of to the best advantage. What was most desirable to secure first of all was an establishment by which people might be instructed how the thing was done, and after a sufficient plant had been acquired persons might be retained who could show how it could be worked. The industry of bacon-curing was a very considerable one now in Victoria, and nobody could question the character of the produce sometimes turned out there. He knew the hon. member for Leichhardt had very strong opinions upon the Victorian and New Zealand bacon. He knew very well that a great deal of it went up to the north, and was thoroughly appreciated there, and he (Mr. Douglas) hoped he would support him in this proposition. What could be done in Victoria and New Zealand could be done here, and he was very anxious to see a commencement made. Nothing of the kind was done here, and the stuff called bacon that came down from the Darling Downs and Moreton was likely not properly named, as bacon the most of it was not; and that simply arose from ignorance of the proper modes of curing. Here and there, no doubt, there were persons who understood the production of this commodity, and, though it was not very good, it would be readily bought up at a fair price; but at the present time the good commodity suffered from the depression which attached to the whole of it. Some of it was no doubt good, but even though it might be good, the quotation in the market of this produce was always much below that brought from the other colonies or England. He hoped that though this was a somewhat unusual procedure the House would not reject the motion, but would give him an opportunity of showing how he proposed to give effect to it. He had already explained that if they were called upon to expend this money it would not be necessary to supplement it by an annual vote. Once started it would not only keep itself going, but would be the means of educating the people in the best modes by which they might secure profit by the keeping of pigs and curing of bacon. He therefore submitted the proposition standing in his name to the House.

Mr. ARCHER said the hon. member for Maryborough had appealed to the Government asking them to support this question, but he hoped he would not be offended if one below the Government rose to answer him. He (Mr. Archer) would like to point out that this motion was for the establishment of a factory for curing bacon, but it did not say what the quality of the bacon was to be. The hon. member had stated that the bacon that was made here was unfit for use and beneath contempt, and he asked the House to grant £5,000 to establish a factory for curing bacon without giving any test as to the quality of the bacon to be cured. According to the motion any man now making the very bacon the hon. member complained of could claim this reward of £5,000. The hon. member surely intended some test to be put to it?

Mr. DOUGLAS: I propose that the Government should undertake that,

Mr. ARCHER said this was not a proposal of the Government; it was a proposal of the hon. member's for the establishment of a bacon-curing factory. There was not a single thing to show that any man need expend more than £10 in putting up a smoking-room for the purpose of claiming the reward. If they encouraged industries in that way the country would soon become so poor that there would be an end to fostering native industries. The whole thing rested on a fallacy. It was supposed that the curing of the bacon was the only process to be gone through; but there were several other things connected with bacon-curing, such as getting a good breed of pigs and careful feeding of the pigs; then there was the careful killing of the pig, and last of all came the curing of the bacon. The whole thing was founded on the supposition that any pig that was running about the country could be turned into bacon. That was a great fallacy, for it took a good pig to make good bacon. It did not follow that because a pig was fat it would make good bacon. The whole thing was based partly on fancy and partly on the ignorance of the process to which the pig had to be subjected before it became bacon. Therefore, he did not think that the hon. member would be surprised when he (Mr. Archer) told him that he did not intend to support his motion.

The COLONIAL SECRETARY said the address of the hon. member for Maryborough upon this wonderful proposition for establishing a Government factory for curing bacon, stripped of the usual verbosity, meant that the hon. member did not like the bacon he was in the habit of getting in the country. He wanted a Government factory to cure bacon more to his taste. He had told the House that he was a connoisseur of bacon, and liked it extremely good; that the bacon at present in the colony was beneath contempt, and that on that ground—and that ground only—he wanted a bacon factory established by the Government at an expense of £5,000. The hon. member for Blackall had gone into a long disquisition as to what was required to make good bacon, and he finished up by saying that the last thing wanted was the curing. He (Mr. Palmer) said this was not the last thing wanted. The cooking of the bacon came after the curing, and he would not be astonished, if the hon. member for Maryborough did not do it, somebody supplemented this motion, if it was carried—and he sincerely hoped it would not be—by requesting that £5,000 should be put on the Estimates for the education of cooks and the cooking of bacon that was properly cured. The one was as reasonable a proposition as the other. He wondered what the hon. member for Maryborough would have said if a member on the Government side of the House had asked them to spend £5,000 for freezing meat? It would be at once exclaimed that it was a squatters' motion. To come to the point, he (Mr. Palmer) had no faith in any industry in Queensland that required fostering by Government support. They had a most melancholy example in the bonus which for years was issued for the production of cotton. So long as that bonus was in existence it paid very well to grow cotton, but the moment the bonus was withdrawn what became of the production of cotton? It fell to almost nothing, and there it remained at the present time. The whole system of fostering any of these industries by bonuses from the Government was utterly wrong, in his opinion. If the farming population of Queensland could not by their own industry arrive at a method of curing good bacon which would make itself acceptable to the hon. member for Maryborough, it was very certain that no factory would do it. Work done by the Government was invariably very expensive work and

very badly done. It was excusable in no instance that he knew of, except where it was work done by criminals, and where the authorities endeavoured to extract as much as they could from their labour to pay for the cost of keeping them. He sincerely hoped the House would not stultify itself by allowing this motion, which he was at first under the impression the hon. member had put upon the paper more out of fun than anything else, to go any further. It was hardly a subject worthy of serious debate, and he hoped the hon. member, having ventilated his opinions on good bacon, would withdraw it. He (Mr. Palmer), at all events, would oppose it in every possible way, and, if it went any further, would oppose it in committee.

Mr. MILES said he felt indebted to the hon. member (Mr. Douglas) for giving the House an opportunity of discussing this question. Although the hon. member could hardly expect to carry the motion in its present form, he had done a very great service by affording an opportunity for a discussion respecting a very great industry. If the hon. member would take his advice he would withdraw the motion, and would bring it forward in another shape so as to propose the establishment of a model farm, which would accomplish all the objects he desired. It was a well-known fact that the bacon-curing industry was almost second to none in America. He agreed with the hon. member for Blackall that one of the chief objects to be secured was a proper breed of pigs. In America, he believed, much more attention was paid to the breed of pigs than was paid to the breed of sheep in the colony. He certainly never saw better hogs in all his life than he had seen at Chicago. They had in the colony all the elements for the production of pigs, but there was one great drawback, and that was a lack of knowledge as to the proper way to cure bacon. He thought they might go in for the production of good cheese and butter as well as bacon, and all this would be secured by the establishment of a model farm. It was a well-known fact that the greater part of the cheese consumed in the colony was imported from other colonies. They had as good pasture lands as were to be found in any other of the colonies, and the reason why good dairy produce was not produced was the fact that there were not people in the colony who understood how to produce it. It was necessary that the public should be educated in these matters, and that would be done by the establishment of model farms. He should vote against the motion because it was too vague. If it were agreed to as it stood, any man who spent a few pounds would be entitled to make a claim for the £5,000.

Mr. GROOM said he considered that the hon. member for Maryborough had done good service in bringing a subject of this kind before the House. He believed that they had been going on for too great a length of time without supplying persons who took up the public lands with the necessary information as to what they ought to do. He only wished that instruction in agriculture was included in the curriculum of the public schools. He believed that if an elementary knowledge of agriculture were imparted to the children they would soon find improved results. He thought the hon. member (Mr. Douglas) had done right in calling attention to the inferior quality of the bacon sent from the Darling Downs to Brisbane. He had asked farmers why they had not gone more largely into the industry, and the reason they assigned was that their bacon only brought 2d. and 3d. per lb. in Brisbane, and at that price it did not pay. The hon. member had supplied a reason why the bacon was sold at such a low price, and that was that the quality was inferior. He admitted that there were good grounds for the charge, and if the dis-

cussion did no other good than that of drawing the attention of farmers to the necessity of curing their bacon in proper style, and sending it away in good marketable condition, there would be nothing to complain about. The attention of the farmers ought to be drawn to the necessity for acquiring knowledge of this kind. Almost every day they heard complaints about the dullness of the times, and it was said that there was no market for cereals. Maize, except for the recent spurt brought about by the dry weather, was perfectly unsaleable at 1s. 6d. per bushel. They were often told to go to America for lessons in railway making;—they might go to America for lessons in other branches of industry. He believed that in the breeding of pigs that country set the best example of any country in the world. In no country in the civilised world had pig-producing become such an enormous industry as in the United States. He held in his hand a copy of the *Times* of May 10th, containing a most valuable paper from its special correspondent in the United States, on American pork and bacon. That industry was started by private enterprise on the small capital of 5,000 dollars, and it had now grown to such a wonderful magnitude that the money received last year by one firm in Chicago amounted to a million sterling, and the proprietor had to go every morning through 500 telegrams from all parts of the world, and kept a staff of 40 clerks. In summer time the out-turn of pigs by the establishment was 10,000 a-day, and in winter 20,000 a-day; and the industry afforded employment to an enormous number of people. It was a common statement of the farmers in Queensland that maize did not pay at 1s. 6d. a bushel. According to a most valuable book recently published—"Food from the Far West," by James Macdonald—the average crop of Indian corn in Illinois was 34 bushels to the acre in 1875, and the average market price 1s. 4½d. per bushel, and they found it pay best to feed pigs with it. If Queensland maize would not pay to feed horses with at 1s. 6d. a bushel it would pay infinitely better if devoted to the production of properly-cured bacon which could be sent to market and realise a good price. There were several places suitable for the successful carrying out of the bacon industry. Of course the motion was not one which would commend itself to the House, but it would be useful by letting farmers see that there was more in the question than appeared on the surface, and he was glad of the opportunity the motion afforded him to direct the attention of farmers to it. He believed that at present, in Brisbane, many of the so-called Yorkshire hams came from Illinois. Last year Great Britain alone paid to the United States no less than £10,000,000 sterling for surplus bacon and pork. Such an industry, if properly encouraged, would produce a mine of wealth to the colony, and he should be exceedingly glad if the farmers of Queensland would direct their attention to the matter in the way they ought. As the hon. member (Mr. Archer) had said, to produce good bacon a good breed of pigs was required; but the farmers required educating up to that point. They were not dealing with a settled farming community whose forefathers had followed the same pursuit for hundreds of years, but with a number of men many of whom, perhaps, never saw a plough till they left England. To such men useful information ought to be imparted as widely as possible. In America there was a Board of Agriculture where information to the farmers was afforded in the fullest manner; and if this colony were to do something in the same way it would be greatly to her advantage. If they induced immigrants to come here from Great Britain, when there was the magnificent territory of the

United States close at hand with a population of 45,000,000 to consume their produce—and if when the immigrants arrived here they found a limited market, a scanty population, and hardly any industries to speak of—some very strong inducements to settlement ought to be offered them. Unless that were done the colony could never go ahead as it ought to do, and the prophecy which Sir Hercules Robinson made the other day would remain, so far as Queensland was concerned, unfulfilled. This discussion would not be altogether unproductive if it showed the farmers that the reason why their bacon when sent to Brisbane realised such a low price was not because bacon could not be cured on Darling Downs, but because there was a want of information in connection with the curing of it. He had seen Darling Downs bacon sold at Midgeley's sales so cut and hacked about that no retail dealer could afford to buy it. As soon as farmers were impressed with the necessity of devoting their attention to the breeding of the pig in the same way that the graziers did with their cattle and horses, the industry would become prosperous and the farmers wealthy. English bacon was now, he was informed, selling here at 1s. 6d. per pound;—it was lamentable to think that that should be so while colonial bacon only realised 3d. or 4d. per pound. He would repeat to the Colonial Secretary the necessity there was of teaching at least the elements of agriculture in the public schools in the agricultural districts. The hon. member for Mitchell told a few plain truths the other night about the working of the public school system, not the least of which was that many of the scholars grew up to despise the occupations of their parents, and desired to become pupil-teachers or clerks in banks. If the rudiments of agriculture were taught at the State schools in the agricultural districts, much more good would be done than resulted from some of the subjects now taught there. That question would present itself to hon. members before very long. The bacon and pork industry had laid the foundations of enormous fortunes, besides giving constant employment to thousands of men. In 1876 there were over 2,600,000 hogs in Illinois, valued at £1 14s. 6d. per head; and there were exported from the United States during 1878-9 something like 10,000,000 pigs. He did not suppose the hon. gentleman expected to get his motion passed, but the ventilation of the subject would do essential service to the colony by attracting the attention of farmers to it.

Mr. MACFARLANE said there were already two bacon factories at Brisbane and Ipswich, where bacon was turned out fit for anybody to eat. If the hon. gentleman was anxious to have good bacon he had only to send an order to Ipswich and he would get it. There were two factories there, and they found no difficulty in getting 6d., 8d., and sometimes 10d. a-pound for their bacon. In fact, some of the "English" bacon sold in Brisbane was cured no further away than Ipswich. He had always thought the motion was put on the paper as a joke, for there was very good bacon at present, and it had been cured without the stimulus of a bonus. Farmers had no inducement to make their bacon as good as they might do if there was a better market for it. The people who sent bacon to Brisbane got the same amount for inferior as for that which was well cured. The best way for persons who wanted to have good bacon was to buy nothing else, and then curers would soon begin to consult the taste of consumers.

The MINISTER FOR LANDS said that his chief objection to the resolution was that it was too vague and led to nothing. He should like to see a bacon-curing factory established, and he

deplored the heavy imports of bacon into this colony. The way proposed by the hon. member, however, was not the way to go about the remedy. Before proceeding further, he would remark how very easy it was to be popularity-hunting and eloquent over those matters which cost nothing. To tell the farmers what they ought to do—to mislead them in one part of the colony, and to talk about their interests in another—was a very easy matter. The late Mr. Morgan used to say that the cry was always about the Darling Downs, and this reminded him (Mr. Perkins) that that was the place intended by Nature for a bacon factory if ever there was to be one established. The Darling Downs people, however, at present went their own way in farming, curing bacon, and investing their money. They did not want these self-elected schoolmasters to tell them what to do. When the proper time came for them to cure bacon they would know their way about it, but there were individuals who at present endeavoured to mislead them and teach them politics, and direct their attention into any and every groove except that of honest industry; they led them away from their industrial pursuits, and invited them to hold false bogus meetings in different parts of the district, discussing things they knew as much about as he knew of the Egyptian pyramids. He would sympathise with the resolution if it had any practical aim, but it had not. There was no room for this Government bacon factory. Those industries could be started without being subsidised by Government, and he believed that if the farmers of the Darling Downs had attended a little more to their own business, instead of to affairs foreign altogether to the pursuits they were engaged in, they would have been bacon curing or doing something else long ago. The only reason he had for speaking now was to inform the House of a few facts with which he was practically acquainted. He had discovered that the majority of the farmers on the Darling Downs had a great aversion to keeping a pig or anything else that required feeding or attention. They had a great desire, being educated by these pushing people, to sell everything that was on their farms at once—to sell it or bargain it away, and, no matter how low the price might be, not to keep it to feed animals in the winter time. The case stated by the hon. member as to America was not at all analogous to what was going on on the Darling Downs. The lowest price maize ever reached on the Darling Downs was far in advance of the prices quoted with respect to America. In America, if maize did not fetch a fair price the farmers fed their cattle or pigs on it, and their stock was drafted into Chicago for sale from all parts of the Union by rail; but, unfortunately, on the Darling Downs the object was only to sell. He himself invested in a few pigs of a very high order of breeding, as he was informed by an expert in the subject, but no one else was inclined to invest—their thoughts went in another direction—and no amount of schooling or education undertaken by the Government at the present time would bring them out of it. It was purely a matter of time. They must learn these things by practical experience, and they must learn to let alone the pursuits, objects, and schemes they were at present engaged in, and the delusions they indulged in, all of which were foreign to farming, and to keep their thoughts on something practical—not, as the hon. member had stated, at the expense of the Government, because it could easily be done without the Government helping them at all. There was no difficulty about this bacon-curing establishment; it could be undertaken by any man, and no aid was required from the Government, for there was plenty of money in the country for the raw material. It required

neither subsidy nor self-elected schoolmasters; and when the farmers of the Darling Downs realised the fact that growing maize, which he was sorry to say had been sold at 2s. 6d. per bushel—when those farmers realised the fact that it was better to raise pigs or some other animal than to part foolishly with their maize at prices which did not pay, in order to rush every bag of produce into the market at once, they would keep a good stud of pigs or sheep or some other animals likely to be in demand, and the want of a Government establishment would no longer be felt. The Darling Downs, he believed, was the only place where the industry could be prosecuted successfully, with the exception, perhaps, of the land along the line to Warwick, where it was cold for five months of the year; but to talk of bacon-curing in other parts of the colony was simply misleading people. He regretted in common with everyone that, in the face of an import duty of 2d. in the lb. upon bacon brought into Queensland, so little was grown in the colony. He hoped the motion of the hon. member, which he regarded as idle because of its vagueness, would have the effect, at any rate, of drawing the attention of the people to what was going on, and let them get their stud or herd of pigs; and, instead of selling their maize to hucksters, who sent it away to Sydney or some other place, they would use it for feed. He did not like to talk about himself in the matter, but he had done his share; and if an effort were again made in the right direction, he would be prepared to make a start again. He hoped that hon. gentleman would now see the advisability of withdrawing his motion.

Mr. GRIMES had looked upon the question rather as a joke than as being seriously intended; but he was not at all sorry, considering the nature of the remarks that had been made, that it had been brought forward. The information given by the hon. member for Toowoomba was very valuable, and he hoped would be spread in the columns of *Hansard* throughout Queensland. It would be of great service to the farmers. It was not necessary that they should have an establishment of that kind to teach farmers to make bacon, for many of them had experience in that matter. He remembered the time when the very mention of colonial bacon was enough to set people against it. The only idea of it was that of fat flabby stuff fed on the offal of boiling-down establishments; no one could look at colonial bacon at that time, but through the assistance afforded by the various farmers' associations, and the facilities given to exhibit really good cured bacon, they had been induced to turn their attention to the matter. At many of the shows he had seen bacon cured in Queensland equal to any imported from America or Victoria. He might just mention the Rosewood show, where there were ten or twelve exhibits of cured bacon laid on the table, and he considered they were really credits to the district. It would not do to take the samples of bacon that were sent to auction sales as fair samples of what could be produced. It was well known that those who could make good bacon could easily get rid of it without sending it to auction. The selectors took up a few acres and turned out pigs to grass, and then thought they were going to get good bacon that way. Good bacon required good feeding, care in killing, and judgment in cutting up; then came the curing, and one of the most important parts in it was the smoking after it had been a proper time in brine. He knew some years ago a bit of good smoked bacon was quite a curiosity in Queensland. The motion was certainly rather vague, as it did not show how the money was to be spent; the proposition might be taken to apply to the

dugong bacon-curing factory in Moreton Bay. The hon. member, having drawn attention to the subject, might now withdraw the motion. He hoped it would not be pressed to a division.

Mr. McLEAN said he had no doubt the hon. member for Maryborough was quite sincere in moving the motion, and he believed the discussion would result in great benefit to the colony. He had no doubt the object of the hon. member was to call attention to the necessity of such an establishment being started in the colony, and not to suggest that the Government should become proprietors of a bacon factory. As the hon. member for Toowoomba had explained, such establishments had been very successful in the United States, where farmers hardly ever cured their own bacon, finding it more profitable to send their pork to the factories, where it was properly cured. He would remind the Minister for Lands that when maize fell to 2s. 6d. a bushel it was not profitable feed pigs on it unless the bacon could be properly cured. Bacon, he had been told, had been sold at auction in Brisbane at 2d. a pound, but such bacon was no doubt bad in every respect. Where the bacon was properly prepared, however, it would be profitable to feed pigs on maize at 2s. 6d. a bushel. The hon. member by calling attention to the subject had shown capitalists how a profitable industry could be established, and no doubt, now the system of branch railways was inaugurated, several such establishments would soon be started.

Mr. DOUGLAS said he had no wish to prolong the discussion. He had drawn the attention of the House to the subject in this form because he felt so certain that the colony was not exactly on the right track with regard to agricultural industries. Whilst large sums of money were being borrowed and spent upon great public works, it ought never to be forgotten that the main source of prosperity must always be the industries in which the people at large were engaged, and that the wealth of the colony must be produced from the soil. At the present time the great advantages of the colony were being overlooked, and it was necessary that the attention of the people should be directed to the way in which the resources of the colony might be developed. It was all very well to talk about leaving the people to find out for themselves, but he considered that Governments in this colony had not sufficiently seen the necessity in some cases of directing the attention of the people to the details of the successful prosecution of industries. He was not a protectionist, but he believed that the future wealth of the colony depended upon the development of native industries, and that the people would not engage in them if they were left entirely to themselves. The Colonial Secretary seemed to think that he (Mr. Douglas) regarded this matter simply from a humorous point of view: such was not the case—he seriously believed in the proposition. He believed that £5,000 might be expended with great judgment under the direction of the Minister for Lands in the establishment of a factory, not as a permanent institution, but as an example to show how the thing could be done, to be sold or otherwise disposed of when that temporary purpose had been served. One remark which had fallen from the Colonial Secretary deserved notice. The hon. gentleman said if it had been proposed by the Government to set up a refrigerating depôt the proposal would have been opposed by the members of the Opposition. For his (Mr. Douglas') own part, such a proposal would meet with his approval if it could be shown that it was calculated to be for the interest of the colony. He had for some time past come to the conclusion that if the State

railways were to be put to the best advantage it would be necessary to establish a refrigerating depôt at some of the termini; for instance, one might be established at Roma. The main object of private companies owning railways would be to obtain all possible appliances, plant, and conveniences by means of which their freights would be increased; and a similar policy might be adopted with advantage by the Government. He had been glad to hear it stated by the Colonial Secretary that the Government had purchased refrigerating cars for the railways; and he was far from taking a hostile view of the hon. gentleman's proposition to establish freezing depôts. Anything which conduced to the establishment or increased the growth of native industries was deserving of encouragement; he regarded those sources of wealth as very much more lasting and abiding than the construction of railways and great public works which were being carried out at the present time. Those things were all very well, but at the bottom of all lay the means of living—the simple and ordinary processes of life pursued by those who lived on the soil. Unless they found the means of living the colony could never be wealthy. He had drawn attention, in an imperfect way, perhaps, to one of those branches of industry which, as a means for the creation of wealth, had been overlooked in the past. The House did not expect any definite result from the motion, and if put to the vote it would no doubt be lost; but he was satisfied with the support he had received and the notice the proposition had attracted. With the permission of the House, he would withdraw the motion.

Mr. DAVENPORT said he should like to say a few words on the motion, particularly as it had been suggested that the proposition had a value from an educational point of view—in teaching the people how they might best make a living out of the soil. If the House were going to adopt any such means of education, they might with advantage go further afield, and not stop short at pigs. He should recommend the House to instruct the youth of the country, who were now being educated out of the public funds, in mechanics, and to give them a knowledge of the productions of the soil both pastoral, agricultural, and mineral. If those branches of education were attended to as they should be the exports of the colony would, in a very few years, be considerably increased. Until some steps of that kind were taken he agreed with the hon. member for Maryborough that the colony would never be really wealthy.

Motion, by leave, withdrawn.

ABSENCE OF THE ADMINISTRATOR OF THE GOVERNMENT.

Mr. GRIFFITH said he rose to call attention to a matter of very great importance. The Premier stated on the previous day that it was the intention of the Administrator of the Government to leave this colony to-morrow in order to be present at the opening of the Exhibition in Melbourne. For his (Mr. Griffith's) part, he wished that this colony might be represented by His Excellency the present Administrator of the Government, as he was sure it could not be better represented. They were all proud of that gentleman, and he was sure they would all be proud to see him representing the colony at Melbourne; but he did not quite see how that could be done, for reasons which he would give. A question, therefore, arose as to arrangements which would have to be made, in the event of His Excellency leaving the colony to-morrow, with regard to swearing in another Administrator of the Government, and therefore he felt bound

to ask the hon. member at the head of the Government, that evening, what the intention of the Government was upon the subject. When Mr. Cairns left this colony new arrangements were made with respect to the office of Governor. Up to that time it had been the practice to appoint a Governor from time to time, and to appoint an Administrator to act in his absence, death, or incapacity; but the commission to the Governor was a personal one. Upon the departure of Mr. Cairns a new system was adopted, and by letters patent made in 1877 the office of Governor of the colony was constituted. Those letters patent were permanent in their nature until revoked by Her Majesty, and under them any number of gentlemen might be successively appointed as Governors. Those letters patent said—

"And further know ye that we of our special grace, certain knowledge, and mere motion have thought fit to constitute, order, and declare, and do by these presents constitute, order, and declare, that there shall be a Governor and Commander-in-Chief in and over our colony of Queensland and its dependencies, and that the person who shall fill the said office of Governor shall be from time to time appointed by commission under our sign-manual and signet."

That was the constitution of the office of Governor. Then followed certain powers and authorities to the Governor. The 10th clause of these letters patent provided for the succession to the Government in the event of the death, incapacity, absence, or removal of the Governor, and it was in these words:—

"And we do hereby declare our pleasure to be, that in the event of the death, incapacity or removal of our said Governor, or his departure from the said colony, all the powers and authorities herein granted to him shall (subject to the proviso and conditions hereinafter contained) be vested during our pleasure in our Lieutenant-Governor of our said colony, or if there be no such officer in our said colony then in such person or persons as may be appointed by us under our sign-manual and signet to administer the Government of the same."

Accompanying the commission were instructions which were an authoritative interpretation of the letters patent. The 17th clause of those instructions was in these words:—

"And whereas we have in our several letters patent, declared our pleasure to be that in the event of the death, incapacity, or removal of our said Governor, or his departure from our said colony, all the powers and authorities therein granted to him be vested during our pleasure in our Lieutenant-Governor of our said colony, or if there be no such officer in our said colony then in such person or persons as may be appointed by us under our sign-manual and signet, to administer the Government of the same: Now we do hereby declare that no temporary absence of our said Governor, for any period not exceeding one month, previously stated by him to the Executive Council of the colony in writing to be so intended by him shall be deemed a departure from our said colony within the meaning of the clause in that behalf above recited."

So that it stood thus, that a Governor was appointed, and in the event of his removal from the colony, or death or incapacity or departure, the Lieutenant-Governor (if any) was to administer the Government, and in the event of there being no Lieutenant-Governor, then the person appointed by commission under Her Majesty's sign-manual and signet; but in the event of a short absence of the Governor, which was not to be deemed a departure within the meaning of the letters patent, the Governor might, if he pleased, appoint a Deputy-Governor. Hon. members would observe that the intention of Her Majesty was that there should always be an officer to administer the Government present in the colony. First the Governor, then the Lieutenant-Governor, and, if there was no Lieutenant-Governor, then the person appointed under Her Majesty's sign-manual and signet. But for a short absence under a month the Governor might appoint a

deputy. That, however, had never been done yet. Accompanying those letters patent, or about the same time, was a commission appointing Sir Arthur Kennedy to be Governor of this colony. There was then no Lieutenant-Governor here, and no commission authorising any person to administer the Government; but afterwards, on the 31st May, 1879, a commission was issued appointing the President of the Legislative Council to be Administrator of the colony in the absence of the Governor. This was the commission:—

“Now know you that we do by this our commission, under our own sign-manual and signet, appoint you the President of the Legislative Council for the time being, to administer from time to time the Government of the said colony in the case of death, incapacity, or absence from our said colony of our said Governor, as well as of such person (if any) as may have been appointed by us to be our Lieutenant-Governor as aforesaid, with all and singular the powers and authorities granted to our said Governor by our said letters patent.”

There was no provision there made for the contingency of the absence, incapacity, or death of the Lieutenant-Governor and Administrator; but that was provided against by another commission dated the 19th of April in the present year. That commission recited the letters patent constituting the office of Governor, and the provisions for succession in the event of death, incapacity, or removal of a Governor. Then it recited the commission of 31 May, 1877, appointing the President of the Legislative Council for the time being to administer the Government; and then it went on to say—

“And whereas we are minded to provide for the administration of the Government of our said colony in the case of the death or incapacity or absence of the President of the Legislative Council for the time being: Now know you that we do by this our commission, under our sign-manual and signet, appoint you the person for the time being discharging the functions of Chief Justice of Queensland to administer from time to time the Government of our said colony in the case of the death, incapacity, or absence from our said colony of our said Governor, as well as of our said Lieutenant-Governor (if any), and of the President of the Legislative Council for the time being. Provided always that you the said person discharging the functions of Chief Justice shall act in the administration of the Government only when and so often as the President of the Legislative Council for the time being shall not be present within the colony and capable of administering the Government.”

There was no provision, it would be observed, made for the absence of the Administrator of the Government and the retention of his office when absent. The only person who might retain the duty of administering the Government during his absence was the Governor, who might be absent for a month and no person could take his place; but in the event of his absence for more than one month, and in the absence of the President of the Legislative Council, then the Chief Justice for the time being administered the Government. He believed these things were not generally known, but it was a matter of some importance, because if the view he had suggested were the correct one His Excellency by leaving the colony would cease to be the Administrator of the Government; and it would be necessary for another Administrator to be sworn in. What duties might arise to be exercised by the person for the time being performing the functions of Administrator of the Government during the absence of Mr. Bell he did not know; but there might be duties of importance to be exercised. It was clear that Her Majesty's letters patent and commissions had provided against the possible contingency of the colony being without any person actually present within it actually administering its affairs. If the Governor, the Lieutenant-Governor, and the President of the Council for the time being were all absent or “not present,” which were the words used as a synonymous term, then it was the duty of the Chief Justice to administer the affairs

of the colony. The words “not present” he supposed were used in their ordinary sense and meant a physical absence from the colony. So he supposed that the term “departure” used in the letters patent would have been taken in its literal sense if it had not been declared by the instructions that absence for a period not exceeding a month was not to be deemed a departure; but there was no such artificial definition of absence or non-presence under the commission to the Chief Justice. He had thought it his duty to call the attention of the House to the matter, because it was one of considerable importance, and he should like to know what arrangements the Government had made for swearing in the Chief Justice as Administrator of the Government on the departure of His Excellency. He trusted no difficulty would arise, and he was sorry if from the form of the commission Mr. Bell would be unable to represent us. The Premier, of course, knew exactly how the affairs of the Government were to be administered during the next few weeks.

The ATTORNEY-GENERAL (Mr. Beor) said he quite agreed with the leader of the Opposition that this question was important. And in order to follow the arguments he had adduced, it would be necessary also to follow him in the commissions he read in support of his arguments. He did not consider it necessary to go back to the letters patent, because the whole gist of the matter was contained in the Royal instructions to the Governor and Commander-in-Chief of the colony of Queensland, dated the 20th July, 1877, to which also the hon. member referred. The 17th clause of those instructions was as follows:—

“And whereas we have in our said letters patent declared our pleasure to be that in the event of the death, incapacity, or removal of our said Governor, or his departure from our said colony, all the powers and authorities therein granted to him should (subject to the proviso and condition thereafter contained) be vested during our pleasure in our Lieutenant-Governor of our said colony, or, if there be no such officer in our said colony, then in such person or persons as may be appointed by us, under our sign-manual and signet, to administer the government of the same: Now, we do hereby declare that no temporary absence of our said Governor for any period not exceeding one month, previously stated by him to the Executive Council in writing to be so intended by him, shall be deemed a departure from our said colony within the meaning of the clause in that behalf above recited.”

Then came the commission appointing the President of the Legislative Council to be the Administrator of the Government of the colony of Queensland:—

“Whereas, by certain letters patent under the great seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster 13th day of April, 1877, in the fortieth year of our reign, we did order and declare that there should be a Governor and Commander-in-Chief (hereinafter called our said Governor) in and over our colony of Queensland and its dependencies (hereinafter called our said colony), with all and singular the powers and authorities in our said letters patent mentioned or referred to: and whereas we did, in and by our said letters patent, declare our pleasure to be that, in the event of the death, incapacity, or removal of our said Governor, or of his departure from our said colony, the powers and authorities therein granted to him should, subject to the proviso and condition therein contained, be vested during our pleasure in our Lieutenant-Governor of our said colony, or if there should be no such officer in our said colony, then in such person or persons as might be appointed by us, under our sign-manual and signet, to administer the Government of the same: Now, know you that we do, by this our commission under our sign-manual and signet, appoint you, the President of the Legislative Council for the time being, to administer from time to time the Government of our said colony, in case of the death, incapacity, or absence from our said colony of our said Governor, as well as of such person (if any) as may have been appointed by us to be our Lieutenant-Governor as aforesaid, with all and singular the powers and authorities granted to our said Governor by our said letters patent.”

Then came the "dormant commission passed under the Royal sign-manual and signet, appointing the person for the time being discharging the functions of Chief Justice of Queensland to be Administrator of the Government of that colony in the event of the death, incapacity, or absence of the Governor and Lieutenant-Governor, and President of the Legislative Council." As the hon. member had already read this commission it was not necessary to read what was not relevant to the argument he wished to address to House; but after the prefacing matter it said—

"And whereas by commission, under our sign-manual and signet, dated the 31st day of May, 1877, we did appoint the President of the Legislative Council, for the time being, to administer the Government of our said colony in case of the death, incapacity, or absence of our said Governor, as well as of our said Lieutenant-Governor (if any): And whereas we are invited to provide for the administration of the Government of our said colony in case of the death, incapacity, or absence of the President of the Legislative Council for the time being: Now know you that we do by this our commission, under our sign-manual and signet, appoint you, the person for the time being discharging the functions of Chief Justice of Queensland, to administer from time to time, the government of our said colony, in case of the death, incapacity, or absence, &c."

That was the part on which he understood the hon. member chiefly to rely, viz., that the Chief Justice of Queensland was to administer the Government from time to time on the death, incapacity, or absence from the said colony of the said Governor, as well as of the Lieutenant-Governor. And then it went on—another thing the hon. member relied on—to say—

"Provided always that you, the said person discharging the functions of Chief Justice, shall act in the administration of the Government only when, and so often as, the President of the Legislative Council for the time being shall not be present within the colony, and capable of administering the Government."

What the hon. member seemed chiefly to rely upon was that during the absence of the substitute for the Administrator of the Government the Chief Justice was to administer the government of the colony. But in the commission appointing the President of the Legislative Council to be the Administrator of the Government of the colony of Queensland these words were used also—that the President of the Legislative Council was to administer from time to time the Government of the said colony in case of the death, incapacity, or absence from the said colony of the said Governor, without any limitation whatever. It was to be observed that in spite of those words there was given to the Governor of the colony a power to be absent from the colony for one month without that absence being looked upon as a departure or including the necessity of a substitute being appointed for him during his absence. So that if the word absence in the appointment of the Chief Justice excluded every other consideration, so it would exclude every other consideration in the appointment of the President to be the Administrator of the Government. But in point of fact it did not; and he supposed nobody would for a moment contend that on the absence of the Governor for any time less than a month the President of the Council would be entitled to be appointed or it would be necessary to appoint him to be the Administrator of the Government. In the Royal instructions for the Governor and Commander-in-Chief of the colony of Queensland, founded on the letters patent, and in the letters patent themselves, there was given power to the Governor to be absent for any period not exceeding one month previously stated; and in the commission appointing the President of the Legislative Council to be Administrator of the Government was a clause giving to the President occupying that position all the powers and authorities of the Governor.

He contended those powers and authorities included the right to be absent from the colony for the space of not longer than one month without its being necessary to have a substitute appointed. That was the whole effect of the whole thing. But there was one proviso that the Governor should inform the Executive of his intention to be so absent. That had been done in this case. The Administrator of the Government had, as he contended, all the powers and authorities of the Governor; and one of those powers and authorities, as he contended, was the power to be absent for one month without involving the necessity of appointing a substitute. Precisely these circumstances occurred in this case; and he did not see any necessity for appointing a substitute for the Administrator of the Government during his absence for not more than one month, of which intention he had given the Executive due notice.

Mr. DOUGLAS said a very important question had been raised. No doubt the present Administrator of the Government was acting on the advice of his Ministers in the matter; and he did not wish in any way to reflect on him. As the Attorney-General had just intimated, he had addressed his Ministers to the effect that he was about to leave the colony, and he presumed they had advised him he could do so, and that it would not be considered necessary by them to take any further steps towards filling the vacancy that would arise if His Excellency left the colony. He took it that, following upon the precedent that had been quoted, that the instructions received on 22nd April from Sir Michael Hicks-Beach were absolute and final. That gentleman said, addressing the Administrator of the Government here—

"With reference to your telegram of the 2nd inst., I have the honour to transmit to you herewith a commission, passed under the Royal sign-manual and signet, appointing the person for the time being discharging the functions of Chief Justice of Queensland to be Administrator of the Government of the colony in the absence of the Governor, Lieutenant-Governor, and President of the Legislative Council."

That was just the juncture that had arisen. The Governor was absent; the Lieutenant-Governor was *non est*—there was no such office—and the President of the Legislative Council, being now the Administrator, was about to leave the colony. According to that letter, and according to the dormant commission passed under the Royal sign-manual, it seemed to him that the Chief Justice must be sworn in. That, of course, was a matter for the Executive to decide, but it was a subject on which they were entitled to express an opinion. The Secretary for State appeared to have been addressed by a telegram. The House did not know the contents of that telegram, as it was not there; but this was the last communication of the Colonial Office, and from that he (Mr. Douglas) took it that there was no doubt that the Chief Justice would have to be sworn in.

Mr. GARRICK said he did not want to go over the ground already gone over by the hon. leader of the Opposition, nor the ground gone over by the Attorney-General, but he would point out that the commission appointing the President of the Legislative Council as Governor was very different from the commission appointing the Chief Justice. The commission appointing the President of the Council recited:—

"And whereas we did, in and by our said letters patent, declare our pleasure to be that, in the event of the death, incapacity, or removal of our said Governor, or of his departure from our said colony, the powers and authorities therein granted to him should, subject to the provisos and conditions therein contained, be vested during our pleasure in our Lieutenant-Governor of our said colony, or if there should be no such officer in our said colony, then in such person or persons as might be appointed by us, under our sign-manual and

signet, to administer the Government of the same: Now know you that we do, by this our commission, under our sign-manual and signet, appoint you the President of the Legislative Council for the time being, to administer from time to time the Government of our said colony, in the case of the death, incapacity, or absence from our said colony of our said Governor, as well as of such persons (if any) as may have been appointed by us to be our Lieutenant-Governor as aforesaid, with all and singular the powers and authorities granted to our said Governor by our said letters patent."

Those were the words of the commission appointing the President of the Council. Now came the commission appointing the learned Chief Justice acting as Administrator of the Government, which was very different. It said—

"Now know you that we do by this our commission, under our sign-manual and signet, appoint you, the person for the time being discharging the functions of Chief Justice of Queensland, to administer from time to time the Government of our said colony in case of the death, incapacity, or absence from our said colony of our said Governor, as well as of our said Lieutenant-Governor (if any), and of the President of the Legislative Council, for the time being; with all and singular the powers and authorities granted to our said Governor by our said letters patent."

There was a proviso at the end of this commission which was not found in the commission of the President of the Council.

"Provided always that you, the said person discharging the functions of Chief Justice, shall act in the Administration of the Government only when and so often as the President of the Legislative Council for the time being shall not be present within the colony and capable of administering the Government."

There was no such proviso in the commission appointing the President of the Legislative Council, and he (Mr. Garrick) would contend that that commission was different: that in the event of the President of the Council being merely the *locum tenens* of the Governor he had not the same powers to absent himself as the Governor, and that that commission appointing the Chief Justice applied whenever the President of the Council was absent from the colony, and if he was absent within the meaning of that proviso he ceased to be the Administrator of the Government, and the commission appointing the Chief Justice came into operation, and in the event of the President of the Legislative Council leaving the colony the administration of the Government must be provided for by the swearing-in of the Chief Justice.

The PREMIER (Mr. McIlwraith) said he could inform the House that all the matters that had been discussed to-night—some of which had come on during his absence, as he was officially called away from the House—had been under the consideration of Ministers for the last three or four days. They were still giving the subject their consideration, and he had no doubt that before His Excellency finally made up his mind what course he would pursue he would be guided entirely by the interests of the colony, and that he would do nothing that would be of the slightest inconvenience to the public business.

Mr. GRIFFITH said he was sure that the House hardly needed the assurance that had just fallen from the Premier, nor did he see that there was any danger of any inconvenience to the public business. They merely heard the announcement made that His Excellency was going away to-morrow, and it was only reasonable that they should ask what course they proposed to advise him to take, and, if he went, what they proposed to do in his absence. He was sorry that they had not got that information, and it seemed that the Government had not even yet made up their mind. It was a matter of considerable importance, and one upon which it was right that there should be proper consideration, and in which no steps should be taken except after proper deliberation;

still, he thought that they might at least have expected that the Government would have been able after this length of time to tender His Excellency proper advice, and have come to a conclusion on the subject. However, he did not wish to discuss the matter further, except again to point out that, in the instructions accompanying the letters patent the departure of the Governor was defined to mean departure for a period of more than a month. In the commission appointing the Chief Justice to administer the Government reference was made to the President of the Legislative Council "not being present within the limits of the colony," an expression which might be supposed by ordinary minds to have a different meaning. He thought it was his duty to bring the matter before the House this evening, because nothing could be more unfortunate than that there should be any misconception of what was the proper course to be adopted. Having thus done what he deemed it necessary to do, he would, with the permission of the House, withdraw his motion.

Motion withdrawn accordingly.

SOUTH BRISBANE RAILWAY.

Mr. FRASER, in moving—

1. That, in view of the extensive Coal formations of East and West Moreton and Darling Downs, and with a view to the fuller development of the Coal Trade and providing employment for a large industrial population, this House is of opinion that a Line of Railway should be constructed from Oxley to deep water at South Brisbane.

2. That the House will, at its next sitting, resolve itself into a Committee of the Whole, to consider an Address to the Administrator of the Government praying that His Excellency will be pleased to cause to be included in the proposed issue of Treasury Bills, a sum of money for the purpose of giving effect to the above Resolution, such sum to be included in the next Loan Estimate—

said that since he put this notice on the paper he had had it very distinctly intimated to him that he had not the slightest chance of carrying it. Notwithstanding that, he considered this question of such importance that he was determined to bring its claims and merits before the consideration of the House. It would be borne in mind that when the question of branch railways was under the consideration of the House last year, an effort was made to include the line to which his motion referred amongst the number, but without effect, although he was bold to say that amongst the whole of the branch lines there was none that had such a fair prospect of being remunerative or being important in more respects than of mere local importance. His motion alluded to the fact that, in the first place—this was not disputed—the coal formations of East and West Moreton and the Darling Downs were practically unlimited. Notwithstanding that they had this immense source of wealth at their very doors, and that efforts had been made to develop other industries and give facilities for their development, no effort whatever had been made by the Government to help the development of this important industry. When he said the Government, it was to be distinctly understood that he did not mean the present Government; but all the Governments they had had, while professing the importance of giving these facilities, had taken no practical step to carry their opinions into effect. As to the existence of these important coal formations there was no question whatever; but it had been asserted that they had not in this locality coal anyways fit for an export trade. That had been so often refuted that it was hardly worth while to take up the time of the House by referring to it; but in order to show that he was not speaking without authority, he

would quote the highest authority on the question which they had had in the colony—that was Mr. Gregory. When the commission sat in 1878 to consider the best means for connecting the Southern and Western Railway with water carriage this question was raised, and Mr. Gregory had no hesitation in saying, speaking of the coal found in the neighbourhood of Walloon, that it would last for years exposed to any weather, and, more than that, that for the purposes of steam and gas it was even superior to Newcastle coal. It was for the purpose of steam that this coal would be principally used as an export coal. As for the purposes of gas, he thought he was correct in saying that it was already extensively employed in the Brisbane Gasworks, and gave every satisfaction. So far, he maintained that he had established that part of the question on the best authority. A short time ago, he believed it was when the mail contract was under consideration, one of the Ministers—he believed it was the Minister for Works—alluding to the question of the coal trade, referred to the miserable amount of the export. He did not know whether the hon. member intended the inference to be drawn from that, that as so little had been done in the way of export it was not worth while to make any provision for it. His reply to that was that the export trade in coal had been limited because the facilities for it had not existed. He was fortified in that by the opinion of gentlemen practically connected with the trade, who had said that if facilities existed they would be prepared to put a larger amount of capital into the trade and to enter heartily and with spirit into it. For instance, one of the present coal proprietors at West Moreton, in his evidence before the commission, said he was frequently compelled to refuse orders for loading vessels with coal at Brisbane because he could not accomplish the loading within reasonable time, in consequence of having to punt the coal down. If they had direct railway communication they could all understand that that could be done in a comparatively short time—in fact, in such time as would meet the requirements of the case. Then, again, he was able to say that one of the most enterprising colonists—a gentleman largely interested both in Queensland and New South Wales—was prepared some years ago to enter heartily into the coal trade if there were such facilities as he was now contending for. When he gave the name of that gentleman he was sure it would be taken as a guarantee that the statement was a *bona fide* one—he referred to Mr. Daniel Williams. He had the statement not second-hand, but from Mr. Williams himself. Further, he might point out that during the past year something like seventy-nine vessels departed from the port of Brisbane in ballast. Those vessels represented a tonnage of 31,000 tons. He did not mean to say for a moment that all of the vessels would have carried coal, but he thought it was not too much to infer that they would to a large extent have done so had there been facilities for receiving and loading the coal. They must admit that if there were such facilities employment would be given to a very large number of people, and surely at the present time it ought to be the object of the Government, if they could do so at a small expense, to give encouragement to an industry which was likely to be of permanent importance in giving profitable occupation to a large settled population. He had been assured by the Minister for Works that it was the intention of Government to construct the line. He had not the slightest wish to throw any doubt whatever on the sincerity of the Government on the matter. The Government had already taken steps to make a survey along the Ipswich Road, but it must be borne in mind that, so far as they knew, no provision had been made for carrying out

the line. When it was borne in mind, further, that, according to the general impression abroad—which might be right or which might be wrong—that the Government did not intend to float another loan in the money market for the next two or three years in which could be included this branch line or extension of a line, he thought it would be seen that it was likely that there would be considerable delay before this important and, he would say, urgent piece of work would be initiated by the Government. That accounted for the form in which he had put his resolution—that the Government might raise the money required by Treasury bills which they proposed to issue. He did not see that any objection could be taken to that. If it was justifiable to issue Treasury bills for any purpose, surely it was justifiable to issue them for such an important purpose as that now under consideration. He might say that although he had given particular prominence to the coal trade, that trade was by no means the only one which would contribute to render the line serviceable and remunerative. One thing he was certain of, and that was that a large local passenger traffic would spring up in connection with it, and there was also other heavy traffic. He would point out another matter of importance. At the present time he believed they were paying very heavily indeed for the cartage of rails from the wharf to the railway station. It would be evident to anyone that if they had a railway brought up to the wharf the rails could be transhipped at once at comparatively little expense to the country. When they took into consideration that for a number of years to come they were likely to continue to extend railways into the interior, he thought they would see that it was of great importance that that heavy item of expense should be dispensed with as soon as possible. The circumstances under which he was pressing this matter now were very different to what they were a few years ago. Mr. Stanley a few years ago estimated the cost of the construction of the line at £85,000. How it could be estimated that a line eight miles in length which presented no engineering difficulties would cost so much certainly surpassed his understanding. The Minister for Works had told them that he would be able to carry out branch lines at something like £3,000 per mile, and now that there would be provision for taking lines along main roads, along which this line would go for the greater part of the distance, he thought the whole expense would be covered by from £25,000 to £30,000. So that really it would not add a very serious item to the Treasury bills which the Government proposed to issue. He had no wish to trespass any longer on the patience of the House. He had brought the matter forward now because he was anxious that no time should be lost in the construction of the line. He was justified in the course he had taken, because he believed it had been the opinion of the Premier that this was one of the first lines which ought to be constructed. He also believed that the line met with the approval of the Minister for Works, so that now all that remained to be done was for the Government to concede the very reasonable request which he had made. He did not think he had asked anything unreasonable; he thought he was fully justified in urging the question, which he did not look on merely from a local point of view; it was of much more importance than that. It must be evident that if what he had said concerning the coal industry was true or sound the question was one which would affect the public welfare and interest to a much larger extent than any other branch line now under consideration would. He was not urging the construction of the line as opposed to any other branch line. He desired to deal with it purely and entirely on its own

merits, and he thought those merits were such as to amply justify the course he had pursued in making the motion as he had done.

The MINISTER FOR WORKS said he could scarcely understand what object the hon. member had in view in bringing forward his resolution, unless it was to go into the harmless talk which hon. members indulged in on Thursday evenings to place themselves well with their constituents. The hon. member disclaimed all purely local feeling in the matter, and said the line would be for the benefit of the whole colony. No doubt the line when constructed would be for the benefit of the whole colony, but it would certainly be a greater benefit to the locality through which it ran. The hon. member said that he (Mr. Macrossan) had told him that he intended to make the line, and that he did not doubt his word. Why, then, did he bring the motion forward? The two things were scarcely consistent. If the hon. member did not doubt his word, why did he bring his motion forward? He should have left the matter as it stood, and allowed him (Mr. Macrossan) to show whether he kept his word or not. He was rather inclined to think the hon. member wanted to take the wind out of the sails of his colleague (Mr. Kingsford). Not content with giving an able speech about the merits of the South Brisbane line, the hon. member wanted, as had been said, to dummy the Treasury bills in advance. Two or three lines like that, and the Treasury bills would be nowhere. His remark with regard to the export of coal, made during the debate on the mail contract, seemed to have been misunderstood. He did not think he made use of the words "miserable export of coal." He knew that the export of coal was not very large, but what he said was that the mail contract if entered into would nearly double that export at one jump. The hon. member having made a very good speech, ought to be content after an expression of opinion from the House, and withdraw his motion. The hon. member knew that a survey of the line was nearly completed. The greatest portion of it would run along the main road. There were one or two deviations at certain ridges, particularly one at Oxley which would shorten the line by about a mile. He was in hopes that the cost of the line would be very much under one-half the amount said by the hon. member to be the estimate of Mr. Stanley some years ago. He was firmly of opinion that when the Government undertook the line it would be made for less than one-third of the amount named. He thought the hon. member should be satisfied with the pledge the hon. member said he had obtained from him.

Mr. DICKSON said the Minister for Works had made a very good reply, but he had omitted one very special feature—he had not stated distinctly when the railway was likely to be commenced. That was the information which the hon. member would be satisfied with—not the promise, for promises had been made so frequently and liberally without any subsequent action on the part of the Government. The Minister for Works might very fairly have given the information, especially as they were getting well on towards the latter part of the session. Not a word had been said about the commencement of several other lines which had been sanctioned by Parliament, and therefore the hon. member had a right to urge upon the Government that a line which they themselves admitted to be desirable should be proceeded with immediately. The remarks of the Minister for Works with regard to the cost of the line showed that the construction of it was to be postponed to the indefinite future. It would no doubt be kept dangling before the

electors of South Brisbane; and if the hon. member (Mr. Fraser) could only be induced to follow the example of his colleague, it was quite possible that the Opening Speech of next session would promise that the line should be immediately commenced, and would describe it as a measure highly necessary for the development of our coal interests, in the magiloquent language often found in Governor's speeches, which read well but meant nothing. Government had now the machinery for constructing cheap lines of railway, and they ought to exhibit their *bona fides* by saying when the line would be commenced. He did not agree with that part of the motion which provided that the money for the lines should be found by Treasury bills, and he trusted that in committee the Administrator of the Government would be petitioned to cause a sufficient sum to be placed on the next Loan Estimates for the purpose of proceeding with the line. He had not the slightest doubt that the next Loan Estimates would be required much sooner than the Premier anticipated when he penned his letter to the *Glasgow Herald*. But that was *ultra vires*. He trusted the House would support the motion by allowing it to go into committee, when the portion that he had objected to might be altered. To raise the money by Treasury bills was unnecessary, and was a course of action which he would never countenance.

Mr. BEATTIE said he was pleased to hear that the Minister for Works had promised the hon. member for South Brisbane that the South Brisbane Railway should be constructed.

The COLONIAL SECRETARY: He received no promise.

Mr. BEATTIE said he hoped he should extract a similar promise from the Minister for Works before he sat down. Everyone knew the opinion of the Colonial Secretary with regard to the line of railway which he (Mr. Beattie) had always held—the Government ought to construct. Years ago the hon. gentleman had spoken in favour of the extension of the existing railway; and very recently the Minister for Works, in reply to an influential deputation from Fortitude Valley, had expressed a favourable opinion of the line running towards Sandgate or Caboolture. He hoped the Minister for Works would give some information as to whether it was his intention this session to take steps to construct that line. He had no hesitation in saying that when the line was formed there would be a great deal of local traffic upon it, and his constituency would be especially benefited by it. It would be a great convenience to them, and the revenue from railway receipts would be added to largely. He would not say anything against the South Brisbane railway, for it deserved consideration; but the proper way to get a line to deep-water was by the route to be followed by the Sandgate railway. Deep-water could be got at much cheaper by adopting that plan. He thoroughly believed the railway would pay. Deep water could be reached at Breakfast Creek, which would give every facility for the development of the coal trade. He hoped the Minister for Works would give him a promise similar to the one he gave to the hon. member (Mr. Fraser)—that it was his intention shortly to commence the Sandgate line, which would be one of the best paying lines about Brisbane.

Mr. MACFARLANE said he was glad to have the opportunity of supporting the hon. member for South Brisbane on this occasion. This line had been before the House more frequently than any line in the country. When he first came into Parliament it was before the House, and had been before it more or less ever since, and he found this, that no member ever spoke against it. Hon. members on both sides were

always in favour of it, but somehow when the time for action came it was always kept in the background. He believed that no line in the country—not even the main lines—would pay so well as this would if constructed. There was a great deal of talk about coal up the line to Walloon, and his own opinion was that the further they went from town they found the coal better adapted for exportation. He knew the coal the Gas Company used answered the purpose very well; it was found to be better for gas than even the Newcastle coal. When they had a railway to deep water they would find the benefit of it. That being the case, the line ought to be supported. They were, at any rate, entitled, seeing that the matter had been so long before the House, and everyone was in favour of it, to a definite answer that they could rely upon. If the Government did not intend to give them any more definite answer than what had been furnished, let them say so.

THE MINISTER FOR LANDS said that whenever any benefit was about to be given to Brisbane or the surrounding districts some enemies were sure to turn up in the shape of pretended friends. This was an idle empty motion which the House was discussing, considering the promise that had been given by his hon. colleague, that the railway would be made to South Brisbane. He had not heard the whole of the discussion, but he did know that the matter had been considered and decided upon, upon its own merits. Yet for the mere sake of popularity-hunting, the hon. member (Mr. Fraser) by means of this motion tried to circumvent and take a mean advantage of his colleague. He recommended both that hon. member and the hon. member for Ipswich to keep silent, and to remember that it was no use obstructing a stone wall when a definite course had been decided upon, and which would be carried out irrespective of those little petty disturbances. He could only express his surprise at the mode of doing business, and if the hon. member for South Brisbane (Mr. Fraser) wished to get popularity, he should not attempt to do it in a mean fashion at the expense of his colleague. The matter of the South Brisbane Railway was deliberately decided upon; the Premier said it was necessary fifteen months ago, and was one of the chief movers a few months back when the conclusions were carried out. And now for political reasons, and for the purpose of giving some life to the so-called spontaneous meetings supposed to be held in Brisbane for ulterior purposes, notwithstanding that the railway had been decided on, and the surveys, he believed, actually going on at the present time, one of the representatives of South Brisbane came into the House and tabled this motion, wanting to make his colleague out to be either a fool or a traitor. He advised his hon. colleague (the Minister for Works) to give no more information upon the matter. The Government had their own plans; they knew what they were doing, and would carry it out notwithstanding a motion like this. The hon. member for South Brisbane had better go and hold a meeting at the Town Hall or the School of Arts (South Brisbane), for he had all the information he wanted. It was an idle thing to table such a motion, inviting the House to discuss it, when a substantial assurance had been given him that the work was going to be done.

Mr. FRASER said he had a few remarks to make in respect to the insinuations made against him, which he hurled back to whence they came. The Minister for Lands would consult his own dignity and the dignity of the House more were he to address himself to the question before the House, rather than to impute motives to members who simply did their duty. He (Mr. Fraser) was not under the necessity of courting

or winning the popularity of his constituents; he was not aware that they had lost confidence in him, and if they had he would not condescend to such a mean course as the Minister for Lands suggested—namely, to win back his popularity at the expense of his colleague, with whom, notwithstanding difference of opinion, he was on good terms. It was true that they had not worked and voted together lately as they had done formerly, but his hon. colleague was the last man who would attribute to him any unworthy motives. In moving the resolution he might have made a mistake, but the remarks of the Minister for Lands were hardly worthy of any serious consideration. He (Mr. Fraser) did not dispute or doubt the intention of the Government or the promise of the Minister for Works, but thought it right, for reasons of his own, to put the motion on the paper that evening. Of course, he disclaimed any such motives as were attributed to him. One reason why he brought it forward was to press it as far as possible for immediate construction. That was the main reason; he might not succeed, probably he would not, but he had done his duty.

Question put, and the House divided:—

AYES, 13.

Messrs. McLean, Griffith, Garrick, Baynes, Davenport, Dickson, Rutledge, Kates, Fraser, Beattie, Macfarlane, Groon, and Grimes.

NOES, 18.

Messrs. McIlwraith, Palmer, Perkins, Beor, Norton, Pez, Lunley Hill, Stevens, Weld-Blundell, Low, H. W. Palmer, Amburst, Macrossan, Walsh, Scott, Swanwick, Archer, and Hamilton.

Question resolved in the negative.

SELECTIONS ON JOHNSTONE RIVER.

Mr. McLEAN moved—

That the Return laid upon the table of the House on Thursday, the 20th August, 1880, relative to Land Selected on the Johnstone River, be printed.

In doing so, he said he was not aware of the reason of the Colonial Secretary for not allowing the motion to go as formal, seeing that the return was a very small one, and the printing of it would not be any great expense. It was a strange coincidence that a motion for printing a return moved for by another hon. member sitting on the Opposition side (Mr. Hendren) had been opposed.

Question put and passed.

RETURN RELATING TO DEEDS.

Mr. DICKSON moved—

That the Return to Order, relative to Deeds issued, preparing for issue, and refused by previous Governments, laid upon the table of the House on the 11th ultimo, be printed.

He said he believed the motion would have gone as formal had he been present when it was first called over.

Question put and passed.

MINING ON GYMPIE.

Mr. HAMILTON moved—

That there be laid upon the table of the House, a Return shewing the number of Mining Leases on Gympie; also names of lessees and number of men employed on each lease.

The MINISTER FOR WORKS said the return asked for would not furnish the information required by the hon. member, and suggested certain alterations.

With the permission of the House, certain amendments were made and the motion was agreed to in the following form:—

That there be laid upon the table of the House, a Return shewing the number of Mining Leases on Gympie, and area of said leases; also names of lessees and number of men employed under the conditions of each lease.

CASE OF MRS. WELLS.

Mr. GROOM said he felt a considerable amount of diffidence in introducing the motion standing in his name and bringing the circumstances relating to it under the notice of hon. members. The lady referred to in the motion had called upon him in reference to this matter, and he had suggested to her that it would be better that her case should be in the hands of some gentleman sitting on the Government side of the House. To this the lady replied that she was not personally acquainted with any gentleman sitting on that side, and that as he (Mr. Groom) had known her for twenty-four years, she thought he was the best member to apply to. He might state at once that this was one of those cases which called for impartial discussion. It was not a question of politics and he felt that all he had to do was to satisfy the House that he had good grounds for moving the motion. A short time ago he had presented a petition from Mrs. Wells, and he was very sorry that the Printing Committee had not considered it worth while to have it printed. When a petition was presented and a substantive motion made upon it, as in this case, he thought it should be printed, in order that hon. members might be in possession of the facts and be able to form their own opinions, according to its merits, whether the case was one for consideration or not. This was not the first time that a similar case had occurred. The Minister for Public Works last night had in his hands a petition signed by 300 freeholders in the Highfields districts, which had been presented some time previously, and which ought to have been printed in order that hon. members might judge of the merits of the case. To return to the motion, the petitioner in this case had been placed in very peculiar circumstances. A gentleman occupying a short time ago a very high official position in the colony was appointed trustee for receiving certain money and investing the proceeds of land sold in the colony, and unfortunately that trust money was devoted to other than the rightful purposes; and altogether, according to information received, Mrs. Wells had been defrauded of something like £1,000. Of course it would be remarked by some hon. members that Mrs. Wells had claims upon the estate of this gentleman, but if hon. members looked at the *Courier* they would find that a dividend of 2d. in the £ had been declared in the estate, so that there was not much chance of this widow receiving anything like a satisfactory dividend. Her husband was appointed Police Magistrate at Normanton, and whilst there met with an accident that resulted in his death, and this unfortunate lady was now left with scarcely a penny in the world. There was an assurance on her husband's life of something like £200, on which Mr. Rawlins undertook to pay the premium, but neglected to do so; and although efforts were made to induce the Insurance Company to renew the policy, the company refused to do so unless Mr. Wells furnished a certificate from a medical man at Normanton. But there was no medical man there, and the only means of getting one would have been by Mr. Wells going to Thursday Island, and catching a doctor on board one of the passing mail steamers. That, however, he could not do. Those were the plain facts of the case, and he would repeat again that the unfortunate lady was placed in peculiarly distressing circumstances. Had the trust money of her husband been devoted to its legitimate object there would have been no necessity to make this appeal to the House, but, owing to the unfortunate circumstances of the gentleman to whom he had alluded and to her husband dying, Mrs. Wells was left in these circumstances. Other cases of a similar character had been brought before the House, and when the House had been

in a generous mood the application had not been made in vain. But he would leave the matter in the hands of the hon. the Colonial Secretary, and he trusted for the sake of the widow and children that the hon. gentleman would give his most favourable consideration to it.

The COLONIAL SECRETARY said he did not think the hon. member had brought forward any facts to show why the House should assent to the motion. He knew something of the circumstances referred to by the hon. member, but only from Mrs. Wells' account of them. Her husband was drowned at Normanton whilst out shooting, and her great grievance was that his life assurance policy had been allowed to run out, because owing to his residing in that distant part of the colony the company would not renew it without the certificate of a medical man; there being no medical man at Normanton the policy was not renewed. It was a hard case no doubt, but he was not aware that the Government were bound to do anything. He was aware that Mrs. Wells had been very badly treated—not only from what she had said herself, but from what he had seen in the reports of the Insolvent Court, by one of the trustees of her husband's trust money. The name of that trustee he need not mention, although it was well known to most hon. members. He did not think the hon. member had pointed out any great merits in the case; but if there was anything in it the hon. member should move for a select committee, so that the House might be put in possession of all the information.

Mr. GROOM said that after such an expression of opinion from the hon. gentleman he would accept the course recommended, and, with the leave of the House, would withdraw the motion.

Motion withdrawn accordingly.

In reply to Mr. GRIFFITH, the PREMIER said that the first business taken to-morrow would be the Burrum Railway Bill, and after that Supply.

The House adjourned at five minutes to 10 o'clock.