

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 19 JULY 1881

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LEGISLATIVE ASSEMBLY.

Tuesday, 19 July, 1881.

Petition.—Elections and Qualifications Committee.—
Question.—Address in Reply—resumption of
debate.

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

PETITION.

Mr. FEEZ presented a petition from certain
Carriers in the Central District, complaining of
grievances they labour under since the construc-
tion of the Central Railway.

Petition read and received.

Mr. FEEZ moved that the petition be printed.

The SPEAKER said the rule was that the
petition must first be laid before the Printing
Committee.

ELECTIONS AND QUALIFICATIONS
COMMITTEE.

The following members being present, were
sworn as Committee of Elections and Qualifica-
tions for the present session:—Messrs. Archer,
Kingsford, Norton, and Macfarlane.

QUESTION.

The HON. S. W. GRIFFITH asked the
Premier—

1. Have any payments been made to any members of
either House of Parliament on account of the Public
Service since the close of the session of 1880?

2. If so, what amounts, to what members, and for what
services?

3. Have any, and what members of either House, been
employed to perform any work on account of the Public
Service since the close of last session, for which they
have not yet been fully paid?

4. If so, what amounts remain to be paid, to whom,
and for what services?

The PREMIER (Mr. McIlwraith) replied—

1. Yes.

2. £200, to Mr. F. A. Cooper, on account of revising,
compiling, indexing, and digesting the Statute Laws of
Queensland.

3. Mr. Cooper has not yet been fully paid.

Mr. GRIFFITH: No answer has been given to the question—"What amounts remain to be paid?"

The PREMIER: That is just what I do not intend to give an answer to.

ADDRESS IN REPLY—RESUMPTION OF DEBATE.

On the Order of the Day for the resumption of the adjourned debate on Mr. Black's motion—

"That the Address in Reply to the Opening Speech of His Excellency the Governor, as read by the Clerk, be now adopted by the House"—

being read,

Mr. MACFARLANE said, when he moved the adjournment of the debate on Thursday evening last, the Premier stated to the House that he (Mr. Macfarlane) was in the habit of moving the adjournment of debates at an early hour. If he remembered rightly, he had only moved the adjournment of a debate like this twice during the four sessions he had had the honour of a seat in the House, and if having done so twice was to be construed to mean often, then he did not understand the meaning of English words in the same way the Premier did. In moving the adjournment of this debate he had no intention, and had none now, of making a long speech. Hon. members knew that he was not in the habit of making long speeches. Up to the present time he had expressed no opinion in the House, whatever, in reference to this steel rail inquiry, and he might now be pardoned if he desired to express to the House the conclusions he had arrived at upon reading the Report of the Committee of Inquiry here, and the Report of the Commission in London. To begin at the beginning, there could be no doubt that when the £3,000,000 loan was passed through the House it must have caused in England a certain amount of excitement amongst steel rail manufacturers and speculators in rails. It was a very laudable ambition for business men to do what they could to secure to themselves part of the profits accruing from the large contracts being entered into every day all over the world. He did not, therefore, condemn, but rather commended the tact and skill of Ibbotson Brothers and McIlwraith, McEacharn, and Company in sending their representatives from England to endeavour, if possible, to secure some of those rail contracts. There was no dishonour in any man of business trying to forward his interests to the utmost, so long as he did it fairly and squarely. Whether everything had been done fairly and squarely they should see by-and-bye. So soon as it was known in England that something good was likely to be had in Queensland, they found that representatives of two firms arrived in the colony. It was an old saying that "where the carcass is, there will the eagles be gathered together," and he thought they would see clearly from the evidence that one of those representatives was too old a bird for the Minister for Works. It appeared to him (Mr. Macfarlane) that he almost designed the destruction of the political reputation of the Minister for Works, and he almost thought he had succeeded in doing it. Let them look at the two men; the one crafty and cunning, the other confiding and trustful, having no fear whatever, putting perfect faith and confidence in the man who was wooing him. He would take no advice even from those whose duty it was to advise him; he went on in his own way, and he would listen to no one, and at last he found out, but too late, that his political ruin had been accomplished. The petition of Mr. Hemmant set out that the colony had suffered in the steel rail contract to the

extent of some £60,000 or more. This, in the first place, was caused by the blundering of the Minister for Works, and subsequently by those whose duty it was to protect the interests of the colony. The simple question to him was—Was there a loss? Did the colony suffer any loss through these steel rail contracts? It was a very simple question. Those on his (Mr. Macfarlane's) side of the House, and a great number of people outside, believed that the petitioner had made out his case. On the other hand, those who had addressed the House from the other side maintained that, so far from the colony having suffered any loss, on the contrary it had made a good bargain. One hon. member had said the country had saved £20,000, and another—the hon. the Attorney-General—said that the tenderers had lost to the extent of £12,000, so that the colony had made a good bargain. It was easy to make assertions, and it was easier still to be abusive; but what they wanted was argument. What they wanted was for those on the other side, if they had a good cause, to show it by argument. If they did that he would promise them that his side would listen to them with patience and give them credit for all they said. They wanted argument; but up to the present time, of the four members who had spoken on the Ministerial side, three of them had been grossly abusive. If the Attorney-General had not been argumentative he had not been abusive, and it redounded to his credit; but of the other three he could not say so much. He hoped, therefore, that those who had yet to follow on the Government side would try to bring some argument forward, and would not follow in the wake of those hon. members to whom he had referred. There either had been a loss to the colony or there had not. He was not a lawyer, and he therefore did not intend to go through the evidence or the Report even; but he should endeavour to make a few common-sense remarks to the House, and leave the colony to form an opinion of their truthfulness. No reasonable man would deny that, had the Minister for Works, when the three-million loan was passed in 1879, tested the English market, he would have got a tender as low as £4 18s. per ton; at all events, it would not have been much above £5. Had the Minister for Works acted thus the colony would have been richer to-day by £60,000, or perhaps more. Would any hon. member deny that? He called that plain, common sense. Why did the hon. gentleman not test the English market? Why did he bind himself by this hard-and-fast agreement? He could not understand, for the life of him, what the Minister for Works could have been thinking about when he put his hand to paper and signed that agreement with Thomassen, binding the colony for three months, while the contractors themselves were free to fulfil the agreement or break it as they pleased. No common huckster who had been three months in business would have been guilty of so gross a blunder as the Minister for Works had been guilty of; he would have known his business a great deal better. Another thing he desired to draw attention to was this: the strange coincidence that on the 7th October, 1879, the Minister for Works signed that binding contract with Thomassen, and on the 8th, the very following day, McIlwraith, McEacharn, and Company, in England, went and ordered 20,000 tons of steel rails to be made to the Queensland specification. It looked rather strange. They must have had some information. Who gave them the information? Well, they knew that Mr. McEacharn—Mr. McIlwraith's partner—was in Brisbane about that time, and it was very easy for him to wire. There was just time—just a day—to wire home to England that the Government were bound for three months,

He had just to do so, and say "purchase," and the rest would be understood. He could not believe any other thing than that there was an understanding that if Mr. Thomassen managed to bind the Government with a conditional contract for three months, that that should be a watchword to McIlwraith, McEacharn, and Company to go into the English market to buy rails. He was perfectly sure that no business house, even a house of speculators, would go and purchase rails without having a market for them, unless they had an understanding and had information. He should like to know who gave that information.

Mr. LUMLEY HILL : So should I.

Mr. MACFARLANE said if the hon. member did not interrupt him, perhaps he would get on all the quicker and soon be done. He did not want to occupy the House long, and hoped he would not be interrupted. He had said already that Mr. McEacharn was here, but he did not think that it was he who gave the information; he did not think it was the Minister for Works who gave the information—he had already been disposed of by Mr. Thomassen, and had played his part. But he believed that someone gave the information; who that person was he did not know; it did not come out in the evidence; but he was sure of this—that, whoever that someone was, he was possessed of the information—that he had gone to the London office, and that, acting upon that information, he had led to the great steel rails swindle and the great loss to the colony. He was not going to say a single word against those swindlers, or against the others—the steel freight ring of swindlers. All swindlers, and those swindlers who cheated the colony out of £20,000 were certainly not honest men, but he was not going to blame them; they had accomplices, and he should rather blame those accomplices than blame the men who were permitted to rob the colony. There were accomplices, but who were they? There could only be three, and they must have been in the London office. There was Mr. Macalister, Agent-General, and Mr. Ashwell, Engineer, and Mr. Hamilton, Secretary. Now, as Mr. Hamilton had very little to do with those particular transactions, and because he would not shut his eyes and his ears and mouth, he was dismissed the service. They saw then that the accomplices were reduced to two, and even those two men could have done very little harm to the colony if they had been acting single-handed; but they were united, they agreed together, something like Ananias and Sapphira of old, to do an evil thing; and, having agreed to subordinate the interests of this colony to the interests of private persons, he could not but say that they must have been permitted to do so. They were not all-powerful; they were not allowed to do what they liked in the London office; they must have had an adviser. Who was that adviser? He thought the Premier himself was their adviser. He would now state wherein he thought the Premier was to blame in the matter of the alleged loss with reference to these steel rails. The Premier was in England at the time that Ibbotson and Company refused to carry out the contract with the Government. No doubt he was placed in a difficulty, although it was expected all along that Ibbotson would not carry out his contract. But the Premier was placed in this position—he said he must have 15,000 tons of rails during the next eighteen months, beginning in January, or, if rails were likely to fall, he could do with, say, 5,000 tons of rails in six months. Now, he wanted to ask the Premier this question—he did not know whether it had been asked before by any supporters of the Government, but if he was one of them

he should have asked it—Why did he, in a rising market when rails were advancing, ask for tenders for 15,000 tons of rails, when on his own admission 5,000 tons would have done for six months? He (Mr. Macfarlane) knew very well the answer would be that they expected rails to still further advance; but that was not a sufficient answer; no business man would take it as such; and, as he was not likely to get an answer that was a satisfactory answer from the other side of the House, he would just give the answer himself. It was because McIlwraith, McEacharn, and Company had 15,000 tons of steel rails made to the Queensland specification which they wanted to sell to the Government. That was the answer.

The PREMIER : Nothing of the sort.

An HONOURABLE MEMBER : That is a lie.

Mr. MACFARLANE : And rather than sacrifice their interests, the interests of the colony were sacrificed to those of McIlwraith, McEacharn, and Company. A friend of his said to him a few days ago, "Would not the Moss Bay Company and the Barrow Company have made rails for the Queensland Government at as cheap a price as they would have made them for Andrew McIlwraith and Company?" He replied : "Certainly, if the Queensland Government had had the wisdom to have ordered the rails when they were at a lower rate." "Yes," interjected his questioner, "but if they had had that wisdom, Andrew McIlwraith and Company would not have pocketed that £60,000 which the colony has lost." That was a clincher, and he (Mr. Macfarlane) could not answer it. He might here say that he was making these remarks from conclusions he had arrived at on reading the evidence, and it was possible that he might make mistakes, but he had read it very carefully. Much had been said about the Haslam Company, but he should dispose of them in a single word; and his opinion of them was that they were simply commission agents, paid by McIlwraith, McEacharn, and Company a commission for the use of their name. He might be wrong, but that was his opinion, and he would have no more to say about it. He wanted to say a word or two about Mr. Hamilton and Mr. Hemmant. A great deal had been said in the House, and also in some portions of the Press, about Mr. Hamilton, and a great deal of abuse and evil speaking had been said of him that was perfectly out of place either in the Press or in the House, constituted as it was. The latest words that had been uttered against him from the other side of the House were spoken on Thursday night by the hon. member for Gregory, who knew the words he used, and he (Mr. Macfarlane) did not intend to repeat them.

Mr. STEVENSON : Too sacred.

Mr. MACFARLANE said there was nothing sacred at all in them. For the hon. member who had just spoken they might be too sacred; for he (Mr. Stevenson) was not fond of using sacred words. What he (Mr. Macfarlane) had to say with reference to Mr. Hemmant and Mr. Hamilton was this—that they had everything to lose and nothing to gain by being so faithful to the charge submitted to them by the colony. Mr. Hamilton had a very comfortable position; he was Secretary in the London office; and, because he would not become a tool of Mr. Ashwell, he was dismissed from the service. That was his reward for the many years' faithful service he had performed in the London office. He did not agree with all Mr. Hamilton had done; he knew he had made a mistake—perhaps more than one—and he was not going to justify them; but he believed that if Mr. Hamilton had been as willing to serve the Government as Mr. Macalister and Mr.

Ashwell he could have held his position to this day, but he was more faithful to the colony. Mr. Hemmant was a Government contractor; what had he to gain by being so faithful as he was? He certainly would not get new contracts from the Government for faithfully exposing their misdeeds; but, not taking that into consideration for a moment, setting self aside entirely, having made up his mind to do that which was right, he had the courage of his convictions, and tried to do what he had done, and got a lot of obloquy heaped upon his head for so doing. But Mr. Hemmant and Mr. Hamilton still might rest assured of this: that they had the good-will and sympathy, not only of many members in this House, but also of a great portion of the colony, for the action they had taken in that particular affair; and although for the present time might was perhaps stronger than right, the time was coming, and it might be nearer at hand than they were aware of, when a grateful colony would thank those men for the noble stand they had taken in defending the rights of their home. He had just a word or two to say, and it was scarcely worth while saying it, with reference to the freight contract, which was quite as bad a swindle as the other one. It had been a loss to the colony as well as the other, and all he would say was this—that there also the interests of the colony had been subordinated to the interests of private individuals, who were the same as participated in the profits of the steel rails swindle. Before he sat down he wanted just to say a few words to the Colonial Secretary. He (the Colonial Secretary) might call it a sermon, if he chose; he (Mr. Macfarlane) was not particular what he called it. That hon. gentleman had got into a very bad habit of snarling and growling and using bad words to hon. members on that (the Opposition) side of the House.

THE COLONIAL SECRETARY (Sir Arthur Palmer): Is "sermon" a bad word?—if so, I apologise.

Mr. MACFARLANE said he would use the word "insulting;" the hon. gentleman had been in the habit of using insulting language to hon. members on that side of the House. Personally he did not mind his remarks, but he thought it was very unbecoming for a gentleman who had come to the years of the hon. Colonial Secretary to act as he had acted in the past. He thought, furthermore, that the House and the country were entitled to expect a very different kind of conduct from a gentleman occupying the high position which the hon. Colonial Secretary occupied as Executive adviser to his Excellency the Governor. If the hon. Colonial Secretary thought to rile him (Mr. Macfarlane), or to rouse his temper by making those remarks, he was very much mistaken, as neither he nor anybody else would be able to do it. He hoped that in the future the hon. gentleman would act in a more dignified manner, and, if not for his own sake, for the sake of the position he held, he would abstain from acting as he had acted, and which had caused him (Mr. Macfarlane) to make these remarks.

Mr. DE SATGE said he would only detain the House a very few minutes. He wished to say that he was very thankful, after hearing the debate which had occupied the House for the last few days, not to have been in the House during last session. He was sure that the bulk of the colony, whose representatives they were, must desire to see the very important work of this session carried on; and he could conceive that no member had ever come down to the House charged with greater duty or with heavier interests than at this particular session, when matters of so grave and important a character to this colony were about to be discussed. He might say at

once—"an open confession was good for the soul"—that he was antagonistic to the present Government in their policy, and he intended to oppose it tooth-and-nail during the present session. That had been pretty well announced to the colony by his various election addresses, some of which had circulated as far as Brisbane. With regard to this debate, he might say, without irritating any of the feelings already irritated in the House, he thought it would have been better for all parties to have adopted the Report of the Commissioners. They would then have roused none of these acrimonious feelings, and should not have been made absolutely to dig below the surface to find what mud they could cast at each other. The whole issue of the debate was lowering to the dignity of the House, as they might see by some of the leading articles in the Press. He was sure that friends of his—gentlemen—could give way to their feelings in the way they had done only under feelings of very strong irritability. He was not a member of the House last session, but he was convinced that, whatever might have taken place, it would have been better for the leader of the Opposition—although he was, no doubt, smarting under a disappointment, and although he had been actuated by the best motives, and had been endeavouring honestly to act for the public good in the matter—still, as the verdict had gone against him, instead of making the somewhat disingenuous amendment they had before them, he should have accepted his position, and they would have been enabled to devote their time to discussing the policy of the Government. He could not vote with the leader of the Opposition in this matter, although he really believed the general interests of the colony had suffered, and had been subordinated to private interests, for he could not conceal from himself the fact that at least in this matter private interests had carried the day. What was the position of this little melodrama at the expense of the colony? Take the leader of the Opposition as the accuser; take the defendant as the Premier, who had been exonerated from all blame; take the culprits—some abusing Mr. Hamilton and calling him a perjurer, some abusing Mr. Hemmant, and others, Mr. Ashwell and the firm of McIlwraith, McEacharn, and Company—they might call all of these the culprits. But where was the victim? The victim was the colony of Queensland. From first to last she had been the victim; and where was the taxpayer to turn for redress in this cloud?—To the blunderer in this transaction; the Minister for Works, who had so eloquently defended the Premier? He was to blame for having got the colony into the difficulty; and the public had a right to know whether their interests in future, and far higher and more important matters, were going to be protected. That was really the test of the position that would have to be entered into this session. They had matters before them in which the credit, honour, and future of the colony were more likely to be engaged than they could ever be in that miserable commercial transaction which had cost the colony so much time, money, and credit. He thought that if these debates were circulated in England a lower standard would be taken of this colony of Queensland than was taken of any of the colonies. He might suffer in the eyes of his friends by speaking so plainly, and he was quite willing to be shouted down if he deserved it; but these were the opinions, he believed, of a large body of the people outside of that House. He had made memoranda to point out certain defects in matters ignored by the speakers on both sides, but he thought that he might thus cause more irritation, and he would sit down with this very short statement of his opinion on the subject.

Mr. ARCHER said he must confess to being rather taken aback after listening to what had just fallen from the hon. gentleman who last addressed the House. He appeared to have assumed the position of judge without reason. He has stated his opinions, but had given no reasons for them. He had condemned the Minister for Works as if his veto was quite enough to settle that question. He (Mr. Archer) would now advise the Minister for Works to go and hide his diminished head for ever. The thing was too absurd that a person, without giving one reason—after the immense amount of evidence taken—should get up and say that the person who put all this burden upon Queensland was the Minister for Works;—not recognising that he was, perhaps, the hardest working Minister for Works they had ever had; that he had done more to cheapen their railway lines than any previous Minister for Works; that he had given more care and attention to his work than any other man who ever filled the position—that, because he had not been brought up in a merchant's office, and, consequently, did not know how best to conduct a transaction of this sort, he should be talked down and condemned in this summary way. The thing was too absurd. But he would pass over that matter, and go on with what he intended to say on rising. In the first place, he was not going to address himself strictly to the question that had been discussed in the House. The question that had been discussed by hon. members on both sides related entirely to this rail contract and the contract for freight, etc. That, of course, was an exceedingly interesting matter, and, from the evidence that had been taken in London, allowed of a large amount of discussion; but, as that evidence had not at all changed the opinion he had formed upon the subject from a much smaller amount of evidence, he was not going to enter into it. He could not understand how anyone who heard the evidence before the Select Committee could connect the name of the Premier or that of McIlwraith, McEacharn, and Company with any fraud on the Queensland Government. It appeared to him as plain as possible that one of the firm of McIlwraith, McEacharn, and Company had been in treaty here for the supply of rails, and his partner at home, to protect himself, purchased rails; and when it was found that they had not been sold to the Queensland Government they sold them in the home market, and afterwards they were sold to the Queensland Government at a much higher price than had been previously paid for them. That was what he stated last year, and he never had the slightest doubt that the leader of the Opposition would, as he now did, admit that McIlwraith, McEacharn, and Company's transaction was a legitimate transaction in trade. He was not, therefore, going to discuss that matter. There was one subject, however, which had been brought rather prominently before the House in this debate, and which had been strongly touched upon by the hon. member for Ipswich (Mr. Macfarlane), and that was the abuse that had been hurled across the House. He would say for himself that he did not come forward as an apologist of anything that had been said on his side of the House of a violent nature. He himself was not in the habit of using violent language, but he believed that the gentlemen on the other side of the House were not yet aware of their position. They had taken upon themselves to use most opprobrious terms; they had accused the leader of the Government with the most nefarious transactions; and yet they expected that members on that (the Government) side of the House should remain in calm contemplation of this without taking the slightest notice of what had been said. He believed that those gentlemen had at last arrived at the con-

clusion that they were quite a different kind of people from what they on his side were. They were going on employing every term of abuse, and expected them to sit quietly and listen to it. Their action reminded him of what the Jew said in the "Merchant of Venice," when he asked,

"Have we not eyes, have we not hands, organs, dimensions, senses, affections, passions? . . . If you prick us do we not bleed?"

Of course they did. They had been pricked, and they did bleed—if not exactly in their own persons, yet in the person of their chief and leader, the Premier, who had been attacked in the grossest manner, and whose honour they should consider second only to their own. It was all nonsense to talk about violent language; but the Opposition appeared to be utterly unconscious that they had provoked a great deal of what had fallen from his (Mr. Archer's) side of the House, and if the remarks made by some of the younger members on his side had not been provoked, it would only have shown that they were without feeling. It was very remarkable that hon. members opposite should complain of this language, considering their own style of debate. What had fallen from the hon. member for Ipswich (Mr. Macfarlane) this moment—a gentleman who came there to lecture them on their misdeeds? He actually accused the Premier without one tittle of evidence, or one tittle of probability, of being implicated with McIlwraith, McEacharn, and Company, of London, in this steel rail transaction. Could any hon. member descend to a lower depth? Was that the man to reprimand other people for using violent language? But where was the evidence in support of his charge? There was nothing but suspicion—the whole House was filled with suspicion. The leader of the Opposition retracted some of his charges, but left the whole atmosphere filled with suspicion; and the hon. member for Enoggera (Mr. Dickson) filled the House with suspicion in the same way; while the hon. and learned member for Enoggera not only filled his speech with suspicions in the hope that some of them would stick, but he also had the distinguished honour of perverting evidence to support his statements. Those were things not easy to be borne. If the discussion on the evidence before them had been straightforward, and suspicions resting simply on supposition had not been raised, they might have remained perfectly calm; but were they to hear, unmoved, those unsupported attacks, engendered by party spirit and by nothing else? As a sample, he would refer to some of the wonderful remarks which fell from the hon. and learned member for Enoggera (Mr. Rutledge). Talking of the Report of the Commissioners, that hon. member said—

"At all events there was no evidence, as far as any actual charge was concerned, to show that the Premier was connected with it, and he was, therefore, to be held 'not guilty.'"

There was no actual evidence, but the hon. member was not at all afraid again to repeat the charge. It did not matter whether there was evidence or not, they would throw mud and some of it would stick. The hon. gentleman had not done this in the violent way some of his (Mr. Archer's) friends had done—which he certainly was not apologising for—but he had done it in a way which amounted to something much worse. He threw suspicion in the hope that some of it would stick. He was kind enough to admit that there was no evidence to show guilt, yet he would pervert evidence to prove that the Premier was guilty of the charges brought against him. If he (Mr. Archer) did not prove that, he would

never talk or say another word in that House. He could not express his indignation in hearing a gentleman getting up and reproving others for violent language, and then descending to pervert evidence for the purpose of throwing suspicion on the Premier. That hon. gentleman (Mr. Rutledge), after reading the twenty-third paragraph of the Report of the Commission, said—

"That transaction certainly admitted of some other conclusion than that the Premier was a party to a scheme for the enrichment of his friends; yet it was quite clear that the Premier had his misgivings—that he knew, as pointed out before, from the facts disclosed on the voyage from Cork to Liverpool, that the metal market was rising, and rails constantly increasing in price, and that he had had 5,000 tons offered at 5s. a ton less than a parcel had been sold at the previous week. But he went off to Ayr without making any inquiries, and when he went to London he said his position was that he must have 12,000 or 15,000 tons during the next eighteen months."

He did not wish to detain the House longer than necessary, and was not going to refer to documents, but would depend on his memory in examining this question. As far as he remembered, the Premier arrived in Liverpool on the 23rd December. They had it in evidence that on the 8th October Mr. Andrew McIlwraith, the head of the firm of McIlwraith, McEacharn, and Company, purchased 20,000 tons of steel rails—10,000 tons from the Moss Bay Company, and 10,000 tons from the Barrow Company. In November he received a letter from his partner in Australia—this was not suspicion, but was in evidence—stating that he had not contracted for rails with the Queensland Government, but had been in treaty with Thomassen for freight; and Mr. Andrew McIlwraith then began to try to sell the rails. It was in evidence that on the 10th December and on the 17th December he sold these rails to the Haslam Company at a price which was not stated. At the time those rails were sold the Premier must have been either in America or on the Atlantic, and on the 19th December Mr. Haslam wrote to the Queensland office offering to quote rails in case the Queensland Government wanted them. No doubt he and Mr. Andrew McIlwraith and everybody else knew they wanted rails perfectly well. Thus stood the transaction at that time, and nothing further could be done until the Queensland Government called for tenders. The Premier arrived in Liverpool on the 23rd December, and was therefore able to meet his father and family in Scotland on Christmas Eve; and, having spent the holiday week with his family, he arrived in London on the 3rd or 4th of January. At that time no transaction had taken place as far as was disclosed by the evidence about the rails. Messrs. McIlwraith, McEacharn, and Company had sold rails to Mr. Haslam, and Mr. Haslam had written to the Queensland office, asking to be allowed to quote, so that Mr. McIlwraith had nothing to do with that matter. He would now clear up the small matter of the 5,000 tons, which had been interpolated, he supposed, simply to confuse the question. The Premier had been offered 5,000 tons of rails at 5s. a ton less than a parcel had been quoted at a week previously. Suppose that the Premier had bought these rails without a public tender, would there not have been a howl of indignation heard through the whole country, especially if, as it happened three months afterwards, rails had gone down? The Premier did exactly what he was obliged to do. He declined to have anything to do with tenders till he knew whether Ibbotson and Company would fulfil their contract, and after he was satisfied to the contrary, he entered into the necessary arrangements for receiving tenders; but if he had purchased those 5,000

tons and the market had fallen, he would have been held up as the most frightful example of depravity who had ever had anything to do with the Government of Queensland. But rails did not fall; and he would refer to what a gentleman, for whose judgment he hoped the hon. and learned member for Enoggera had a little consideration, said on this matter. It was an extract from the speech of Sir Hardinge Giffard, though not a part of the speech itself, but a quotation of what had been said by Lord Justice Bramwell:—

"One has often heard Lord Justice Bramwell say that nothing is more ungracious than, after the necessity has passed away and people's minds are fully informed of the facts which afterwards take place, to put yourself in the position of pretended superior wisdom, which subsequent experience has enabled you to take up, and then to cavil at the judgment formed by a person who at the time had not that experience, but was only able to form a conjecture at the time the particular act took place."

Was it really to be believed—not by the hot side of the House—not by the younger members, who were given to saying violent things, but—by gentlemen on the Opposition side, that they should, in a cool and deliberate way, blame the Premier for not buying these rails! Hon. members opposite blamed the Premier for not purchasing these rails at a time he could get them at 5s. a ton less than was recently paid; in their position of superior wisdom, with all the facts before them, they were able to rail with perfect safety, and denounce all the blunders committed by the Premier. But that was not the worst. The fact was that the allusion to the Premier going to Ayr for the purpose of escaping from the transactions was without one iota of foundation; and he (Mr. Archer) defied any man who had read the evidence carefully to produce one fact that connected the two things together. It was nothing but suspicion. The suspicion was that the Premier went to Scotland to allow something or other which they did not understand to take place. That was really the charge which the hon. and learned member (Mr. Rutledge), who had been in the habit of studying evidence, took upon himself to set up. It was known perfectly well that during Christmas week business was almost at a standstill. For centuries the custom had been to consecrate Christmas to family meetings, and thus it was that, when the Premier arrived in England, on the 23rd December—

An HONOURABLE MEMBER: The 21st.

Mr. ARCHER: The 23rd, he believed, and he would try and verify it later on; but he would not detain the House by looking for it now. At all events, the Premier arrived in England just in time to spend Christmas with his family, and he (Mr. Archer) did not believe there was a man in this House who would not have done the same thing. Yet this visit was twisted by the hon. member for Enoggera into an attempt to get away from London to allow some villainy to be committed; when it was proved by the evidence that no transactions in rails took place during that time. Now, he (Mr. Archer) would like to know whether this twisting of evidence for the purpose of throwing suspicion upon the Premier—for there was no evidence to prove it—was a less blameable fault than the words spoken on that (the Ministerial) side of the House when irritated by accusations against the Premier? He was not now excusing the words that had fallen from this (the Ministerial) side of the House—he was not the apologist of hon. members; but they were less blameable than those who adopted the method of twisting evidence to cast suspicion. Reverting to the time of the Premier's arrival in Liverpool, he found it was the 22nd December; he had not been

exactly sure, but he had believed it was the 23rd. But still he hoped no one here would think the time was too much to allow the Premier to go from Liverpool to Scotland to spend Christmas with his family. There was an amount of suspicion about everything that was spoken of here. Discredit was thrown on the Report that had been presented, and the hon. member for Enoggera (Mr. Dickson) supposed that the Commissioners were under the thumb of Sir Hardinge Giffard. Then the hon. and learned member for Enoggera (Mr. Rutledge) supposed something else; he found out that Mr. Gibbs was in his dotage, or was approaching it, and that he had been tutor to the Prince of Wales. Now he (Mr. Archer) was 35 years of age when the Prince of Wales was 13, and he might have been the Prince of Wales' tutor if he had had the necessary qualifications, but he was not aware that he was now in his dotage, or that he was unfit to take part in the deliberations of that Chamber. The hon. and learned member did not know Mr. Gibbs' age, yet he jumped to a conclusion on the point because it assisted him in his suspicions. He (Mr. Archer) was not now addressing the hon. member for Enoggera because he took upon himself to lecture this (the Ministerial) side for the violence of its language, but he was trying to prove that he was twisting evidence for the purpose of throwing suspicion on the Premier. He had another matter to refer to, and one that was quite wonderful in its way. In a speech they listened to the other day from the hon. member for Enoggera (Mr. Dickson), near the conclusion the hon. member gave expression to this wonderful sentence:—

"No matter what amount of discredit might be attached to these gentlemen"—

That was to Mr. Hamilton, Mr. Hemmant, and also the hon. the leader of the Opposition—

"it would not be considered by the country any detraction of the valuable services they had rendered in endeavouring to test the administration of this country."

Now, what had these three really had done for this country? He would begin with Mr. Hamilton. That he had committed perjury was pretty well known to the people of Queensland, and when a person brought charges—when a witness in a court brought charges against anyone, if you could prove that he had been a perjured man, you at once placed no reliance in his evidence. And that was the way with Mr. Hamilton. He had brought grave charges against the Premier, and against other men, but he was unworthy of belief, because it was known that he had perjured himself. The hon. and learned member for Enoggera (Mr. Rutledge) took this very course every time he was engaged in court. If he could prove that the chief witness was a perjurer, then of course he did not trouble about his evidence, and it was plain to everyone that Mr. Hamilton had perjured himself. It was known that when he went to England as Secretary to the Agent-General, he watched as a spy upon, perhaps, the best Agent-General they had ever had—a man whose life was shortened by his labours in that office. He sat there under Mr. Daintree, and with his superior mercantile knowledge—for he (Mr. Archer) did not deny that Mr. Hamilton had more mercantile knowledge than Mr. Daintree—he was enabled to detect irregularities on the part of several people in the office. But he never reported these to Mr. Daintree; he reported them in the colony, and when Mr. Macalister went home and held an inquiry, Mr. Daintree asked Mr. Hamilton whether, if he had reported these matters to him, he did not think Mr. Daintree would have rectified them. Mr. Hamilton said he believed he would. When asked at the inquiry held by the Premier at the London office, whether he had acted as agent for anyone,

he said "No," though it had since been proved that he had acted as agent. The hon. and learned member for North Brisbane had said—he (Mr. Archer) was quoting from memory, and was willing to be corrected if he was wrong—that that would not be taken as evidence in a court of law, because the special circumstances to which it referred were not mentioned to him (Mr. Hamilton).

Mr. GRIFFITH: I do not remember it; but I may have said so.

Mr. ARCHER: But when Mr. Hamilton came out here, he was before a properly constituted court; before a select committee of this House. He was asked if he had ever, either as agent or principal, consigned goods to Brisbane, and he replied that he had not. Another gentleman was induced to come in and confirm Mr. Hamilton's statement; but he would not mention his name, as he had nothing to do with the question before the House. The miserable man came before them and stated what was not true, confirming Mr. Hamilton's assertion that he had never consigned goods to Brisbane, either as agent or principal. Since then, the bills of lading and the invoices had come out, and it thus appeared that this man was false to his first chief, Mr. Daintree, was false to the country that paid him his wages in the London office, and was false in what he stated in the London office, which statement he had since reiterated. This was the man whom they were to hold up before the people of Queensland as the first saint of their political martyrology. That was the remarkable language of the hon. member for Enoggera, Mr. Dickson—who every one in that House was perfectly certain was incapable of a dishonest action in his own person, and to whom any man in that House would entrust his business with a perfect certainty that he (Mr. Dickson) would execute it with integrity;—and yet that gentleman, from party spirit, would actually ask them to condone the acts of such a man and make him, as he had said, one of the first saints of the political martyrology of Queensland. He (Mr. Archer) was perfectly certain that the hon. gentleman would not descend for one moment to do such a thing as had been done by that gentleman; and yet the gentlemen on that (the Opposition) side were found charging them on the other side with voting simply as party-men. They were all party-men on this side; they were not on that side, but they condoned things which he hoped those on this side would not condone. He had hoped that it would have been unnecessary for him to inflict on the House any of the evidence that had been taken, but as he had made up his mind that he would not say a single word there that night on suspicion, but simply on what was proved in the evidence, he felt compelled to read a rather long extract. The next gentleman on whom he felt called upon to make a few remarks was Mr. Hemmant, because he wished, if he possibly could, without going outside the evidence—not twisting it—to prove that Mr. Hemmant was not the strictly honourable man that he was held up to be. He wished to prove this in the interests of the Premier, who had been attacked, and bitterly attacked, by that gentleman. It was not because he wished to say anything ill of anyone; he was not in the habit of doing so; but when he found the Premier was attacked, he (Mr. Archer) tried to damage the evidence of those who attacked him by proving that they were not the immaculate men they were held up to be. He would, therefore, have to call the attention of the House to page 247, where Mr. Charles T. Clay was further examined:—

"6058. By Mr. Davidson: I want you to be good enough to refer to the telegram from the Agent-

General to the Colonial Secretary, dated 13th July, 1880. [*Minutes*, p. 168, *Appendix PP.*] Before that telegram was sent out do you remember the Agent-General giving certain instructions? Yes.

"6089. Those instructions were, I believe, to search the books and to give him certain information? In compliance with a telegram received from the colony.

"6090. Did you give him the information on which that telegram was sent out? Yes.

"6091. By Mr. Gibbs: You are the person who searched the books? No, I gave him the information. I did not search the books individually; the clerks did that; it came under Mr. Woohner's department.

"6092. By Mr. Davidson: Now, we come down to the present time. I want to know whether you have most carefully searched the books and papers between February, 1878, and July, 1880? Yes.

"6093. Have you searched the books by yourself, or with the assistance of any other person? With the assistance of Mr. Mallinson.

"6094. Are you able to state, as the result of your search, that either Mr. Hemmant, or his firm of Stewart and Hemmant, supplied rugs and sheets for ships' kits amounting to about £3,639, about that date? Yes, over £3,600.

"6095. Can you state, from having searched the books, that in February, 1878, Mr. Hemmant, or his firm, charged 6s. for rugs and afterwards 7s. 4d.? Yes.

"6096. Can you also say that in February, 1878, Mr. Hemmant or his firm charged for sheets 2s. 2d., or what sum? 2s. 3d.

"6097. Can you say in respect of those articles supplied, that they were supplied without competitive tenders being called for, or not? So far as the books show, they were supplied without competitive tenders being called for.

"6098. Have you examined the books very carefully, in order to test the accuracy of that statement? I have.

"6099. I will call your attention to a letter of the 3rd of January, 1878, which has already been referred to, from Mr. Thomas Hamilton to William Hemmant, Esq. [*Last Exhibit.*] Did you find that letter in the books? Yes.

"6100. Have you found, at that date, or near about that date, any letter to any other firm asking for tenders for those articles? No.

"6101. Do you think it is possible that if competition were called for there would not be a letter or document of some kind showing it? Yes, there should be most certainly.

"6102. You have had the opportunity of hearing what Mr. Selwyn said about rugs being there. Notwithstanding that, do you still state that, so far as you can judge, competition was not called for? There is nothing in the books to show there was any competition, neither in the outward nor inward correspondence.

"6103. Is it a fact that a great many samples of rugs and other articles were lying about the Queensland office for some time? Not frequently, but at times there have been, on account of indents coming and samples being sent in.

"6104. It is quite probable for other people's samples being in the office without competitive tenders being called for at any particular time? Yes; I will give you an instance: a firm might send a blanket in with a price on it, as a reminder or an advertisement. There were several blankets in the office for some time having reference to indents.

"6105. After having examined the books, can you say that in respect of these 3,000 to 4,000 rugs and sheets, that competitive tenders were called for from Bradbrook and Hartley, Caldecott and Son, and the other firms referred to by Mr. Selwyn? I cannot say of my own knowledge.

"6106. I said from the books? The books do not show it.

"6107. If letters had been sent they would be sure to appear in the books? Yes, certainly.

"6108. I will ask you to refer to the letter of the 27th March, 1878, from Thomas Hamilton to the firm of Stewart and Hemmant? [*Last Exhibit.*] Yes.

"6109. After having looked at that letter, are you able to state that, at any rate, the increase of sheets and rugs was supplied by Stewart and Hemmant without competitive tenders being called for? As far as the books show.

"6110. Will you refer to the letter of the 30th of December, 1878? [*Last Exhibit.*] Are you able to state that, so far as the books show, that 2,000 emigrants' bags were supplied by the firm of Stewart and Hemmant without competitive tenders being called for? They were ordered, but without competitive tenders.

"6111. You say you have made a careful search of the books? Yes.

"6112. Do you find that, in 1877, Bradbrook and Hartley and William Hartley supplied some rugs at 4s. 10d.? Yes.

"6113. Do you also find that Caldecott and Son, in 1877, supplied sheets at 2s. 1d.? Yes.

"6114. Do you happen to know the position Caldecott and Son occupy in the trade? Not in the least.

"6115. Now, as to the indents: first we will take indent 79? I think I have the letter here. [*Original documents produced.*]

"6116. Are you able to say that Mr. Hemmant, or his firm, tendered for ordnance rugs without competition? The order was placed with them without competition.

"6117. Are you sure of that? Yes.

"6118. With reference to indent 69, that was in respect of ponchos, was it not? Yes.

"6119. Were invitations to tender sent out? Yes.

"6120. To what firms? Anderson, Abbott, and Anderson, and Messrs. Stewart and Hemmant: those were the only two.

"6121. Can you give me the respective amounts at which they tendered—give me Mr. Hemmant's first? On the 30th of December, Stewart and Hemmant quoted several prices—21s., 27s., 45s., and 60s.; and Anderson, Abbott, and Anderson quoted the price they had supplied them at before—namely, 22s. These prices that were tendered by Stewart and Hemmant, not appearing to be for the same articles that were asked for, they were requested to tender on a sample which was sent to them.

"6122. Did Anderson, Abbott, and Anderson, when they tendered, send you a sample? Yes.

"6123. Did you, or did you not, by the direction of Mr. Hamilton, send Anderson, Abbott, and Anderson's sample down to Stewart and Hemmant, in order to assist them in quoting a price? This is the sample: a portion of it was torn off and sent to Stewart and Hemmant, on which they tendered. [*Producing it.*]

"6124. The sample received from Anderson, Abbott, and Anderson, was sent to Stewart and Hemmant in order to assist them in quoting a price? Yes.

"6125. By whose direction was that done? Mr. Hamilton's.

"6126. To you? Yes."

He paused for a moment to remark upon this evidence, which was infinitely worse as regarded Mr. Hamilton than giving contracts without competition. Here contracts were called for by tender. Messrs. Stewart and Hemmant quoted prices varying very much, and Anderson, Abbott, and Anderson was the name of one firm that sent in a sample, and, although this was the only firm that sent in a proper tender, they did not get the contract. A corner was cut or torn off the sample sent by Anderson, Abbott, and Anderson, and was sent to Stewart and Hemmant so that they might amend their tender. They did amend their tender.

An HONOURABLE MEMBER: Where is that?

Mr. ARCHER: If the hon. member had paid attention to his (Mr. Archer's) distinct reading of the evidence he would have no need to ask that question. He would give the hon. member the number of the question. It was number 6123:—

"Did you, or did you not, by the direction of Mr. Hamilton, send Anderson, Abbott, and Anderson's sample down to Stewart and Hemmant, in order to assist them in quoting a price? This is the sample: a portion of it was torn off and sent to Stewart and Hemmant, on which they tendered."

Mr. GRIFFITH: He did not say anything about an amended tender.

Mr. ARCHER: He quoted 21, 27, and a great many other prices that were not in the original tender. It was just as he said, and there was no necessity for any interruption at all; it only made the thing more difficult. As he stated, the portion torn off was sent to Messrs. Stewart and Hemmant on purpose that they might make a new tender. They had tendered at 21s. 6d. without showing a sample; and who would buy a thing without a sample in that way? Why, even Mr. Hamilton would not do that! He sent them, therefore, a sample for them to tender by, and they tendered at the exact amount of the original tender of Anderson, Abbott, and Anderson. Did the original tenderers, therefore, get it? Not a bit of it; Stewart and Hemmant got it, though it was only after seeing the sample sent in by the other firm that they tendered with a sample equal in quality—

exactly equal—and the exact price also at which the other firm had tendered for it. Now, they had heard a good deal of talk about coincidences, but he should not say anything about them, as he would be thereby entering into the region of suspicion. He would take it for granted that the price given was the true price for such goods, and the quality the same as that sent in by Anderson, Abbott, and Anderson. He was very sorry to detain the House with any more of this dry reading of evidence, but he must give them the rest of it. A good deal of other evidence had gone into *Hansard*, and it would be better, perhaps, that this should do so also. He supposed he could not get it into *Hansard* unless he did read it. The evidence went on:—

"6127. Messrs. Stewart and Hemmant eventually said they could do it at 22s? On the 17th January, Messrs. Stewart and Hemmant quoted at 22s.

"6127*. Was that offer of 22s. accepted? Yes.

"6128. Now, indent 64: would that be an indent for canvas? Yes.

"6129. Were invitations to tender sent out in that case? Yes."

He did not, however, want all this to go into *Hansard*. There was a lot more, and it was all about the same quality.

The COLONIAL SECRETARY: If you don't read it, I will.

Mr. ARCHER: There were several more pages, and, as he had not got the remarkable faculty of the hon. and learned member for North Brisbane of speaking for five hours in succession, he should not occupy any more time by going on with it. Anyone could read the evidence, so he should not do it, except a short portion on page 252, where Mr. Stewart Joseph Wilnot Mallinson was re-called, and further examined as follows:—

"6236. By Mr. Davidson: Have you searched the books, papers, and records of the Queensland Government Office between February, 1878, and July, 1880? I have.

"6237. Did you do it by yourself, or with the assistance of anybody else? Mr. Clay and I both went over the books together.

"6238. Have you gone through the books more than once? Yes.

"6239. Have you made a very careful and exhaustive search of the books? Yes.

"6240. And of the correspondence? Both the outgoing and the incoming.

"6241. After that search, are you able to state that this telegram, sent by the Agent-General to the Colonial Secretary, of the 13th July, 1880, is substantially correct? [*Minutes*, p. 168, *Appendix PP.*] I think so."

That was the telegram which was read to the House last session, and which put the other side of the House in a flame of fiery contradiction and denial. Mr. Mallinson's evidence went on:—

"6242. From having searched the books? Yes.

"6243. Have you seen the correspondence between Stewart and Hemmant and Hamilton which has been put in? [*Last Appendix.*]

"6244. Have you been able to find any other correspondence relating to tenders for the same articles? None whatever.

"6245. Do you generally confirm what Mr. Clay has said in connection with that telegram? Yes; everything Mr. Clay has said is correct.

"6246. So far as you can judge from having examined the books? Yes.

"Mr. Hemmant: I have nothing to ask."

Let them note what Mr. Hemmant said—"I have nothing to ask." Now, Mr. Hemmant was a gentleman utterly unknown to him; so much so, that were he to meet the gentleman in the street he would not know who he was. He should, therefore, only speak of Mr. Hemmant in so far as he was connected with the transaction now before the House, and the evidence before them. He should not wander outside for the purpose of throwing suspicion upon anyone, as

some speakers had done; but he must, of course, remark that Mr. Hemmant was one of the gentlemen who had been the means of leading up to what took place in the House last year, to the proceedings of the Select Committee, and to the inquiry by the Commissioners at home. Mr. Hemmant had sent in a petition, and it was to that petition that he (Mr. Archer) should now refer. In looking it over very carefully he found that it consisted of two distinct parts. Partly it consisted of charges as against the London office, and partly it consisted of charges which, by implication, reflected very strongly on the Premier and the Government of Queensland. Now, a great many of these charges had been admitted as facts; in fact, Mr. Hemmant might just as well have put in his petition a statement that the Premier lived in a house, and that there was a fireplace and chimney in it. He could then have proved it just as easily as some of the things which were in the petition now, but the moral turpitude to be inferred from the fact would be more difficult of proof. He (Mr. Archer) would, however, pass over that, and come to the charges which were made against the London office. In all inquiries of this kind it was, of course, necessary for the person who preferred the accusation to be in a position to prove his statements to be true. It would have been very much better, therefore—much easier and simpler—if Mr. Hemmant, in making his charges against the London office, had, instead of referring to the iniquities of the firm of McIlwraith, McEacharn, and Company, simply appended another sentence to the petition, and stated, in finishing it, something like the following:—"That your petitioner is aware that the London office does not conduct its business on sound mercantile principles, as your petitioner has enjoyed profits in being allowed to supply goods without sending in tenders for them." That would have been perfectly simple, and he would not then have been trying to throw blame on other people. He (Mr. Archer) was not at all sorry that a great many of the facts which had been brought out were now known. He believed that it would do a great deal of good in the future to the London office, only he wished they had been ascertained in another way. This gentleman, Mr. Hemmant, had been held out to the House as a man of honour. He had brought the matter under the notice of the House, and if, therefore, it was wrong at all to grant contracts without tenders and to allow people to make more money than they could do by fair competition in the open market, he had also received such a benefit. But what did he do? How were they aware of these things? The House had never been told by Mr. Hemmant what he had done—not, that is, in his own person. They had not heard it from him by a voluntary confession, but they had been driven to find it out by searching books and deeds in the London office. He (Mr. Archer) had not the slightest ill-will towards Mr. Hemmant. He did not know him except in reference to this matter, but they had been told by the hon. member for Enoggera (Mr. Dickson) that Mr. Hemmant was a gentleman of honour, who ought to be considered as having rendered valuable services to the colony. Now, this was a very extraordinary thing. He (Mr. Archer) did not believe that there was a single member of that House that did not suppose the member for Enoggera to be perfectly incapable of doing a dishonourable action in his own person. He (Mr. Archer), at least, was of that opinion. And yet, simply because this man was of the opposite set of political opinions to the Premier—because he belonged, as it were, to the party of the hon. gentleman (Mr. Dickson)—he was willing actually to ignore the extreme meanness

of this action. It was very wonderful; he (Mr. Archer) could not understand it. What excuse was made for the character of Mr. Hemmant's transactions? It was said that Mr. Hemmant had had many transactions with the Government of Queensland before, and that these particular ones were so petty—so small. Why, the hon. gentleman actually made the thing an arithmetical proposition. It was not a matter of principle, but as to whether Mr. Hemmant made a great deal or only a little from it. This was the most miserable excuse that he (Mr. Archer) had ever heard. It reminded him of the excuse which the poor woman made as she looked at the result, the sad proof, of her fall from virtue, and explained, in mitigation of her fault, that it was "only a very small one." But now—to dismiss, for a moment, these two very secondary persons from their consideration—he wished them to consider the method in which the hon. and learned member for North Brisbane had conducted his part of the inquiry. He, too, had been held up to them by the hon. member for Enoggera as one who should be remembered for the services he had rendered in this way to the colony. Now, before they could come to a judgment upon the manner in which he had performed those services, they must take into consideration the services spoken of. He (Mr. Archer) doubted if any man could have been in a better position to have performed those services, had the hon. gentleman been guided by his better judgment. It would be absurd if he were to talk of the hon. member for North Brisbane as otherwise than the first man—the head—of his profession in Queensland. He (Mr. Archer) would consider himself most fortunate if ever he got into a lawsuit—as he had never yet been—if he had the services of the hon. gentleman at his disposal. There was no doubt that the hon. gentleman had not only talent, but great application; and he (Mr. Archer) very much regretted that, in reference to this particular case, the same judgment that the hon. gentleman brought to bear on a brief had certainly not been brought to bear upon the political question which he had thus brought before them for discussion. It must have happened to that hon. gentleman several times during the course of his life, having been so constantly employed in court, that his opinion has been asked upon cases with all the evidence on both sides before him, and that after having studied the evidence and given his opinion upon it, that that opinion was found to be wrong. That must have happened more than once, for he could hardly assume that the hon. gentleman had won every case that he advised might be taken into court, and he supposed that the hon. gentleman did occasionally lose cases. What did that hon. and learned gentleman do when the petition came out from England signed by Mr. Hemmant, and containing the gravest charges made against the London office and against public men in Queensland? Without, as far as he (Mr. Archer) knew, any evidence in support, except that of a dismissed public servant who was here at the time—Mr. Hamilton—he allowed himself to bring the grossest charges against the Premier and the Government—grosser charges, in fact, than had ever been made against a public man, or body of public men, in any of the Australian Colonies. That he had done in spite of his large legal training. Had he (Mr. Archer) or any other stupid fellow with no legal training done so, he might have been excused. But here was a man qualified for a judgeship, who, guided by political animosity, brought forward, without proof, charges which, if they could have been proved, would have made the Premier not only unfitted to hold the position he did, but unfitted to move in any circle of society. What

had been the effect of that? Its effect had been to delay for days and weeks the proper business of the House, to introduce frightfully acrimonious debates, and, worse than that, to change their feelings towards each other from simple political opposition to bitter personal hatreds. That effect might be glossed over, but he was perfectly certain there were some members of the House who would not forget it for a long time. It might have been supposed that a man of the hon. gentleman's great experience would have introduced the business in a very different way. He would have come to the House and said: "A disagreeable duty has fallen upon me. I have received a petition from England, which brings the gravest charges against the Premier and certain other public men. Although it gives me great pain to do so, yet I am forced to bring it under the notice of the House, so that we may decide as to the truth or the falsehood of it. I will, therefore, if the Premier does not do so, call for a select committee to sit upon it and examine into the evidence." Had that course been taken, it would have been regarded by the House as the performance of a disagreeable but necessary duty. But the hon. gentleman had accepted charges without proof as proven; compared the Premier with men who had been guilty of infamous conduct in other places, and said he was ashamed to sit in the same House with him. Was that the reason why the hon. member (Mr. Dickson) thought that Queensland would look upon any mistakes the hon. gentleman had made with gratitude, considering the great services he had rendered. That service would have been rendered infinitely better had it been done in the way he (Mr. Archer) had stated, and had he restrained his political feelings and not allowed them to overpower his judgment, which must now be mature. Had he acted in a more deliberate, statesmanlike manner, and not as an advocate for the other side, he would have performed a service for which Queensland might have been grateful. The tone of the House did not appear to have improved since last session; the same style of crimination and recrimination still continued. The hon. and learned gentleman admitted that there was not a tittle of evidence against the Premier, and yet insinuated that there was suspicion, suspicion, suspicion! He would just glance at the light which the amendment placed the hon. gentleman in. There was not the slightest evidence of the Premier having done anything unworthy either of a statesman or a gentleman; and yet the hon. gentleman could say that in making these contracts the interests of the colony had been subordinated to the interests of private persons. The hon. gentleman had left them in no doubt as to who, in his opinion, was to blame for that. Having been driven from his first position, he descended to hold that the Premier was to blame—not because he knew what was going on, but because he culpably shut his eyes to it. That was simply a change without a difference. If that was the whole distance the hon. gentleman had gone, after stating distinctly that there was no evidence against the Premier, he had better not have made the admission at all. The hon. gentleman, after formally exculpating the Premier, went on throwing mud in the hope that some of it would stick. If the hon. gentleman was still willing to bring this affair to a conclusion, he would show him a way which would be thoroughly effectual; and the hon. gentleman had it now in his power to put a stop to the way they had been going on lately, and restore the House to its true function of legislating for the colony they were here to represent. The mode he (Mr. Archer) proposed was to move the following

amendment on the amendment of the hon. member for North Brisbane (Mr. Griffith) :—

That all the words in Mr. Griffith's amendment after the words "petition and" be omitted, and that there be inserted in lieu thereof the following words:—Whilst deeming it inadvisable to express any opinion upon the working of the London office pending the further inquiry now being held by the Commissioners in London, we are glad to congratulate Your Excellency on the fact that the charges made against the Premier have been proved to be completely unfounded.

In moving that amendment he did not do so for the purpose of showing that those sitting on the Ministerial side of the House had the fullest confidence that the Premier was incapable of what was laid to his charge, for had that been the case no amendment would have been necessary, as it would be open to hon. members to have voted against the amendment of the hon. member for North Brisbane; but in the hope that the Opposition would now consider carefully what they had done, and agree that the Premier was free from all suspicion; and then they might return to the normal business of the House. He had specially refrained from drawing any attention to the London office, for its condition was now being inquired into by the Commissioners.

MR. GRIFFITH: No.

The COLONIAL SECRETARY: Yes.

MR. GRIFFITH: I will give you some information about that.

An HONOURABLE MEMBER: He has heard from Hamilton.

MR. ARCHER said his impression was that the London office was still under inquiry by the Commissioners.

The COLONIAL SECRETARY: It is.

MR. ARCHER said that at all events the report on the conduct of the London office would be laid before the House and form a subject for discussion at a later period of the session. Honourable men always admitted when they had been in the wrong, while dishonourable men never forgave those whom they had injured. Honourable men never rested until they had repaired the injury they had done; and he, therefore, called upon the Opposition, by voting for his amendment, to show that they were willing to make every reparation that was in their power. If accepted it would free this House from an atmosphere laden with suspicion and bad names, and a great many unpleasant things would be cleared away. The House could then commence its legitimate work of legislating for the country, and it might be hoped that personal matters would be strictly excluded from the debates; but that would not be the case until the Premier's name was received on the Opposition side, as it was on the Ministerial side, as perfectly free from all suspicion. He would remind hon. members of one other thing—that was, that a confession of this kind was more necessary to the honour of those who had brought those charges than to the honour of the man who had been unjustly charged. The Premier would live through them all, and would go on living until people would look back with surprise at the charges and the suspicions to which he had been subjected; it was for those who had brought such charges to clear themselves, if they could not prove them, by an humble apology.

MR. McLEAN said he had the honour of being a member of the Select Committee which sat last session to investigate the allegations contained in Mr. Hemmant's petition, but up to the present time he had not addressed the House on that subject, having gone south before the report of the Committee was submitted to the House. The few words which he now proposed to address to the

House would be brief and, he trusted, to the point, and he should not attempt to lecture the Ministerial side of the House or to exonerate his own side. It was very refreshing to notice the way in which the hon. member for Blackall, while professing not to act as an apologist for the Ministerial side of the House, really offered an apology for them. From the speeches which had been delivered on either side during the present session, the question seemed to have been narrowed down to this: The Opposition said that certain parties were so and so, and the Ministerialists said that other parties were much the same; in fact, it was just a "you're another" all through the piece. Hon. members on the Opposition side had been blamed for trying to prove that McIlwraith, McEacharn, and Company, Mr. Ashwell, and the Agent-General were working together in these steel rail transactions; hon. members on the other side, led away by the telegram sent home by the Colonial Secretary last year, tried to blacken, as far as they possibly could, the character of Mr. Hemmant and Mr. Hamilton. Even granting that Mr. Hemmant had supplied goods to the Government through the London office without competitive tender, the way in which the hon. member for Blackall tried to prove his case was very disingenuous. The hon. member read a clause in the evidence with reference to rugs, but he stopped short at the very point where he found it convenient to stop. Had he gone a little further he would have found evidence against his view of the case. The questions he was about to read showed again that the solicitors of the Premier, instead of trying to bring out all the truth that could possibly be brought out in connection with the subject, used all their efforts to show up the character of the witnesses, and thereby to throw discredit on their evidence. That seemed to be the whole aim, object, and desire of the solicitor and counsel for the Premier throughout the sittings of the Commission. Mr. Davidson asked Mr. Clay—

"6123. Did you, or did you not, by the direction of Mr. Hamilton, send Anderson, Abbott, and Anderson's sample down to Stewart and Hemmant, in order to assist them in quoting a price? This is the sample; a portion of it was torn off and sent to Stewart and Hemmant, on which they tendered. [Producing it.]"

And, with reference to the tender—

"6136. You mean that Mr. Hemmant, or his firm, were the highest tenderers? The quality, you see—

"6137. I do not want the quality?"

The witness was stopped as soon as he spoke of quality, because Mr. Davidson only wanted to know whether the firm of Mr. Hemmant were the highest tenderers.

MR. ARCHER said he remembered having read those questions, but did not know they occurred there. His only reason for having left off where he did was that he was tired of reading a long rigmarole.

MR. McLEAN said he was quite willing to accept the statement of the hon. member; but he wished that the whole truth should go before the country, and that it should be seen that this was not a question of whether that firm were the highest tenderers, the quality of their goods being different from that asked for. The following letter from the firm, printed with the Report, would fully explain that :—

"17th January, 1879.

"T. Hamilton, Esq.

"Dear Sir,—In answer to your letter of the 15th instant, we beg to say that we can do 80-by-80 ponchos, as samples enclosed, at 22/-. You will observe that our pattern is of a much better quality than the one submitted by you; but it is the lowest we could recommend.

"Anything commoner would, we fear, reach the colonies in anything but good condition.

"Awaiting your reply,

"We are, dear sir, &c.,

"STEWART AND HEMMANT,

"P. H. G.

"We return your pattern."

Hon. members would observe how eager Mr. Davidson was to stop the evidence of Mr. Clay as to the quality of the goods; all he wanted to show was that the firm of Stewart and Hemmant were the highest tenderers. He gave the hon. member for Blackall credit for a desire that the whole truth should go before the country, and he believed that the hon. member did not omit to read that portion of the evidence intentionally. He had only adverted to it in order to show how eager Mr. Davidson, Sir Hardinge Giffard, and Mr. Clarke were to suppress evidence instead of bringing it out. With reference to the little transaction between Mr. Hamilton and Muir, Warde, and Company, it would be very interesting to know how the invoices, &c., referred to in connection with that subject, got into the hands of the Premier's private solicitor.

AN HONOURABLE MEMBER: What does that matter?

Mr. McLEAN said it mattered, because it appeared that there was a sort of Star Chamber in Queensland, and that whatever the Government found to suit its case must be had, even if they had to rake up papers which had been some time in the insolvency court. Being anxious to get at the truth, he had spoken to Mr. Muir since that statement had been made in the House, and pointed out how Mr. Muir's evidence had been contradicted. Mr. Muir said he could not understand it, that all the business of that kind they did was done through Law, and he did not know how the papers got there. He (Mr. McLean) did not want to exonerate Mr. Hamilton; if he was guilty of such things as hon. members had attempted to prove from the evidence, he could not be too much condemned or blamed. He was sorry to say that, instead of everything having been done to throw light on this question, a quite opposite course had been pursued. In his published addresses to the country, he had exonerated the Premier from any charge of participation in any profit derived from the steel rail swindle, and he still took up that position; but at the same time he held that the Premier had failed in his duty in not making a searching inquiry when he was on the spot at the time the thing took place. It had been said by the hon. member for Blackall that Mr. Andrew McIlwraith made the purchase of 20,000 tons of steel rails in London in order to protect himself from any possible loss in consequence of his partner entering into a contract here with the Government. If that were so it seemed very strange that Mr. Andrew McIlwraith should have entered into the arrangement with the Moss Bay and Barrow Companies on the 8th October, when that mutilated blundering telegram, which had caused so much irritation and waste of time, was sent from Queensland on the 10th October. How did the hon. member for Blackall account for that? It appeared to him (Mr. McLean) that Mr. Andrew McIlwraith, knowing perfectly well that the Queensland Government was going into extensive railway works, and thinking that he might possibly be able to do something in the way of supplying steel rails, made a contract with the Moss Bay and Barrow Companies for rails with a view to selling them to the Queensland Government. He would, no doubt, be quite right in doing so, but the mystery which had been thrown over the whole concern had caused suspicion. He thought there was sufficient evidence before

them to prove that it was not in consequence of that mutilated telegram that Mr. McIlwraith bought the rails in England. As he said before, he believed that Mr. McIlwraith entered into the agreement with the Moss Bay Company and the Barrow Company in the belief—in the knowledge, in fact—that the Queensland Government were about to enter extensively into the construction of railways, and that there was just a probability that they would be able to make something out of rails. If Mr. McEacharn had given his evidence like that before the Select Committee, the subject would have been cleared of mystery. He must have known, for it was twelve months afterwards, that the mutilation of the telegram had nothing to do with his partners entering into the speculation for the purchase of the rails. He did so because he believed he could make something out of it. The hon. member for Blackall (Mr. Archer) had stated that every hon. member who had spoken on the Opposition side of the House had thrown out insinuations—in fact, that their breathings were thick with suspicion. To his mind, it was not in consequence of what had been said that suspicion had been raised, but in consequence of what had not been said. Mr. McEacharn, when before the Select Committee here, refused to give any evidence until he was pressed to do so; and his partner in England, Mr. McIlwraith, took up a still more determined position—he point-blank refused to give evidence that did not suit him; so that he (Mr. McLean) considered that idea dispelled—that Mr. McIlwraith had entered into the contract in consequence of the mutilated telegram. He very much regretted—and he had no doubt that many other members, both on the Government and on the Opposition side of the House, also regretted—the position taken up by the Commission when it sat in England. If he understood the object of the Commission, it was to elicit all the facts regarding the purchase of the steel rails, and the contract for freight with McIlwraith, McEacharn, and Company. To any unbiassed mind that read the evidence, it was as clear as daylight that the counsel employed by the Premier did not take up the position of trying to discover all the truths in connection with this matter, but that, on the contrary, they tried as far as they possibly could to hide them. He was sorry that the Premier should have taken up the position of an accused person, and that the Commission also should have taken up the position of being a judicial inquiry. If a person was accused of anything he was put upon his trial, as the Premier evidently considered he was. But he (Mr. McLean) never considered that the Premier was on his trial. He considered that those who had entered into the contract were on their trial. He thought it was most unfortunate that the Premier should have assumed that, and have gone to England and appeared before the Commission in the position of—in fact, of a criminal—and employed counsel for his defence. It was but natural, when he took up that position, that his counsel, instead of trying to bring out all the truths in connection with the inquiry, should try to suppress them; and any person who read the evidence taken before the Commission could come to no other conclusion than that Sir Hardinge Giffard, Mr. Clarke, and Mr. Davidson tried all they possibly could to suppress evidence rather than adduce it. The hon. member for Blackall (Mr. Archer) had read the opinion of Lord Justice Bramwell, and he (Mr. McLean) would read that opinion over again in connection with a portion of Sir Hardinge Giffard's address to the Commission, and also what Mr. Gibbs said in response to Sir Hardinge Giffard's remarks, which he thought would at once prove

that Mr. Gibbs was not qualified to occupy the position of an independent Commissioner in connection with this case :—

"One has often heard Lord Justice Bramwell say that nothing is more ungracious than, after the necessity has passed away and people's minds are fully informed of the facts which afterwards take place, to put yourself in the position of pretended superior wisdom, which subsequent experience has enabled you to take up, and then to cavil at the judgment formed by a person who at the time had not that experience, but was only able to form a conjecture at the time the particular act took place."

Now, Sir Hardinge Giffard, at page 278, in dealing with Mr. Jopp's evidence, said—

"Now, with respect to Mr. Jopp's evidence. He is asked this question, No. 5546: 'Do you think those would have been reasonable prices, the later ones, to give, unless the rails had been absolutely required very urgently? Well, to answer that in another way, if I may be allowed, if I had been in the New South Wales Office I should have advised them not to buy rails at that time, of course. 5547. Why, do you say 'of course'? Because it was perfectly evident that the market was in a very inflated state from two very obvious causes—one, a speculation which most experienced people would have told you was not likely to last, and in the second place because the Government of India were making large contracts which also were not likely to last, and because we had seen prices go up from £1 15s. to £9 15s. in six months."

Then Sir H. Giffard said :—

"Upon that subject, that is just the class of evidence which one is prepared to find from persons speaking long after the event has happened—they ought not to have bought rails at all; not, you will observe, that the facts are in dispute. Neither Mr. Hamilton, General Hyde, nor, in fact, Mr. Jopp ventures to quarrel with the price, though Mr. Jopp says you ought not to have bought at all. You immediately get then, not into the region of a fact which is susceptible of accurate investigation and definite finding one way or the other, but whether it was wise to buy at all, and therein, of course, Mr. Jopp has not before him, nor have we had it contested that, at all events, for smaller amounts which the Premier spoke of, it was necessary, and for the interest of the colony, that he should buy rails. Mr. Jopp, from his standpoint, thought it was not necessary to buy them at all, because he says the market was in a very inflated state. Now, sirs, several witnesses, and I will give the reference hereafter, if you will allow me, state"—

Mr. Gibbs here interjected—

"We think you may put your argument more strongly than that. Mr. Jopp speaks as a person really without responsibility; he would not have had the responsibility in buying the rails, the responsibility would have fallen upon the Secretary for State for India."

Was that an interjection for a gentleman occupying the position of an independent Commissioner to make? As soon as any person read that language he could come to no other conclusion than that Mr. Gibbs also assumed the position of counsel for the defence, and he (Mr. McLean) therefore said it was a pity—and he regretted it very much, and no doubt other hon. members would regret it—that this inquiry assumed the position of a judicial inquiry. The Minister for Works had been very ably defended by the hon. member for Blackall, and he (Mr. McLean) had no doubt that that hon. gentleman was a very able Minister for Works, and had carried out the administration of his department as economically as he could, and probably in the interests of the country; but he failed to show his diplomacy when, prompted by the Minister for Lands, he told how much money had been saved by the Agent-General by accepting the tender of Haslam and Company in preference to the next lowest, and said that by that means £20,000 had been saved to the country. But the hon. gentleman did not tell them that, if he had left the Agent-General to act according to the state of the London market at the time, £70,000 instead of £20,000 would have been saved to the colony. If the matter had been left open at the time instead of

the Minister for Works' hands being tied up by the agreement with Mr. Thomassen, that amount would have been saved. He had little more to say, as he was not going to enter into the evidence, but this much he would say—that even assuming that the Opposition had attempted to blacken the character of Messrs. McIlwraith, McEacharn, and Company, the Agent-General and Mr. Ashwell—which he said they had not, but had simply pointed out what they had done—it did not come with much grace from the members on the Ministerial side to try and blacken the characters of Mr. Hemmant and Mr. Hamilton in defence of the position they had taken up. He was surprised to hear, when the Report was being read, that the Commission intended to make an investigation into the working of the Colonial Office. They understood last session that that was one of the duties the hon. Premier went home specially to perform—and now they found that after an inquiry had been held, still it was necessary that more money should be wasted—that more of the money of the ratepayers of this colony should be wasted in paying commissioners to make a further investigation into the working of the London office. The cheapest way would have been to have swept the whole lot out at once, without any inquiry whatever, because it was very evident that not only would one inquiry not do, but that after the Commissioners had reported there would have to be another inquiry into the working of the London office, and that the office would never give satisfaction to that House or to the people of the colony until every soul that was in it at present was put out altogether and a new staff of officers appointed in their places. It did not matter how many inquiries were made, satisfaction would never be given to the colony or to that House until the office was very well cleared out. He intended to vote for the amendment of the hon. leader of the Opposition. He had listened attentively to all the evidence that was taken before the Select Committee, having been absent only one or two sittings. He had also gone carefully through the evidence that had been brought out before the Commission, and could come to no other conclusion than this—not so much from the evidence that had been given as from that which had been withheld—that the interests of the colony had been made subordinate to the interests of private parties. But if it was in the interests of the parties concerned to show it, why did not they show up everything? But they did not do so; they shirked the very questions that would have cleared up the whole matter. They could have given evidence if they had been submitted to examination; but they refused to submit themselves to that examination, and sent in *ex parte* statements in writing.

Mr. NORTON said that, before entering into the matter before the House, he had a short statement to make with regard to his position, which partook somewhat of the nature of a personal explanation. He had not felt it his duty to mention the subject to which he had to refer to anybody except the Premier. He was not in the habit of discussing his own personal matters with anyone, and for that reason he had kept it to himself. Circumstances had occurred during the recess which would place him in a somewhat altered position to the one he occupied during last session. He appeared in the House last session, and, ever since he had been in it until now as one, he believed, of the firmest supporters of the Government; but circumstances had occurred since that time, which had decided him, at any rate, to try to take a perfectly independent course. He did not consider it a matter of importance that he should enter into the details of the matter now. He could only say, as he had said before, that shortly after the Premier had returned he

mentioned the matter to him, and had acquainted him with the decision he had arrived at. The Premier and the members of the Government would at least give him credit, whatever course he might think it necessary to adopt in future, for trying to act towards them with fairness and in the most honourable manner. He believed that, and all he felt necessary to say now was that in future he should attempt to take a perfectly independent course in his action in that House. With regard to the matter under discussion, he said at once, and without the slightest hesitation, that he was perfectly in accord with the Government in supporting them through it. He was sorry to say he should have to read some of the evidence; he did not wish to tire hon. members by doing so, as he knew it was very tiring, but he thought it was important that some of the evidence which had not been read to the House should appear in *Hansard* to counteract that which had been read. In the first place, he had a few words to say with regard to the Premier's visit to England. A good deal had been made of the fact that shortly before the end of the last session the Premier was asked whether any member of the Ministry intended to go to England during the recess, and the Premier answered that there was no such intention; but shortly afterwards, when the leader of the Opposition had announced that it was his intention to go to England, the Premier decided that he should go also. He referred to that matter because, for his own part, he had thought seriously over it, and knew what would be said about it beforehand. He supposed almost everybody who had given the matter a thought at all knew that the Premier would be accused of going home to prevent evidence being given which might otherwise have been given. That was, he believed, the suspicion in some minds. For his own part, he thought that the Premier was entirely justified in the action he took. If hon. members would consider that at the beginning of last session, on very small evidence—almost on Mr. Hemmant's petition alone, though perhaps Mr. Hemmant had written giving some additional information to the leader of the Opposition, and he dared say Mr. Hamilton had also given some information;—at all events, on that very insufficient evidence, charges of the most gross character were made against the Premier. He would ask any hon. member to consider, if he were in the Premier's position and felt that he had done nothing to justify those charges, what he would have done. If he were in that position, would he not have thought that if such apparently strong charges could be made out of so little evidence, that he was justified in going home, when the man who had instituted those charges, and had taken the responsibility of Mr. Hemmant's petition upon himself, who was known to be the first lawyer in the colony—when he knew that he had gone home with the intention of making the most of it, and of doing his very utmost to prove all that he could against the Premier;—would not any man in that position, who felt that the charges were ungrounded—as he (Mr. Norton) believed was really the case, for he had never for one moment doubted the Premier's sincerity and honesty in that matter;—would not any man, feeling himself in that position, have also felt that he was justified in going home to see that evidence was not dragged up against him, as there was at least reason to suspect might be the case? He was not referring to the leader of the Opposition when he said that the Premier was justified in thinking, or at least suspecting, that all that designing rascality could do would be brought against him. That was what he (Mr. Norton) should have felt had he been

in the Premier's position, and he therefore thought the Premier was perfectly justified in taking the course he did, and going to England. He did not think it was necessary for him to say very much about either Mr. Hamilton or Mr. Hemmant. He had intended to leave Mr. Hemmant's name out of what he had to say upon the subject entirely, and if it had not been for the reference made to the transaction to which the hon. member for Blackall referred, and the light in which it was regarded by the hon. member for Logan, he should have said nothing whatever about the matter. It was quite sufficient, at least in his opinion, to say of Mr. Hemmant that he was a friend of Mr. Hamilton, and had been mixed up with him in these matters in such a way as to condemn him more thoroughly than any evidence that could be brought before the Commission. It was shown by the evidence that tenders were called to supply certain goods, and Mr. Hemmant's firm sent in an irregular tender without samples, stating three prices at which they would supply certain goods. The other firm asked to tender sent in their tender in a regular form with samples. Now, if both firms had sent in regular tenders, then the quality of the goods would have come into consideration; but it never got so far as that, for the regular tender was set aside until Mr. Hemmant's firm had an opportunity of making theirs regular, and this was apparently done to give them an opportunity of placing their tender on as good terms as the other—a piece of the sample which the others sent being forwarded to Mr. Hemmant, who, having received that sample, sent in another tender at the same price as the first regular tender. The man who sent in the regular tender was then put aside, and Mr. Hemmant's tender was accepted. That had nothing to do with the quality of the goods. He (Mr. Norton) referred to this matter because the hon. member for Logan was under a misapprehension as to what took place: he would not accuse the hon. member of any intention to misrepresent the matter. He must now say a few words with regard to Mr. Hamilton, whose name he mentioned because he was one of the witnesses on whom members on the other side relied for supporting the charges brought forward.

Mr. GRIFFITH: Not in the least.

Mr. NORTON could say only that, if they did not in the least rely on his evidence now, they did when the Select Committee sat last year.

Mr. GRIFFITH: No, never.

Mr. NORTON said they relied very materially on Mr. Hamilton's evidence, and the hon. member for Enoggera (Mr. Dickson) said last week that he considered Mr. Hamilton a credible witness.

Mr. DICKSON: Hear, hear!

Mr. NORTON said that Mr. Hamilton was asked before the Committee, last session, if he had done any private commission business: he (Mr. Norton) now spoke subject to correction if wrong. Mr. Hamilton said, "No, he had not." Then it was proved that he had done business for Smellie and Company, and that he had received commission for doing it. When that was proved against him he declared that was the only business of the kind he had ever done; but before the Royal Commission at home it turned out that that was not the one solitary case, but that he had been doing business for another house in Brisbane. Documentary proof had been given that he did that business, and he had been obliged to admit such was the case when the papers were put before him. This showed that he could not be trusted. What did it matter how Davidson got hold of the papers? They knew that he had them, and that he proved Hamilton's statement

to be absolutely false. Then, if they turned to the last day on which the Commission sat, they found that peculiar circumstance mentioned by the Minister for Works, who read to the House what occurred when Sir Hardinge Giffard was addressing the Commission. Mr. Hamilton interrupted, and said that some evidence of his which had been read had been altered. Was it necessary for him (Mr. Norton) to read that again? He scarcely thought it necessary to repeat what had already been stated in the House. It turned out that when it was proposed to exhibit the shorthand-writer's notes Mr. Hamilton said he did not mean "that was altered, but there was some misunderstanding." How, in the name of common sense, was it possible to believe a witness of that character? It was simply impossible, and he defied the most stupid man in the country to read the evidence about Mr. Hamilton and believe that he was a credible witness. There were two other witnesses the leader of the Opposition had spoken of as what he called independent witnesses. He (Mr. Norton) did not intend to say one word to imply that he did not think they were honest. One of these witnesses was Mr. Jopp. Now, the Minister for Works pointed out that last session the hon. member for North Brisbane (Mr. Griffith) entertained a very different opinion of Mr. Jopp. Evidence in connection with certain transactions in which Mr. Jopp was interested was read before the House, last year, to show that Mr. Jopp's evidence was not so very valuable—that was what he took the object to be; and now, all of a sudden, Mr. Jopp assumed quite an important character, and his testimony was most valuable. He (Mr. Norton) did not mean to say that it was not so as far as his straightforwardness went—he did not mean to say he was dishonest—but he could not help referring to his evidence. He should take the evidence showing the alterations made by the witness, who, it must be remembered, attended the Commission, knowing what he was wanted for—fully prepared to give evidence, having, as he said, asked permission to give evidence with regard to prices, which was against the rules of the Indian Office. In the addendum to the Report, Mr. Jopp's evidence, question 5451, he made a sort of off-hand statement, as follows:—

"I should say with regard to the prices of contracts, that it is entirely against the practice of the department to disclose them, but before I came here I got permission from the Secretary of State, under the circumstances of this Commission, which I explained after ascertaining it from Mr. Herbert, and he has no objection to the prices being given."

From this they must gather that the witness came quite prepared to be questioned on particular subjects and to give evidence on them. In correcting the evidence the whole form was in some instances altered, both in the evidence of Mr. Jopp and that of General Hyde; and what he wished to make clear was that, although he did not wish to say anything against the personal honour or integrity of these men, yet the alterations they felt it necessary to make in their evidence made that evidence entirely unreliable. Mr. Jopp was not satisfied with correcting what he said, but actually corrected questions put to him by the Commission. He would give one or two instances, because it was just as well that these things should appear in *Hansard*. On the third page of the addendum they would find—

"5428. What was your practice with respect to the freight of rails while you were in the agency? In the New South Wales?"

"In New South Wales" was scratched out. What right had any witness to alter a question put to him? It would be very well to say, as probably he would say, that he did not understand that part of the question, but it would be 1881.—K

very simple to add a footnote to that effect. Then there was question 5430—

"Did you find that practice satisfactory? I think that practice was fairly satisfactory. I think that for large quantities, when you are dealing with one port, or with two ports, as I was for New South Wales, the officers of the agency ought to be able, after a fair amount of experience, to make a good arrangement for themselves; there are no complications in the matter, as I have now with India, to do with a large number of ports; and there are a large number of points to consider. It is much more simple when there are only one or two points to consider, and I think they ought to work it in the agency themselves."

All that followed "themselves" was erased.

The PREMIER: It is all material too.

Mr. NORTON said they then came to question 5455, in which there were many corrections which were perhaps justifiable; but there was this correction also—"I am giving the lowest price at the most convenient port from which they shipped the rails" was erased. Then, "on the 3rd November, 1879," was erased, and "7915" substituted for "7900;" and, further on, the following sentence was erased:—"We had no further transaction until the 8th January." And that gentleman who came prepared to give evidence on that very subject inserted six different transactions that had occurred during that time. Was not that peculiar? Then a little further on in the same statement he erased these words: "So that on the 9th January from Charles Cammell and Company we had 1,462 tons, for which we paid at Liverpool £8 9s. 6d., and at that date it was so difficult, the rail market was so full, and there was such a state of excitement with regard to the American speculation." All that was cut out. Did that witness know how much the statements he made might affect the question before the Commission? How was he to tell? Surely a witness had no right to qualify his evidence after he had given it. Then, to pass on a little further, he came to question 5467. Rather more than half-way down they got this:—

"Even if that 15,000 tons had been very urgent, the price of £9 18s. 6d. in January, 1880, was very high."

The word "very" was struck out, and it was left simply "high."

"Whatever view one takes of it; and the other prices of course were excessive."

Here the word "excessive" was scratched out and "very high" put in. Then he had cut out altogether the next sentence:—

"They were evidently very far beyond the market, all of them. In fact the Haslam Company was high, and the others were very high."

At the very bottom of the page they came to another most extraordinary erasure or alteration. He would read the last part of the answer, that part which was erased:—

"Whilst if a broker had been in a position to look about for me, he may find a ship and come to me and say:—Now, this is a very good opportunity, it is a low rate. If you close at once you can get a ship, and thus sometimes you will make a better bargain than you do by advertising."

All that was scratched out, and he also omitted this:—

"There is no doubt, as a rule, the principle applies that if your arrangements are good, and if your office makes itself acquainted, as far as possible, with the state of the shipping market, you ought to be able to do as well for yourself as you can either through a broker or agent or by advertising."

Now, they got rather an extraordinary alteration. The witness was asked about some large contracts, and he said:—

"I have had very little peace on the subject since. I have had to undergo a persecution which has run over eighteen months."

He qualified that by cutting it all out and inserting this in its place :—

"But I may mention that I have undergone, during the last eighteen months, considerable criticism in connection with this contract."

Was not that a qualification? The leader of the Opposition might have forgotten what he had read to the House, but he had not forgotten the circumstance, as in question 5481 he asked Mr. Jopp with regard to that matter :—

"There was some correspondence in the *Times* about it, was there not? Yes, serious charges were brought against me individually, and against the mismanagement of the office."

Here the witness cut out "mis," and left it "management of the office." Then he was asked a question by Mr. Gibbs :—

"Just refer Mr. Jopp to page 103, and ask him to point out the corresponding four paragraphs in his specification."

The witness answered :—

"I would rather not be too closely questioned on this specification."

He had cut out that answer, and also the next question, and he had left the answer to the question he had cut out. The words cut out were :—

"It was only in regard to the question of the price at which you have got your rails on that specification."

That was cut out, and the witness had found it convenient to put his answer as the answer to the previous question. There was another erasure to which he would refer in question 5508. The words cut out were :—

"This list is a very rough one; I should be very glad to have an opportunity of correcting my evidence as to the figures."

But he did not correct his figures only; he corrected his evidence as to everything. If anyone looked through the evidence he would find that a fourth or fifth part of it was either erasures or fresh matter introduced. In question 5521, with regard to iron and steel rails, the witness said :—

"When I mention what I am going to tell you it will explain it. We found that in 1879, when we had to make the rail contract for iron rails, with a firm which two or three years before had been in the habit of making a very considerable quantity of iron rails, that we had the very greatest difficulty in getting the contract carried out. The fact was, that during the previous two or three years the manufacture of iron rails had become a lost art."

That was to say, that in three years' time they had forgotten what they had been learning all their lives. He (Mr. Norton) thought such statements threw some doubt over the whole of Mr. Jopp's evidence, and that the qualifications and alterations had made it very untrustworthy. The next witness was apparently a friend of his—General Hyde. Now, General Hyde occupied a very good position, and was a man who, no doubt, deserved to be treated with very great respect, but his evidence did not. That evidence, like Mr. Jopp's, was altered from beginning to end. He began by telling the Commissioners before he was asked a question :—

"I may say I have not had an opportunity of reading over until yesterday evening the evidence which Mr. Jopp has given, but having read it, I do not think I can add anything to what he has said."

It was rather a pity that we did not know whether he saw Mr. Jopp's original evidence, or the supplementary evidence as it might be called. In question 5526, General Hyde had cut out the entire answer and inserted another one. He might have thought the words meant the same thing; but, if so, there did not seem any necessity for the alteration. Two or three questions further down a whole answer was altered—every word of it.

An HONOURABLE MEMBER: What was the difference in the evidence?

Mr. NORTON said he would rather some lawyer who could put two constructions on any one written sentence that could be put before him would answer that. Coming to question 5544, there were three questions—the answers to all of which were cut out, and the only words left were—

"I cannot say."

A little further on and almost the whole of a long answer was altered. There were thirteen lines in an answer which were erased; and so on all through the evidence. The whole evidence was altered in such a way as to make it entirely unreliable; and these two gentlemen were the independent witnesses who were talked about. He had a word to say with regard to a statement by these two gentlemen and by other witnesses as to the desirability of purchasing rails from manufacturers only. Why should they not purchase rails from men who were not manufacturers only? Why did they buy blankets from Mr. Hemmant, who was not a manufacturer? It was said that they could buy cheaper from manufacturers than from middlemen; but in this case the rails were bought in a rising market—bought, according to the evidence, by McIlwraith, McEacharn, and Company to protect themselves, simply because the partner did not understand the telegram. Those rails were bought at a low price, and when the price increased very rapidly the firm was, of course, in a position to undersell the manufacturers. The course they adopted was taken over and over again in every transaction in which speculators were engaged. There was no dishonesty in it. Every merchant who sold in the colonial market got goods from home and brought them out here, because he knew there was a market for them. Where was the dishonesty in such transactions carried on by speculators? In a rising market a speculator was always in a position to sell at a lower price than the manufacturer. With regard to the mutilating of telegrams, he did not want to read any of the evidence, with the exception of two questions. It would be remembered by those members who had gone through the evidence that Mr. Parbury—a gentleman well known, at any rate by name, here—had offered to the Government some 9,000 or 10,000 tons of rails, and on page 138, question 3,660, they would see that he wished it to be understood that he was no speculator in rails :—

"3660. Is that the way in which contracts are usually made under these circumstances? As far as I know, but my knowledge of the rail business is not very extensive. I was asked if I was a rail speculator just now; I should like to explain that we are not. We bought under orders from Victoria; but, owing to a mistake in the telegram, we were saddled with rather more than we ought to have, and we had some to sell."

And at question 3647 he said :—

"3647. By Mr. Davidson: But quite apart from mere detail, did you offer the Premier 9,000 tons at that price? I offered him about 9,000 tons. I do not recollect whether I said 9,000; I think 10,000 tons was the quantity."

The next question was :—

"3661. By Mr. Davidson: Was that a mutilated telegram? Yes, it was a mutilated telegram, misunderstood on the other side; sent from London to Melbourne, not from Melbourne to London. I make the statement because the term speculator in rails looks as if one was going rather out of one's business."

Now, they saw whether the telegram that Mr. McEacharn referred to was a mutilated telegram or not; at any rate, they had evidence that telegrams were mutilated, and sometimes with very serious consequences to those who received them. They found in this instance that Mr. Parbury had some thousands of tons of rails left

on his hands in consequence of a mutilated telegram. Now, he (Mr. Norton) had a word to say about the leader of the Opposition. He might say that during the recess he thought very frequently over what he had said of that gentleman—he read his own words over and over again—and he made up his mind that if he possibly could, if he had exceeded anything that he ought to have said, he should not only withdraw those words, but he would apologise very sincerely to the hon. member for having used them, and in the most public manner. He had thought very seriously over this matter, but circumstances had the effect of deciding him immediately, whatever he might have had in his mind before, that he could not withdraw one word. He would refer to those circumstances directly. The fact was, that at the beginning of last session, by the action that the hon. member chose to adopt, he placed himself in a very false, undignified, and degraded position. He had an opportunity of withdrawing from it, but rather than do so he continued to occupy a false position ever since, and he (Mr. Norton) did not think the effect had been very creditable either to the hon. member's judgment or in any way to him. With regard to the accusation made, he (Mr. Norton) would say, in the first place, that the hon. member a short time afterwards denied that he had made the accusations as they were received by the Premier, by the Government, and by that (the Government) side of the House. He would read that denial. He did not wish to read what was charged against the Premier, because everybody knew that. The denial would be found on page 46 of the first volume of *Hansard* of last year:—

"It never had occurred to him to suggest, nor had it been suggested by anybody except by persons on the other side, that the Premier himself had anything to do with receiving any part of the sum of £60,000. It was no use for hon. members on the other side of the House to adopt their old rôle, and, instead of defending themselves, make charges against him. He distinctly wished it to be understood that he should not rise repeatedly to repel their accusations, but that the charge he made was what he had stated. All the facts about the letting of the contract and the profit of £60,000 had been proved over and over again by the Premier himself. The charge of fraud in connection with that sum was one in which he did not implicate the Premier in any way."

Mr. GRIFFITH: What is the date of that?

Mr. NORTON: It was on the 7th July, the second day. Perhaps he had better read the charge as well. On the 6th July, 7th page of *Hansard*, the hon. member made use of the following words:—

"He had no doubt gentlemen believed that when the Premier went to England he was to be engaged principally in floating the loan; but he found that he had been engaged in other transactions, the nature of which had been suggested by a petition laid before the House from Mr. Hemmant, a gentleman well known—yes, and favourably known in this colony. He had presented a petition which seemed to amount to an impeachment of the Premier. The hon. gentleman might laugh, but before that matter was completed he might be laughing on the other side of his mouth. They were not, like the community of New York, to be governed by a ring of speculators. The people of this colony would never sanction anything of that kind."

Of course, the "ring of speculators" could only refer to the rails and not to the shipping; in fact, they had not come to the question of freights when this statement was made. On the next page the hon. gentleman said:—

"If this matter had ended there, it might have been that the Premier had not been guilty of more than an error of judgment."

And, at the bottom of the page, he said:—

"He did not know whether the Premier had found all this out or not, but if he had wanted to know about the matter he would have had no difficulty."

He supposed this meant that the Premier did not want to know; what else could it mean? And did that suggest anything in the shape of an accusation against the Premier of having deliberately participated in or connived at that fraud? He (Mr. Norton) said that it was utterly impossible to put any other construction upon it. At the end of the session the hon. member went a little farther, and made it more plain. He said deliberately that he believed the Premier had connived at the fraud. The hon. member had had plenty of time to think over it and withdraw it. It was accepted by the whole of the members of the Government as a charge of conniving at a fraud, and it was accepted as such a charge by the whole of the members on that side of the House. And why should all those members accept it as such a charge when the hon. member had said he did not mean it as such, or, as had been said, backing out of the statement he had made—"shifting his ground," those were the words, though he (Mr. Norton) did not apply such words as those to the hon. member? But he would say more: it was accepted by the outside public as a charge against the Premier of participation in the so-called fraud. Could anyone say that the outside public did not accept it as a charge of that kind? Had they not seen statements in the papers throughout the colony showing that it was accepted as such a charge? What was the meaning of that advertisement—so many steel-rail blankets for sale? Did not that suggest anything of the kind? He went further, and asserted that the gentlemen acting for Mr. McIlwraith in England had accepted it as a charge against the Premier. They looked upon the Premier as an accused person, and he looked upon himself as an accused person directly that speech of the 6th of July last year was made as against himself. The hon. member himself spoke of charges against the Premier, and many members on that (the Government) side of the House spoke of them as charges against the Premier; and, when everyone accepted them in the same way, how could anyone deny the fact that the Premier was an accused person? As to the inquiry into the whole of the circumstances, he thought very few would doubt that its whole object was on the one part to criminate the Premier, if possible, and that therefore he was justified in taking up the position he did take, and using the very best legal advice he could get, in order to counteract all that might be done against him. And yet, at the very opening of the Commission, after all that had taken place here, the hon. member, Mr. Griffith, said to the Commissioners—he would give his own words, page 31 of the introduction:—

"This is the first time that I have heard that Mr. McIlwraith took up the position of an accused party, demanding that evidence should be adduced against him."

The first time! Could anyone believe that? He did not want to discredit the hon. member's words if it was possible to avoid it. The hon. member was told in that House by several members that it was not the Premier who was on his trial, any more than he himself, for having brought forward charges, was on his trial. But, having made the statements, he was bound to prove them against the Premier, and in that respect it was he who was on his trial as well as the Premier. And yet the hon. member said that this was the first time that he had heard that Mr. McIlwraith "took up the position of an accused party, demanding that evidence should be adduced against him." Then again, the hon. member, having returned from his trip to England, made a statement that "most strenuous efforts were made by the gentlemen who represented Mr. McIlwraith as his counsel to exclude him

from the inquiry," and that "the greatest obstacles were thrown in his way." He (Mr. Norton) quoted from the report in the *Telegraph*. But now, what were the facts? Were any such efforts made? Were there any attempts made to exclude the hon. gentleman from the inquiry? Let him show one such attempt. It was true that very strenuous efforts were made to force him to appear before the Commissioners as what he really was—the accuser of the Premier. Efforts were made, and very strenuous ones too, to make him appear as that, and very sound reasons were given for doing so. That was what really did take place, and no efforts were made to exclude him from the inquiry. What Sir Hardinge Giffard objected to was, that he should appear in such a way that he would be in a position to interfere with the evidence as he chose. Had he appeared there as an accuser, then he would have known what his rights were. But Sir Hardinge Giffard refused to allow him simply to appear as a private individual to interfere with the proceedings when, how, and as he liked. Sir Hardinge Giffard had every reason to object to that. But so far as any efforts to exclude him altogether being made, all he (Mr. Norton) could say was that the hon. gentleman's statement on the point was untrue. He must say that it was untrue. He would be playing the part of a hypocrite if he professed to think anything else than that it was utterly untrue. Now, with regard to the hon. gentleman's return to the colony, previous arrangements were made to give him a very good reception; and he did get a very good reception, indeed. He (Mr. Norton) did not wish to depreciate its value at all. A very large number of people went to receive him; and although, of course, a large proportion were attracted by the torchlight procession, many of the people went because they sincerely believed in Mr. Griffith himself. Let the House see now what position the hon. gentleman took up there. He was presented with an address, in which it was said that they took "the opportunity of expressing our opinion that you have throughout been actuated by the highest motives" and further on, "we beg to assure you that your disinterested and patriotic procedure has secured for you the gratitude of a large portion of your fellow-colonists." The hon. member accepted these statements, and by that allowed them to understand that he had been actuated by the highest motives, and that it was his disinterested and patriotic procedure that entitled him to their gratitude. The hon. member accepted the position by offering no contradiction. Now, what were the facts of the matter? He (Mr. Norton) would ask, did not the hon. member go home in connection with the case of Miles v. McIlwraith?

Mr. GRIFFITH: No.

Mr. NORTON: Had the hon. member nothing to do with the case?

Mr. GRIFFITH: Nothing whatever when I went from here.

Mr. NORTON: You took part in it when you got home.

Mr. GRIFFITH: To my very great surprise I found it had not been disposed of when I got there.

Mr. NORTON said that, after such a statement, the hon. gentleman must excuse him if he did not take all he said for Gospel. He (Mr. Norton) did not make these remarks for the sake of being offensive to the hon. gentleman. He simply made them because he thought it was better that he should say out freely what he thought on the matter.

Mr. GRIFFITH asked the hon. gentleman to pardon him while he made an explanation on this point. When he arrived in Naples he sent

a telegram to London to inquire whether the case was disposed of, and, if not, whether he could get there in time. To his surprise he heard, in reply, that if he went up quickly he could get there in time; and so he went on quickly.

The PREMIER: What did you telegraph for?

[A stranger in the gallery applauding at this point by clapping his hands loudly, Mr. SPEAKER directed the Sergeant-at-Arms to order the gallery to be cleared. After a pause the offender was removed by the policeman on duty. The Sergeant-at-Arms reported the same to Mr. Speaker, who informed the House that, this step having been taken, it would not be necessary to clear the gallery.]

Mr. NORTON said he had not the slightest wish, so far as he was concerned, to have the gallery cleared. He would rather, indeed, that the gallery was not cleared. With regard to this matter of the hon. gentleman's going home, he had said that he felt it rather difficult to accept the hon. gentleman's statement on the point; but, since it was made so positively, he would accept it and pass by that altogether. If, too, he had seemed to doubt the hon. gentleman unnecessarily, he could only say that he was exceedingly sorry for it. There had been reasons for doubting the hon. member's word on some occasions; but, if he had doubted it where it ought not to have been questioned, he apologised to him for it. The hon. gentleman had stated before the Commissioners that his object was to ascertain the truth—the whole truth—and to put the blame upon the right shoulders. He (Mr. Norton) presumed that the hon. gentleman meant by that he intended to be guided as far as he could by the evidence obtained, so that he might not give a one-sided case to the House when he came out to the colony again; but, as a man who had no strong bias on the one side or the other, give all the evidence its due weight. He (Mr. Norton) should show that the hon. gentleman had not done that, but had been guilty of manipulating the evidence. By that, he meant that the hon. member had, in treating this subject, given only such parts of the evidence as suited his own ends. He believed the hon. member had his own ends to serve, and had acted as a partisan. His speech was the speech of a special pleader. He gave only such parts of the evidence as suited his own ends, and purposely omitted giving other evidence which was of great importance to the question under discussion. He had already referred to the fact that Sir Hardinge Giffard had wished the hon. gentleman to take up the position of an accuser. He thought that the learned gentleman had sound reasons for asking him to do so. He found that, on page 242, Sir Hardinge Giffard stated his views in this way, after the evidence had been taken:—

"I ask that the charge, if charge there be, be now formulated, and what is the charge they say is established by the evidence as it now stands before you. In one event it may be necessary to call witnesses, but if Mr. Griffith and Mr. Hemmant do not make certain charges it may not be necessary; and therefore I now ask, on behalf of Mr. McIlwraith, that if this evidence is supposed to prove anything against that gentleman, that the charge may be distinctly formulated. The charge being made here, it is susceptible of being made possible by evidence, and I do not want a rambling inquiry, and in the result people saying that this, that, or the other might have been answered. I want to know now definitely from Mr. Griffith and Mr. Hemmant what charge they say is established, in order that I may meet it."

That was to say that he wanted the charge made in order that they might bring rebutting evidence if necessary. Further on, he said, on the top of the next page:—

"I want it to appear as a challenge to him. We are in this position: there is a mass of material here out of

which it is, of course, possible to select isolated pieces of evidence, and say that proves something, though I may say it does not do so, against Mr. McIlwraith. I do not know what use is to be made of it. It may be these are only incidental pieces of evidence which were intended to form part of the materials upon which colonial legislation, for aught I know to the contrary, may be based with reference to the future government of the office in London; I cannot tell. If in any part of the evidence there is something which it is intended to use afterwards against Mr. McIlwraith in the colony, and which my learned friend has had in his mind to use against Mr. McIlwraith, I claim as common fairness, now, when we are in England and the subject can be investigated, that the charge may be so formulated that I may be able to meet it, and, if necessary, to call witnesses to establish the fact, which, for aught I know, may be only imperfectly established upon the evidence as it stands. In order to know what evidence I have to meet and what evidence I have to bring here, I must know what the charge, if there is one, is. I say it now expressly, as a challenge to my friend Mr. Griffith, that if there is anything upon this evidence which, in his opinion, has established a charge against Mr. McIlwraith, now is the time to point it out; now, when we are here with witnesses around us, and not 16,000 miles off, when we may be able to meet the charge by evidence; and, if he does not tell me what it is, and hereafter he uses it, I think Mr. McIlwraith will have fair cause to complain that when there was an opportunity of contradicting the charge he could not do so because the particular charge was not pointed out."

That was a very good reason why the hon. member should have formulated his charges.

Mr. GRIFFITH: Will the hon. member read my answer to it?

Mr. NORTON said he had read it, and thought it a very bad one. On the next page, Mr. Clarke had a few words to say about it, and his remarks were:—

"I ought to add as a reminder to my friend, Mr. Griffith, with regard to this, that he is the person who has made charges which are communicated to you as part of the materials for your decision. If the proceedings which have taken place in the Parliament of Queensland were matters entirely outside the scope of this Commission and inquiry, one would not be entitled to say so; but, in the list of documents sent to you for your information and consideration upon these matters, I find numbers 7 and 8 are the '*Hansard*' reports of the proceedings of the Legislative Assembly, and the '*Hansard*' report of Assembly proceedings relating to purchase of steel rails and to Mr. Hemmant's petition. Upon turning to *Hansard's* report, which is number 7 in the schedule of enclosures sent to you, I find a long speech dealing with this particular matter by Mr. Griffith, practically formulating certain charges containing, at all events, suggestions injurious to the character of Mr. McIlwraith."

It was evident that Mr. Clarke looked upon those statements as containing accusations. In the next paragraph Mr. Clarke said:—

"At another point he says: 'He accused the Premier, if he knew these things, of very grave maladministration of his important office. It was his duty to see the colony protected, and if he did not know, he was most culpably blind, because they were matters that could have been ascertained if he had thought fit to make the necessary inquiries.' [P.S.] It would be impossible to have more distinct charges made by anybody than are made by Mr. Griffith in this instance. The next step is this, a communication has been made to you by Mr. Hemmant and Mr. Griffith with regard to the persons by whose evidence they suppose these matters could be elucidated and these charges proved. There is not a witness whose name has been suggested by either of them who has not been called here, or invited to attend and give evidence, and every day; I think you will bear me witness, I have done the best I could to get all the information brought before you. The charges were made in the colony, and my friends have had all the advantages of hearing all the witnesses; and, surely, now the time has come when Mr. Griffith ought to fulfil the pledge he gave in the colony, that when the investigation was made he should take care that 'the blame should rest upon the right shoulders.' If he ventures to say the blame should fall upon the shoulders of Mr. McIlwraith, we will endeavour to meet that charge; but if he does not say that, I hope he will not venture to say it anywhere else."

If the hon. gentleman had been prompted by patriotic motives he would have endeavoured

to point out the exact state of the case as disclosed by the evidence, instead of taking one side of the question only; instead of being prepared to give "the truth, the whole truth, and nothing but the truth," he had shown himself merely a partisan and an opponent of the Premier. He would show presently how far he was justified in making that statement. One result of the hon. member's refusal to take up the position of accuser or formulate charges was that he brought about the very thing he complained of—namely, that evidence was not forthcoming, that some witnesses would not give the evidence required, while others would not come forward at all. If the hon. member had made certain charges against the Premier, or anyone else connected with the matter, witnesses might have been obtained who would not otherwise come forward. It was not a matter in which many of them were concerned. If they made revelations on private matters, they knew that their statements would be made public. Others might have powerful reasons for not wishing their private business transactions to be made known. He had found that in his own business, small as it was. If the hon. gentleman had formulated his charges, and if witnesses had then refused to come forward, he might have had reason to complain. As it was, that fact was, as far as they could judge, entirely the hon. gentleman's fault. There was a responsibility connected with the position taken up last year, when the hon. gentleman brought those charges against the Premier, which he had avoided. That responsibility was to see that the charges were based on sufficient data. When it was found that there was no evidence in support of the charges, the hon. gentleman, while in words acquitting the Premier of guilty participation in the matter, had re-stated the charges in a more insidious manner; and the whole tenor of his remarks last Tuesday night went to show that he did not really wish to exculpate the Premier. Then again, while professing to withdraw the charge against the Premier, he tried to incriminate others, when there was not a bit of evidence to support it. It was seldom that a sharp lawyer could not make out a case against anybody. Whatever the circumstances were, and however honourable a man might be, he might find himself in a position where it would be difficult to explain all the circumstances represented against him. So far as that went, the hon. gentleman had certainly made out a case against Mr. Andrew McIlwraith, Mr. Ashwell, and others; but a great deal of that depended on the truth or otherwise of his own statements. Personally, he might state that, after having spent days and nights in studying the evidence and following carefully the several speeches that had been made since the session opened, he believed that the evidence entirely exonerated both Mr. Andrew McIlwraith and Mr. Ashwell from any guilty connection with the rail transaction. He presumed the hon. gentleman had a reason for trying to turn attention to those men, and that it had been done to avoid the consequences of his own position. The hon. gentleman must know that if he was obliged to admit that the charges he brought against the Premier were unfounded, and to withdraw them properly, a great deal of blame would attach to him. Was it reasonable that a gentleman who had spent all the years of his manhood in unravelling evidence could have been misled by the insufficient evidence before him into believing that the Premier was guilty? Was it a manly thing to do? The hon. gentleman must have known that the evidence was insufficient to sustain charges so gross—charges, had they been believed, calculated to ruin him both politically and socially. What man would

have associated with a Premier who, abusing his position, had deliberately robbed the colony? It was not a mere matter of politics, but a social and domestic matter as well. The hon. gentleman had a father who, no doubt, rejoiced in his success, and felt perhaps a keener sorrow than himself at any misfortune which might overtake him. Any man having a little humanity, a little tenderness, a little sympathy, might have considered that the Premier also had a father who was susceptible to the pain which those charges based on insufficient grounds were calculated to give him. But what did the hon. gentleman care? What did it matter to him if the old man's heart was broken, and his grey hairs brought with sorrow to the grave? Was he not the father of a political opponent, and what did it matter? Hon. members on the other side might laugh; perhaps they could not realise those things. The hon. gentleman had a wife and family of his own, and might have remembered that the Premier also had a wife and children growing up around him, whose character would be blackened by the disgrace attaching to their father, had he been guilty of the charges made against him. Could it be supposed that anyone having the smallest amount of kindly human feeling would have brought charges of that kind without having the very slightest evidence to support them? But it was a political opponent whose character he was trying to ruin, and that was sufficient. What mattered it that his wife and children suffered as long as they lived, or what pain was caused to everybody connected with him? Those were surely things worthy of consideration. There were some human beings who considered nothing but themselves, and who, so long as their own ends were served, did not care a straw what suffering they caused to others. However much the hon. member might have believed the charges he brought, there had been no occasion for him to make them as he did. Had the hon. member taken the course suggested by the hon. member for Blackall—presented the petition as a painful task which had been imposed upon him, and simply asked that it might be inquired into, he would have deserved and received the sympathy of every member of the House. Where was the occasion for the hon. member to try to drive those charges home before any evidence could be brought to rebut them, and before the Premier had had an opportunity of saying one word in explanation? His action on that occasion was the most disgraceful, the most inhuman, and the most humiliating spectacle that he (Mr. Norton) had ever witnessed. He said that to the hon. member as plainly as he could, because he would not wish it to be thought that he dealt in insinuations; he said it not with any desire to be offensive to the hon. member, but because he felt it from his very heart. He felt that any man in the House or in the colony might be subjected to similar charges brought against him, before he knew anything about the matters to which they referred, and he maintained that no man who had a particle of manly feeling would ever have done anything of the kind. The hon. member had not ventured to say that the Commissioners were not actuated by honourable motives, but he said that they were not competent; that they were biassed, and, being biassed, were not competent to act.

Mr. GRIFFITH: I did not say that.

Mr. NORTON said he remembered the word "biassed" being used, and thought the hon. member said that. Would the House be prepared to accept the hon. member's statement of the facts rather than the statements of the Commissioners, his judgment on the evidence rather than theirs. If the Commissioners were biassed, surely the hon.

member was a political partisan acting against the Premier. Having said so much with regard to the Commissioners, it was not necessary for the hon. member to go any further. There was one member in this House—he supposed he must call him an hon. member—who was quite prepared to take up that chain of argument where the hon. member for North Brisbane left it. He regretted that the hon. member for Enoggera (Mr. Rutledge), to whom he referred, was not present. That hon. member was found to be ready enough to take up, not merely the insinuations of the charges of corruption, but also the charge against the Commissioners. Had there ever been in the colony, or in any of the Australian Colonies, a man more strictly honourable than Mr. George King, of Gowrie? He had known Mr. King during the whole of his life, and he had never heard the faintest whisper or scandal against him as a man of the strictest integrity, until the hon. member (Mr. Rutledge) addressed the House last Thursday evening. Not one of the witnesses who had given evidence whom it suited the hon. member to abuse had escaped the virulence of that hon. member's tongue. He commenced his speech by reprimanding the Minister for Works for having condemned Mr. Hemmant, who was not there to protect himself; and then went on to condemn Mr. Ashwell, Mr. Andrew McIlwraith, and Mr. Macalister, behind their backs, doing himself the very thing which he had condemned in the Minister for Works a few moments before. And not only did the hon. member condemn men holding the highest positions, but he held up his friend Mr. Hamilton as a worthy witness. What did it matter to the hon. member what Mr. Hamilton was, so long as his evidence suited the party on the Opposition side of the House. Speaking of Mr. Hamilton, the hon. member said—

"He saw that the hon. the Attorney-General had adopted the tactics of the hon. the Minister for Works last night, which were to blacken Mr. Hamilton."

As though it were possible for any man to blacken Mr. Hamilton more than he had blackened himself. He (Mr. Norton) did not wish to abuse Mr. Hamilton behind his back, but it was impossible to blacken his character. Then the hon. member (Mr. Rutledge) went on—

"What things had not been said concerning that unfortunate man, Mr. Hamilton! He was a man entirely unknown to him (Mr. Rutledge). He made a flying visit to the colony last year, and then he came in for an amount of abuse that should have done any man during the course of his natural life. But, as he (Mr. Rutledge) said last year, this question of Mr. Hamilton's character was altogether beside the mark. What had they to do with Mr. Hamilton's character? What did he (Mr. Rutledge) care? Mr. Hamilton had been proved by Sir Hardinge Giffard to be an individual who was not above shuffling in his evidence, and making statements and of qualifying them afterwards. But what had that got to do with the question? Was the petition presented by Mr. Hemmant one containing truth or falsehood? That was the question."

Could it for a moment be supposed that the evidence given by one of the principal witnesses had nothing to do with the question? What was the use of taking evidence at all if no use was to be made of it when given; and was the evidence of a man who had stooped to falsehood to be believed? This man had been convicted over and over again beyond all shadow of doubt, he was the very foundation stone upon which the charges were made—the source and fountain of them all; and could it possibly be said that his character had nothing to do with the question? Speaking of Mr. King, the hon. member (Mr. Rutledge) said—

"Mr. King, he believed, was a gentleman of veracity, whose character it would not be right for any man to impeach; but he might be a very good and very honest man,

and yet be very unfitted for the discharge of the duties of the Herculean character which the investigation imposed upon those who undertook it."

If that were so, was Mr. Rutledge fitted for the Herculean task of sifting all the evidence and condemning Mr. King? He (Mr. Norton) did not think so. It was hardly necessary to refer to what the hon. member said of Mr. Gibbs, as that had been already quoted by the hon. member for Blackall. The hon. member evidently regarded Mr. Gibbs as an effete old gentleman, one whom the English Government had appointed because he was such an old imbecile. Of course the British Government were implicated in this determined plot to suppress evidence. Perhaps, in the opinion of the hon. member, the Queen had something to do with it also. Further on the hon. member (Mr. Rutledge) said—

"Then the Commissioners, with a view of bolstering up the conclusions they had arrived at, made reference to the failure of Brown, Bayley, and Dixon, and held up the Premier's action as judicious, because that eminent firm became involved in financial difficulties in consequence of having entered into engagements at that time."

"In order to come to their complete justification of the Premier, the Commissioners had entirely disregarded the evidence of Mr. Jopp and General Hyde."

According to the hon. member, this disregard of their evidence was not on account of the numerous alterations in it. Again, the hon. member (Mr. Rutledge) said, referring still to the Commissioners—

"They had evidently been led astray by Sir Hardinge Giffard's address, after the two gentlemen who conducted the inquiry had left for Australia, and had endeavoured to bring everything into harmony. After exculpating the Premier from the accusations supposed to have been made against him, they felt called upon to apply the whitewash-brush to everybody else connected with the transaction. In doing that, they did too much. He should have thought more of their complete exoneration of the Premier if they had not stretched a great many points to completely ignore everybody else—persons declared by the Select Committee of last year to have been mixed up with transactions that required investigation. They had attempted to prove too much, and thereby done their case more harm than good."

And, further on, the hon. member (Mr. Rutledge) spoke of the Premier as having been declared innocent because he was not convicted by the evidence. He would not quote any more from the hon. member's speech; it had been humiliating to hear the speech delivered, and it was equally so to read it again. Reference had been already made in this House to the position which the hon. member held before he adopted his present profession. He (Mr. Norton) did not wish to say a word about the change which the hon. member had made, because he held that it was creditable to a man to make such a change if he felt that he could not faithfully discharge the duties which had previously devolved upon him; but he should have thought that one who had occupied such a high office, and been accustomed to preach to others the doctrines of charity and good-will to neighbours, could scarcely have forgotten all those doctrines in a few years. He knew nothing of the present views of the hon. member, but he heard that the hon. member had been a clergyman, and had given up the office altogether. There were a few others occupying similar positions whom he should respect infinitely more than he did if they retired from their profession altogether, and he thought no less of the hon. member for having made such a change. But he could not understand how one, whose office had called upon him so recently to preach to others, could have so entirely forgotten the doctrines of charity and goodwill as to hold men up to public scorn as the hon. member did on Thursday night. He was sorry the hon. gentleman was not present

to hear what he said. He would next proceed to read some of the evidence. He was only going into one subject, because the Minister for Works had dealt with the greater part of the evidence, and it would be simply impossible for any one else to go through the whole of it. The matter he intended to refer to was in regard to the freight contract, and he would give some of the evidence that the hon. member for North Brisbane had not thought it worth while to quote. On page 93, question 2528, Mr. W. R. Anderson was asked by Mr. Davidson—

"2328. You mean to say that a contract which was in existence was arbitrarily altered by the Government? Just so."

Then Mr. Hemmant wanted to know whether that had anything to do with the inquiry, and stated he did not see the connection. Mr. Gibbs, to a certain extent, upheld him by saying—

"Of course in cross-examination a cross-examiner has considerable license. I do not know what bearing it has, but I assume a gentleman of experience in cross-examination has some reason for it."

Mr. Davidson explained as follows:—

"I will tell you exactly what bearing it has, that there may be no mistake about it. That opinion is, that the Government have most arbitrarily altered an emigrant contract to their own advantage. Mr. Griffith is trying to show that the arrangement with the brokers is a bad one; that the Government, by making different arrangements, could have effected a saving—for instance, if they had a Government broker, or anything of that kind, or someone to do Government business alone—they could carry at cheaper rates. I show by that, that, as the Government arbitrarily altered agreements, and, when it is done, the London brokers submit, they would find when they had an office of their own they would have to deal in a different way, because they would have competition in the market against them."

"Mr. Gibbs: It hardly comes, I think, within the particular interest you are protecting, does it?"

"Mr. Davidson: I think it will."

Then Mr. Griffith interposed with—

"I think Mr. Davidson should not say what I am trying to show. Mr. Davidson does not know what I am trying to show; he may assume I am trying to find out all I can about this matter, but beyond that I do not think he has any right to go."

"Mr. Davidson: I think if we refer to *Hansard* we shall find a good deal you are trying to show."

"Mr. Griffith: What I say in *Hansard* is quite separate from anything I am doing here."

It was evident from that, the hon. member not having formulated any charges against anyone, that Sir Hardinge Giffard, Mr. Clarke, and Mr. Davidson could only guess what he was driving at. But he thought they did make a pretty good guess. Leaving this, he would now refer to the evidence itself on page 80. Before doing so, however, he would remind hon. members that the hon. member had had ample time to get up his case—he could not call it anything else than getting up a case; there was nothing straightforward about it; it was simply a one-sided, politically-partisan case. During the proceedings of the Commission Sir Hardinge Giffard called attention to the fact that certain statements had been made in the *Contract Journal*. A discussion took place, and the Commissioners expressed an opinion that as the evidence was privileged, and those who received it were given it as privileged communication, it would be better when the inquiry was over that the several parties should hand back to the Commissioners the copies of evidence they had received. On page 286, after the conclusion of Sir Hardinge Giffard's remarks, Mr. Gibbs said—

"We will ask you now to return your copy of the evidence, and perhaps Mr. Davidson will see that Mr. Clarke returns his also. Mr. Griffith has not returned his, and Mr. Hemmant has written to the Secretary to

say he declines to return his. We consider it our duty to the Governor and the Legislative Assembly to ask it, and we can do no more."

It is therefore pretty clear that from the time the Commission sat these gentlemen were supplied with copies of the evidence, and when it was concluded they took them away with them and had them in their possession from the closing of the Commission—sometime in April—until the House met here, to go all through them and rake up what case they could; so that if anything material had been omitted before the House it was not for want of time or opportunity to study the evidence. He would next turn to Mr. Devitt's evidence. Mr. Griffith had quoted from it questions 2209 down to 2216. All the evidence in these questions tended to show an unfavourable bearing towards the freight contract with Messrs. McDlwraith, McEacharn, and Company. Now, he would go on where the hon. member left off. The hon. member for Logan had made a strong point of the Minister for Works leaving off at a particular point, and he (Mr. Norton) would now do the same with regard to the hon. member for North Brisbane. Of course, the answers to the questions that followed tended to show the freight contract was a favourable one for the Government, and he presumed that was the reason why the hon. member did not read them. Mr. Devitt was asked, in regard to the freight contracts for the Victorian Government, whether they did not employ full-cargo ships to take out rails:—

"2215. Will you tell the Commissioners if you have sent out many full ships under that contract? No; we have not, as a matter of fact.

"2216. Any? No.

"2217. Because it is more profitable to employ berth ships? No; because we require very large quantities of iron; and as rails are dead-weight, it is much more convenient to send them by berth ships.

"2218. If this condition had not been inserted, the Government of Queensland would have been in the same position. They could have sent berth ships as opportunity offered, and sent the balance by full-cargo ships. Is not that the case? No; that is not the case. We could have taken some to Brisbane; but it would be utterly impossible in the ships that went away in 1880, and up to the present time in this year to have got anything like the quantity away of this contract.

"2219. Of course, we all know that it would not have been possible to send them all by berth ships? Nor yet a good proportion of them. There were only twenty-three ships sent away to Brisbane in 1880, altogether.

"2220. What quantity would they take? Oh, I should not think on an average more than 100 tons. There is other weight to provide for, and they are a very small type of ship.

"2221. Would not this have been a matter for the contractors to consider? Was not this, in effect, enhancing the price? No.

"2222. It was not? No.

"2223. Although rails have been taken by a variety of ships at 13s. 4d.? That is not a fair way of putting it; in any way that is not a fair argument. If you want to get at the truth of the whole thing, it is not fair to use that argument. 13s. 4d. is not a fair price."

Notwithstanding that evidence, that argument has been used very strongly since.

"2224. Will you explain how it is unfair? 13s. 4d. is not a fair rate to pay for dead-weight to Brisbane, even for the average of months. The shipowner gets about 30s. to 35s. on dead-weight capacity of ship."

He would now turn to page 91, where, at question 2224, Mr. W. R. Anderson was asked by Mr. Hemmant:—

"2486. By Mr. Hemmant: If you would be kind enough to look at Mr. Devitt's evidence, questions 2154 and 2155, the part of the question I wish to call attention to is this:—"If the whole transaction results in a profit, I suppose we shall get a share of that; but if it is a loss we shall have to bear a share of 'the loss.' I should like to ask Mr. Anderson—if he has no objection to answer it—if the owners of the vessels that have carried rails under this contract will participate in the profit or share in the loss? They would neither participate in the profit nor share in the loss.

"2487. I do not quite understand that: would you explain that? I cannot make it more clear than I have

done. You ask me—let me repeat the question, to see if I have got it right—you ask me, if the owners of the vessels, or any of them, I presume you mean, who carried these rails, would participate in the profit on the contract or share in the loss on the contract, whichever it might turn out?

"2488. Yes? I say they would neither participate in the profit nor share in the loss; none of them.

"Mr. Hemmant: I do not quite understand that.

"Mr. Gibbs: It is perfectly simple.

"Mr. King: It is a broker's contract, not an owner's contract. It is quite clear.

"Witness: It is a broker's contract entirely."

Then, turning to question 2506, he found:—

"2506. Then are you of opinion that the 15,000 tons could not have been got out to Brisbane and to the Northern ports except by full-cargo ships? They certainly could not go, except they had a good many of them in full-cargo ships. I mean to say that probably the 8,000 tons of rails—is that the quantity for the Northern ports?"

He would mention that Mr. Griffith had been quoting this evidence, but stopped where he (Mr. Norton) began.

"2507. Yes? It would have taken years to send them off by berth ships, and I should think two years by cargo ships to Brisbane, the 7,000. I am talking roughly, but I should think at least that.

"2508. Are you conversant with the practice of the South Australian Government in connection with the carriage of rails from Barrow? They do not put any out to contract. They find ships, I think, just as they want them.

"2509. Do they carry by full-cargo ships? Both by full-cargo ships and by berth ships.

"2510. Principally? Principally, I should say the rails by full-cargo ships."

Then, lower down, at question 2519:—

"Now, with reference to the carrying of rails from London to Brisbane by berth ships: what, in your opinion, is the average rate of freight, supposing they were carried as dead-weight? The rate varies very much according to the quantity of weight in the market.

"2520. Could you give me a maximum price? I suppose what you want to know is, what, in my opinion—you will excuse me putting the question myself—would have been the rate if these rails had been all going by berth ships from London to Brisbane?

"2521. Yes? I should say at least 25s. from London, and to that would have to be added the carriage of the rails in small quantities from Barrow, Workington, Maryport, and Whitehaven, and that rate would be, I suppose, with small quantities going forward, some 16s. or 17s. a ton, speaking roughly.

"2522. Should you consider 13s. 4d. a ton a very low or a very high rate? For what?

"2523. To carry by berth ships as dead-weight to Brisbane? Do you mean to anchorage at Brisbane, or up to the wharf?

"2524. Up to the wharf? 13s. 4d. from London to the wharf would only leave the ship about 6s. per ton for freight. I do not think it is necessary for me to give an opinion on that point. Anybody must know it cannot pay a ship to carry at that rate unless she is compelled.

"2525. You think it is an absurdly low rate? Of course I do. You would not get them from one side of London to the other for that money."

That was rather important evidence that had been omitted. On the next page they found, in connection with the first question, Mr. Davidson said:—

"There is one thing I want to say—I have no right to ask anything more, but Mr. Griffith put a question to the witness: Are you aware that the average rate of freight for 1879 was 13s. 4d.? I do not think that is a fair way of putting it. It is not an average rate; it is only a small tonnage."

Then there was a small dispute, and eventually, when the witness had an opportunity of speaking, he said:—

"That would indicate there were more rails in the market. You see, it is this way: A ship loading with a general cargo must have so much dead-weight—absolute dead-weight—iron, rails, pigs, lead, something or other solid in the bottom of her to keep her on her legs; and to get that, she may have to buy it even. She cannot go to sea without it; and, at the time she particularly wants it, she must take it at the rate she can get it. For instance, coming home from Australia—

as these gentlemen, I have no doubt, very well know—in the wool season, ships have to take copper of great value at 1s. a ton. But the ship does not do that through choice; it is simply that she is compelled to do it. So that it is not fair to argue from any circumstances like these what the fair rate is."

He was sorry to detain the House so long with these quotations, but he was determined to have them in *Hansard*. Now, if hon. members would go to page 124 they would get Sir Arthur Blyth's answer with regard to the arrangements made in connection with South Australia, question 3351:—

"What is your practice, Sir Arthur, with respect to carrying rails to the colony? Some time ago I had a number of rails to send, and I advertised for tenders for those rails, and I accepted a tender for the conveyance of the whole of the rails to the colony from one firm. It did not work altogether to my satisfaction, and, having very open instructions as to the course I should adopt, I have since chartered vessels for a regular monthly supply under the contracts which I have mentioned."

"3352. I understand you charter a ship from time to time as you want one? Just so."

"3353. When did you let the contract for the large quantity? In 1877."

"3354. What was the quantity? 22,000 or 23,000 tons."

"3355. Did you impose any conditions in that case upon the contractor whether he should carry the rails in full ships or in berth ships? They were all full ships, naturally; because I took delivery of the rails close to the works, and those works were up in Yorkshire. Every one of them was a full-cargo ship."

"3356. Did you impose that as a condition upon the contractor, that they should be in full-cargo ships? No; as I took delivery of the rails from Middlesboro', and as there is no other freight to Adelaide from Middlesboro' whatever, they might have filled up and called at London if they liked; but the expense would have been so great that such a thing was never thought of."

"3357. You left them to do as they liked in that respect? If they had loaded up a full cargo; I should think no one in his senses would think of coming round to London with a full cargo."

"3358. You say that is the only instance in which you invited tenders for large quantities of rails? Yes."

"3359. Did you invite tenders then in a similar way to that which you have described in calling for tenders for rails, or did you advertise? I advertised in that case. I think I put up a notice at the 'Jerusalem' and at 'Lloyd's,' where shipping people generally congregate. I don't think I advertised in the newspapers."

"3360. Do you know how the list of persons to be invited to tender was compiled? On the recommendation of the engineer-in-chief, coupled with the experience of the office, and my own acquaintance with the general trade of Great Britain."

"3361. Have you shipped any rails from Wales to South Australia during the last eighteen months? No."

The two next questions he would read, although they had nothing to do with the particular freight question, but he would read them because it might be said he wished to avoid them:—

"3362. By Mr. Hemmant: Do you know the Haslam Company as tenderers? I think I have invited them to tender, but without referring I could not say; the name is not familiar to me. I have not had a contract with them."

"3363. For what, can you say, have you invited them to tender for steel rails? I would rather refresh my memory by the records at my office before replying to that. [See letter below.]"

This was the letter:—

"Sir,—I find that I have not invited the Haslam Company to tender for steel rails."

He had read that letter because it might be thought he had purposely avoided it. Then it went on:—

"3364. After looking at this paper, which purports to be a 'form of tender' addressed to yourself (*Minutes*, p. 124), could you say it was the practice of the Barrow Company, in their dealings with your office, to tender for delivery in London at an advance of 13s. 6d. upon the price for delivery at Barrow? There or thereabouts; if not 13s. 6d., it might be 12s. 6d. or 11s. 6d.; certainly it is about that. The difference between taking delivery at Barrow or London is about that;—it varies. Other companies do not allow quite as much. I have had dealings with one company which only made a difference of 10s. per ton. It is just this question which has settled the matter of chartering vessels. I can afford to

pay for a full cargo at Barrow a good deal more per ton, with the other incidental advantages of having the rails stowed under my own supervision and not transhipped. You knock rails about between Barrow and London by putting them into barges and so on, and transhipping them; but if I ship them at Barrow, I get them stowed under my own supervision without any injury at all."

"3365. From your experience, the difference is from 10s. to 13s. 6d. per ton? Yes; from 10s. to 13s. 6d. per ton."

"3366. Could you say whether the tender of £6 17s. 6d., of which you spoke, was for delivery in London, or delivery at Barrow? Delivery in Barrow. The real terms of the contract is 'the port nearest to the works.'"

"3367. By Mr. Clarke: Do you know whether the shipping facilities of the South Australian ports are much better than those of the Queensland ports? They are exactly the same. Do you mean in England, or in the colony?"

"3368. With regard to the trade, the size and character of the trade, there are more facilities for shipping to South Australia than to Queensland? I have heard from shipowners that they prefer to charter to South Australia, because of the larger number of opportunities of getting return cargoes; but that is a small consideration."

That was all Sir Arthur Blyth had to say on that subject. They had some very important information further on from Mr. Bethell. He did not think the hon. member quoted Mr. Bethell at all.

Mr. GRIFFITH: I quoted his letters.

Mr. NORTON: You did not quote his explanation.

Mr. GRIFFITH: His letters swallowed up all the rest.

Mr. NORTON said he hoped the hon. member would try to swallow some of this, at page 143:—

"3844. Then, with the exception of, possibly, the 149 tons in the 'City of Aberdeen,' you received no rails direct from the Queensland office in 1879? The other rails were on the contract taken on joint account; that is, these very low rate rails, at 13s. 4d."

"3845. Which rails do you mean? I mean the 24s., right through from Glasgow."

"3846. In what ship? In the 'River Leven,' for one, the 'Astoria,' the 'West York,' the 'Sepia,' and the 'Gauntlet;' the latter in 1880."

"3847. They, you say, were rails shipped on a joint contract? Yes."

"3848. With whom was the contract made by the Government? It was made with McIlwraith, McEacharn, and Company."

"3849. You had a share of it? Yes."

"3850. Do you know who else had a share of it? As frequently the custom, all the brokers had an interest in it; and so extremely low a rate could not have been taken had such not been the case. It was arranged that these rails should be put in such ships as might be short of weight from time to time, so we could afford to take them specially low."

It appeared that these very gentlemen, McIlwraith, McEacharn, and Company, who got all these contracts, were only participators with all the other brokers in the contract. It was all share and share alike; in fact, so far as the evidence went, it showed that some of the others got rather the best of it. Then they came to page 146, question 3912, which said:—

"3912. With regard to the 38s. 6d. per ton all round, which was tendered for at that time, looking at the condition of the trade, was that, as a matter of fact, a low rate? Certainly; a very low rate. I may say, with reference to that, since I have been here, Mr. Yardley, the Secretary of the New South Wales Government Office, has mentioned that his office are shipping at 20s. I am chartering the ship he referred to for the New South Wales Government, at 20s., so can state that the ship would not go to Queensland at 38s. 6d., on account of the difference in the ports."

"3913. Supposing there to have been no combination then in existence amongst the brokers, could any individual firm have agreed to carry at that rate of 38s. 6d.? I certainly would not have undertaken a contract at that rate had I not had others jointly taking the risk; and the result of the contract, although the influence of a number of firms in the trade has been secured to find tonnage, will, I believe, be a loss."

"3914. The Queensland ports are very expensive ports to trade to, are they not? Yes; one of our own ships went to both Brisbane and Sydney; and I have a memorandum here of the expenses at each port, showing the port charges. The Queensland ports being up shallow rivers, a very heavy expense is incurred for towage and pilotage, which is not the case with the other Australian ports, to anything like the same extent.

"3915. What is this account? An account of the ship 'Gauntlet,' a ship of which we were the owners; which vessel went one voyage to Brisbane and one voyage to Sydney. It shows the port charges were £140 to Brisbane and £60 to Sydney, taking out simply the port charges, and not other expenses, which also are far higher in Queensland than in the Southern ports."

Then, after giving two separate accounts, showing that the charges in and out for passengers and cargo to Brisbane were £140 5s., and in and out for passengers and cargo to Sydney £60 8s., he went on to say:—

"I should mention, on the same subject, that we had several small barques we purchased for the Brisbane trade, but we have taken them all, with one exception, out of that trade, on account of the unremunerative character of it, and we are sending them now mostly to Western Australia.

"3915*. By Mr. Gibbs: Mr. King wishes to ask a question before going further, whether it is the fact that Sydney, Melbourne, and Adelaide can offer return cargoes, and whether return cargoes as a rule can be offered from Queensland, or have ships to leave in ballast? The majority of ships have to leave Queensland in ballast, which is very expensive to purchase and ship there.

"3916. That affects also the rate of freight? That affects the rate of freight outwards from this side; and also, on account of the ports being up rivers, small vessels only can go there, which makes a difference in the freight, as ships of larger capacity can carry cheaper.

"3917. By Mr. Clarke: Have you read Mr. Hamilton's evidence, in which he suggests the proper thing to have done with respect to the freight of 15,000 tons would have been to send them from time to time by berth ships as dead-weight, and then when the rails accumulated to charter a full-cargo ship? What is your judgment with regard to that: would that be a wise suggestion? The Government could have got very few off by berth ships. I see the time for the contract is fifteen or sixteen months, and there were very few ships that would have cared to take rails in addition to the fish-plates, nuts, bolts, and fastenings that were going. It would practically have come back to the full-cargo ships. For the ships loaded by my firm we have got as much weight as we wanted, at rates far above what the rails would leave us, as the cost of bringing them to London, of course, would be very great. The small quantities which would go by berth ships would have to come by railway. I also think that the Government would have found a very great difficulty in getting ships for the Northern ports especially to provide for their requirements—taking away the rails from the works according to requirements—as the present contractors, combined with brokers who have given special attention all their lives, I may say, to chartering ships, have had very great difficulty in getting tonnage.

"3918. By Mr. Gibbs: That is for the Northern ports? I am speaking now especially of the Northern ports. Also, from these Cumberland ports it is not so easy to get tonnage as other ports in this country. Vessels have to go to the Cumberland ports especially; they do not come there in cargo—they have to go in ballast; they are not ports of discharge, such as London, Glasgow, or Liverpool.

"3919. By Mr. Clarke: It has been suggested that your tender might have been accepted for the Northern ports only? I should not have taken it for the Northern ports only. At the present moment it would have landed me in a considerable loss had that been the case.

"3920. Then the suggestion that a portion of one tender might have been taken and a portion of another, and so the total price had been reduced, would have been an inapplicable one, as far as you are concerned? It would.

"3921. And would any person, knowing the condition of the Queensland trade, say that it would be unreasonable? Certainly they would.

"3922. To call upon a shipper to abide by a portion of his tender without giving him the advantage of the other? Certainly; especially in the case of the Northern ports. There is a great difficulty in getting vessels to go there.

"3923. Referring to answer 330, in Mr. Hamilton's evidence—What rates were you able to get for freights for to Brisbane usually? From London to Brisbane? Yes; when you negotiated them on the principle you used to adopt. For the last twelve months they have gone from Glasgow to Brisbane 13s. 4d. from London.' [*Minutes, p. 17.*"]

That was Mr. Hamilton's statement. Then the witness said:—

"That rate was a specially low rate, only taken on account of the brokers working together, and seeing it was the only chance of getting rails, which were then being made at Glasgow, as the Glasgow ships were taking them for somewhere about an equivalent rate to the Government—I believe, 25s. If shipped in Glasgow there would be no coasting freight incurred. You cannot call it in any way a current rate. It is the lowest rate my firm has ever taken weight to Queensland at, and we are getting as much weight as we want now at an average of about 25s. It was only possible to carry rails at such a rate as 13s. 4d. through such contract being taken by a combination of brokers, who could dispose of it by shipping whenever weight was wanted by a ship urgently; say, for stiffening, or for an emigrant ship, or perhaps a wooden ship that merchants would not put damageable iron in."

Then at question 3950, page 148, they found this, which was still Mr. Bethell's evidence:—

"3950. Have you been interested in the conveyance of rails to the other Australian colonies? Yes, I have, to all of them.

"3960. How about rails for the Victorian railways? I am interested in a large contract now taken by the brokers jointly, somewhat in the same manner as this one.

"3961. By a similar combination, so to speak, of brokers? Yes.

"3962. With regard to the South Australian Government, are they shipping rails which are rolled in Cumberland? They are.

"3963. The rails being shipped entirely by full-cargo ships? They are.

"3964. Was there a firm you were connected with at one time which held a contract for shipping New South Wales Government rails? There was.

"3965. Over how long did that contract extend? About two years, I believe.

"3966. Has the New South Wales Government of late taken up full-cargo ships? Some of the rails go by full-cargo ships, some by berth ships; they are continually taking them up. I am fixing one to-day to them.

"3967. Now, the West Australian Government: do you know of that Government having carried rails from the Cumberland ports? Yes; what small quantity they have had have gone entirely by full-cargo ships by contract.

"3968. With regard to the New Zealand Government and the Indian Government, do those Governments always invite tenders for contracts? Usually.

"3969. You have told us that the wharfage of a cargo in Queensland is a charge which is very heavy, I think? It is.

"3970. Is it the practice of other Colonial Governments for the broker to pay the wharfage of the cargo? With no others but the Queensland Government.

"3971. There is another expense, which is a serious one at the Queensland ports, and that is the lighterage? Yes.

"3972. Is that paid by the contractor? That is paid by the contractor, and amounts to 6s. or 8s. a ton.

"3973. Is it usual in the carriage to other colonies for a contractor to pay that? There is no lighterage of ships there; they go right alongside the quays.

"3974. The Queensland ports being up shallow rivers? They are all up shallow rivers. Ships get to Brisbane with a balance of their cargo, small vessels with a full cargo; but the large ships have to lighter first.

"3975. And that at a heavy expense, which the contractor has to provide for? Yes."

At page 150, question 4017, they would find:—

"4017. By Mr. Griffith: You said you had a contract in connection with the Victorian Government, and that it was entered into in the same manner? Yes.

"4018. Was there any condition that you were to carry the rails in full ships only? No.

"4019. How many tenderers were there for that? I think it was all arranged by one broker.

"4020. You did not all send in tenders and arrange beforehand who should be the lowest? I think one broker took it on behalf of the lot.

"4021. Was it done by tender at all? I cannot say whether it was done by tender or by negotiation; it was done by a shipping agent for the Government.

"4022. Then it would not be done by tender? Probably not. I said, with the shipping agent for the Government; but I remember, now, a firm contracted to deliver these rails to Victoria, and it was the firm contracting to supply them to Victoria that the contract was made with, and not with the Government.

"4023. The Government bought rails to be delivered in Victoria? I think so.

"4024. It was a sub-contract with the contractor for the delivery of the rails? Yes, I believe so; but I did not make the contract myself.

"4025. Were any rails carried in berth ships under that contract? Yes.

"4026. Are they not all carried in berth ships? They have up to the present time been all carried in berth ships. The Melbourne trade is different to the Queensland; a large ship goes every five days, besides steamers, and we can take them all in berth ships. I may say that our rate is 17s. 6d. under that contract for berth ships from London. That somewhat shows what a specially low rate the 13s. 4d. at Queensland was. We charter our ships to Melbourne at 30s. to 35s., to Brisbane at 30s., and to the Northern ports about 60s."

He was happy to say that was the last evidence he had to read, but he should refer for a moment to *Hansard*. The hon. member for North Brisbane (Mr. Griffith), in his speech on Tuesday, the 12th instant, quoted from the evidence of Mr. Anderson to show that the freight contract was a bad one for the Government. As he had pointed out, the hon. member (Mr. Griffith) had been acquainted with all the evidence for months, and could not, therefore, have the excuse some of them might plead, and say that he had not time to look over it; yet that hon. member had deliberately quoted the evidence which suited his own purpose, and that alone. There was not the slightest doubt that he had purposely omitted quoting other evidence which might tell in another direction. Mr. Anderson was the witness who said he could not understand the reason that it was made incumbent on shippers to ship the whole of the rails in full-cargo ships; and Mr. Jopp thought it was an unreasonable stipulation. The hon. member (Mr. Griffith) said:—

"It was useless to occupy further time in seeking for an explanation, as no sensible man could come to any other conclusion than that arrived at by the witness. Mr. Jopp, who had had some little experience in the New South Wales Office, gave evidence to the same effect; the stipulation was never made by the South Australian Government; in fact, this stipulation, like the others, was not to be found anywhere else, no reason had been assigned for it, and its only effect could be to place the Queensland Government at a disadvantage, to the advantage of some other parties."

He (Mr. Griffith) certainly quoted all the evidence he quoted on the subject to show that the effect of the contract was to place the Queensland Government at a disadvantage; but if he had been actuated by the highest motives, and if his action had been disinterested and patriotic, he would not have given such a one-sided view of the case, but would have given both sides. The hon. member, however, could not give both sides; he could not forget that he was a political partisan acting against Mr. McIlwraith, and therefore all the evidence likely to condemn the actions of Mr. McIlwraith, or those persons he was supposed to have any influence over, was largely quoted, while that which would exculpate or clear him of any suspicion was omitted by the hon. member. He (Mr. Norton) had confined himself to one branch of the subject, because it was not possible to cover the whole in a reasonable amount of time. The combination of shipowners they had heard so much about was thus explained; it was explained that the same combination existed with regard to New South Wales, Victoria, South Australia, India, and, in fact, every other place; and yet the formation with regard to Queensland trade was represented as a "ring" acting against the interests of the colony.

There was no "ring" about it; it was a perfectly justifiable combination—as justifiable as any trades' union, where the members interested took action to prevent members of their own profession injuring each other. It was a combination exactly the same as that existing between the A.S.N. Company and W. Howard Smith and Sons. Everyone remembered the time when the companies were running each other to ruin on the coast. The A.S.N. Company ran the Q.S.N. Company to ruin years ago; and these combinations were to prevent such things occurring, and to protect shipbrokers against each other. As he said before, there existed at present a combination between the A.S.N. Company and Howard Smith and Company. There was none between Sydney and Melbourne, and the consequence was—at any rate, this was the case a few months ago—that one might go in the saloon from Sydney to Melbourne for £1. How could that possibly pay any company?

Mr. DICKSON: It is to the advantage of the community.

Mr. NORTON asked was it for the benefit of the community that a mercantile company should be ruined, and that another company should run up prices as high as they liked? It was absurd to talk of these things. There was nothing disreputable about those combinations, nothing that was not fair and honourable, and it was of benefit to the colony that such combinations should exist.

Laughter on the Opposition Benches.

Mr. NORTON said hon. members might laugh as they liked, but he defied them to bring forward anything in the evidence or anywhere else to show that this combination was not just as beneficial as trades' unions. Such combinations ensured regular despatch, and regulated prices, and trade was not interfered with by certain shippers being obliged to take off their ships. He must apologise to the House for having read all these extracts, but he should not have done so had not the hon. member for North Brisbane (Mr. Griffith) read such a quantity. All he (Mr. Norton) had read were in connection with one branch of the subject taken up by that hon. member, whose omissions he had supplied. The evidence he (Mr. Norton) had read bore an exactly opposite tendency to that of the hon. member's quotations. That hon. member, having the opportunities he had for looking over the evidence and representing everything fairly and honourably, had not done so, but had manipulated evidence for his own ends, and, instead of acting in a disinterested and patriotic manner, had acted simply as a partisan and as a special pleader.

Mr. FOOTE said it had not been his intention to address the House to-night, more especially after the hon. gentleman who had just sat down, who had devoted much more time to the question than he had. That hon. gentleman had taken up the time of the House to a great extent. He had had the privilege of a great deal of time on his hands, so that he could go into the question. But it was not his (Mr. Foote's) intention to go into the evidence. That had been very ably done on both sides of the House; what had not been brought forward by the leading speakers upon this side of the House had been brought forward by speakers on the other side. One side had brought forward evidence to bear on one side of the question, and the other had brought forward evidence to bear on the other side. It had been said, over and over again, that this ought not to be a party question, and hon. members had urged that the House should be guided by the facts of the case—by the evidence brought forward and summed up in the Report of the Royal Commission. But he feared that gen-

lemen on the Ministerial side of the House were not adopting the principle they exhorted the Opposition members to act upon. They said one thing, but they did another. For his part, he had gone through the evidence, or the greater part of it—he had not read the whole of it—and he found there was a great deal that was repetition, and that did not bear directly on the subject before the House. First of all he read the Report and then the evidence, and he found that the evidence was nothing like the Report. To his mind, the Report was not a fair and legitimate outcome of the evidence; he could not help coming to that conclusion. On both sides of the House there had been observations about blackening the character of people outside the House, and behind their backs, who were not in a position to come here and defend themselves; but, as usual, the gentleman who started by saying that generally turned to and blackened the character of some witness in connection with this Report. It was quite clear that witnesses on one side, and on one part of the question, were supported by one side of the House; and that witnesses on the other side and on other parts of the question were supported by the other side of the House. One side said, "Our witnesses are honourable men; they have given very fair evidence." The other side said, "Our witnesses are good men, and you can depend on the evidence they have given." Therefore he came to the conclusion that this really was a party question, and he was sure when the House came to a vote on the matter that it would be shown by the numbers taken down that it was as much a party question as any that had ever been before the House. All the members of the House, and a great many people outside who took an interest in the matter, were fully acquainted with the whole question; and nothing could be advanced on either side which would throw new light on it. But there was one thing very clear, and that was, that a certain amount of money had been expended in the purchase of rails and in freight which might have been saved if proper prudence and caution had been taken. It was also clear that this money came out of the taxpayers' pockets. The taxpayers were, therefore, interested in the matter; and however we might try to gloss it over—however we might try to describe it as an error of judgment—it was evident that there had been a very grave mistake, and that somebody or other was responsible for it. And to whom must the responsibility attach? It must attach to the Ministry. He did not say there was anything in connection with the character of the Premier involved in this matter. He appeared to have taken it up in that light; but he (Mr. Foote) could not see why he should have done so beyond the fact that he was head of the Administration: in that sense some responsibility devolved upon him. But so far as conniving at fraud or anything of that sort was concerned he (Mr. Foote) had never entertained the idea for one moment. When this question was first mooted in this House last session, it occupied the attention of the public a good deal, but he could not say he read very much about it. He rather pooh-poohed it in his own mind; and looked upon it as one of those questions which cropped up occasionally and which, when it came to be investigated, were found to contain very little. But he was somewhat surprised when he saw the report of the Committee which sat in this colony; he saw there was a great deal more in the question than he had thought. When he found that the Premier was going to England, he felt certain there must be something in it to take the Premier home to defend himself, or, as parties outside the House frequently said, in order to burk

the question. It was quite clear, not only to this House, but to people outside, that a sum of money had been expended; but into whose pockets it had gone was it not difficult to ascertain? He observed the other night, when the Minister for Works rose after the leader of the Opposition, that he did not begin at the beginning. He passed very quietly over that part of the affair which had led to all this heart-burning and all these bickerings and recriminations of various kinds from both sides of the House. It was a matter of impossibility for an Assembly like this to be engaged in a debate without recriminations of some kind. The hon. member (Mr. De Satgé) said in the early part of the evening that he was not sorry he was not in the House last session. He (Mr. Foote) could endorse that feeling, and say also that he was glad he (Mr. Foote) was not here. But during this session so far, the debate had gone on very fairly indeed. To return to the Minister for Works, that hon. gentleman had forgotten to state the part he had in the matter. He (Mr. Foote) considered him to be the author of all this waste of money, and all the heart-burnings and bickerings. If he had dealt with the matter in a proper manner—if he had shown himself to be master of his position—this thing would never have occurred. He certainly would never have been out-generalled by a very sharp man of business. Mr. Thomassen knew that the Government were purchasers of rails, and kept in view the Minister for Works, and made proposals to him. It was quite clear to his (Mr. Foote's) mind that he kept the Minister for Works nibbling at the bait until matters were properly arranged in the old country, and then he very quietly stated that his company would not conclude a transaction of that sort. Well, when the Premier went to England on that occasion, he must certainly have found that he had been sold, not by intention, but more by way of accident, for when he got into the market he found that there was a great rise in rails. Now, he (Mr. Foote) maintained that the Premier could not be altogether acquitted of imprudence in this matter, because a wise man of business would not have entered into a contract at that time and under such circumstances. Rather than have been caught in the trap—in the brokers' trap, he would call it—he would have done without the rails for some time, or at any rate would have taken very good care that the brokers did not know that he was a purchaser of rails. Therefore, he felt that the Premier must have felt the matter very keenly, and, as the head of the department, he must have felt the responsibility of it, although he (Mr. Foote) was quite sure that he did not think that anything like the circumstances which had ensued would have come out of the subject. But he could not help thinking that much better things might have been done. It had been stated that that House would be the final tribunal. He ventured to state that that House would not be the final tribunal of that question. The public might not have an opportunity of pronouncing upon that subject for perhaps many a long day; but he was quite sure that they would remember it when they had the opportunity, and pronounce upon it. He did not say that they would pronounce upon it in a manner that would involve the character or honour of the Premier; but they would pronounce upon it in a manner which would say that they were not satisfied with those proceedings, and that if there was not jobbery in the case there was culpable negligence somewhere. And, again, the Premier should have taken practical notice of this matter as head of the department, which he had not done. Where such flagrant negligence or miscalculation, or whatever term might be applied to it, had

taken place in the colony, and involved a large expenditure of the taxpayers' money, the Premier ought to have taken more notice of it; and if he found that he had in one of his departments a Minister who was not capable of carrying out his duties, then the best thing he could have done would have been to have gazetted that gentleman out of office. He said that with all deference to the Minister for Works. There were many things which the Minister for Works had done of which he approved; and there were many of which he disapproved, and with regard to which he should have something to say, if he lived and was well, on a future occasion. Had the Premier taken action in the way he (Mr. Foote) had indicated, the country would have been satisfied, the people would have seen that he was thoroughly alive to the wrong that had been done to the country, and that he had done what he could to make amends for it. With regard to matters of freight, everyone acquainted with London, or almost any other place, must know that shippers had to do with "rings" more or less, or at least came into contact with them. But before dealing with that subject, he would just observe, in reference to the steel rail matter, that the Haslam Company—who appeared to have been the purchasers of those rails, and who were set forth as having sold the rails to the Government—had been very aptly termed by the leader of the Opposition "dummies"—simply men put forward to deal with the matter—he would look upon them as brokers. If the Haslam Company told him that they had bought that vast quantity of rails, involving such a large expenditure of money, and if he knew that they were a company with a nominal capital of £20,000, he would not believe them. He had not found, neither did he think any other man had found, the London business houses to be so ready to advance money to men who were mere men of straw. Therefore, he regarded them as mere brokers put forward merely for the use of their name as a stipulation with the Government. With regard to the freights, there was no doubt the Government had had to pay a much higher rate than there was any necessity to pay. Any business man with ordinary talent could, he had no doubt, have got those freights at a very much cheaper rate; he had only to go about and exercise those usual business tactics and habits which men of that character exercised, and he would have found in a place like London only too many ready to serve him. Therefore, he considered that the Government had been victimised in the matter of freights, and had had to pay more than they otherwise would have paid. If there had been any amount of recrimination or ill-feeling brought about by that matter, why, he could only say for his own part that, instead of the leader of the Opposition being entitled to any blame, he thought the Premier ought to be thankful to him for the steps that he had taken in order to have the matter fully investigated and brought to a conclusion. The leader of the Opposition had been very active, and he (Mr. Foote) had come to the conclusion that, if he had not been in London, the Report would not have been worth the paper that it was written on, for it was quite clear that no evidence was brought forward by the other side. The Premier took up the position of an accused party, saying in effect to the other side—"If I am guilty, prove me to be guilty; but I shall not take any steps to bring forward any evidence myself. But, on the other hand, if you bring forward any evidence that may criminate me, then I will bring forward evidence to rebut it." That appeared to him to be about the position in which the matters were carried out, and he was quite satisfied that the populace would judge upon that matter, and that ultimately they would be the final tribunal. It

might be some time first, but, whenever it did occur, he was quite satisfied that the voice of the public would be always faithful.

Mr. BAILEY said he had not intended to say a word on that question. He abstained from speaking on it during the whole of last session, but as some of the members on the Government side of the House seemed that evening to be at the theatre, and had not a word to say for themselves, he might perhaps say a few words that had occurred to him during the discussion. The whole affair seemed to him to be a matter of remarkable coincidences, designed or undesigned, he knew not which. The first coincidence that suggested itself to his mind was that, at the time when a certain contract was made, the hon. the Minister for Works and Mr. Thomassen—the agent for Messrs. Ibbotson Brothers—Mr. Andrew McIlwraith—brother of the Premier—and the Premier himself, he believed, were then in the colony by a designed coincidence; and whilst those gentlemen were there a bogus contract was entered into for the purchase of a large quantity of rails for the Queensland Government. The undesigned coincidence was that both Mr. Thomassen and Mr. Andrew McIlwraith seemed to be mixed up in some mysterious way in that contract, both wanting to get a contract—one wanting to get the freight, and the other wanting to get the rails. Weaving together, as it were, those two gentlemen were constantly communicating with each other and with the Minister for Works, and the result of all those communications was the undesigned coincidence of the bogus contract by which the colony was bound, but no one else. The next undesigned or designed coincidence was that, whilst those gentlemen were in constant communication with each other, the Telegraph Company did not seem to have been in perfect communication with them, and blunders—very serious blunders, indeed—were made in the telegrams which were sent by the firm of McIlwraith, McEacharn, and Company, in England, to Mr. Andrew McIlwraith in Queensland.

The COLONIAL SECRETARY: He doesn't even know the names he is talking about.

Mr. BAILEY: Oh, yes! he did. The curious thing was that these blunders had taken place at a most critical period, and the result of these blunders was that the firm at home purchased some 30,000 tons of rails on speculation for the Queensland Government. That was the next innocent coincidence in the matter. The next coincidence was that the Premier of the colony left the colony and went home, and by a remarkable coincidence Mr. Andrew McIlwraith, his brother, met him at Cork, and told him that he had done a good thing in rails. It was a wonderful coincidence that the Premier did not ask his brother what the good thing was. But, no! he did not want to know anything at all about it. Another coincidence came in just afterwards. Mr. Thomassen pretended—because he (Mr. Bailey) did not believe it was a *bond fide* offer—to offer the Premier 5,000 tons of rails below the market price, and pressed him to take them; but the Premier was advised not to buy them, though they were represented as being below the market price. He preferred instead to wait until after the Christmas holidays, and to allow them to be tendered for. Another coincidence was that Mr. Ashwell, also a relative of the Premier's, and the Executive Engineer of the London office, was a shareholder in a little foundry in the town of Derby—a considerable shareholder, too, considering that the nominal capital was only £20,000, and the shareholders very few in number: Mr. Ashwell was the gentleman who was entrusted to prepare the tenders and specifications for these rails. A

coincidence which came in here was that the tenders were so prepared that only certain firms could tender for these rails. The great bulk of the firms could not possibly tender for them, because certain conditions imposed by these specifications were obsolete—the appliances necessary for them were not used in rail-making at the present day. Only a few firms possessed and could use these appliances, and therefore the tendering was not open to the others. Another coincidence was that the shares which Mr. Ashwell held in the company were transferred to Mr. Andrew McIlwraith. Then came another coincidence in Mr. McIlwraith transferring his rails to the Haslam Company, and then the Haslam Company proving to be the successful tenderers—another coincidence, because they knew where the rails were being made and where these obsolete appliances alone were. And the result was that the rails were sold to the Queensland Government; they were consigned to the Queensland Government; they were invoiced to the Queensland Government at £6 per ton, and the price the colony was paying for them was £9 18s. 6d. per ton. These were a series of remarkable coincidences. No amount of abuse of Mr. Hemmant—nor of Mr. Hamilton, who was a man who strove to conceal a venial fault by a criminal lie—he (Mr. Bailey) was not afraid to say that Mr. Hamilton was a man who tried to hide a venial fault by a criminal lie;—no amount of abuse of this man would alter the fact, because Mr. Hamilton wrote a letter to the Agent-General in which he said that rails were invoiced at £6 for which the Queensland people were paying £9 11s. 6d. That was the sum and substance of Mr. Hamilton's offence. That was the reason why he was dismissed—why he was degraded—and not for anything he did before or afterwards. That was the sole cause why he was a dismissed servant, let them abuse him as they might, and point to him as a man whose evidence was not worth listening to—whose evidence was not worth taking. His action with regard to that letter was his sole fault. The letter was sought to be burked; there could be no doubt about it; it was intended that the letter should never see the light. Pressure was put to bear upon the man, and everything that could be was done to induce him to withdraw the letter, and say nothing about it; but the man said that if they would not take it as a letter of advice, they could let it come out as a public matter. If that was the only true statement he made—and no one said it was not true, for the invoices were there to speak for themselves—that was the crime Mr. Hamilton had committed. That was the crime for which he was condemned and held up to public scorn; and for having repeated this statement, for making allegations which had been pronounced correct, Mr. Hemmant had also been held up to public scorn, and denounced in this House as a man devoid of honour and truth. This was the reason why he, too, was publicly rebuked. He (Mr. Bailey) thought the matter was a very simple one if they were to say that these coincidences came about in a perfectly natural way—that they were straightforward transactions, and he did not put it in any other way. But if the Premier had said that the Minister for Works had acted a fool's part, and had made a bargain which he never should have made—that he was so ignorant of his duties that he did not know how and was incompetent to fulfil them—if he had said that McIlwraith, McEacharn, and Company were smart business men ready to take advantage of the Minister for Works' ignorance—then he (Mr. Bailey) could have understood the statement; but, instead of that, they put forward the Premier and let him stand in the front to shield

the rogues behind him, forcing the Opposition, unwilling as they had been to do it, to take steps to unmask these rogues that the Premier concealed behind his broad shoulders and shielded by them. No one knew this better than the hon. gentleman himself, and he (Mr. Bailey) was very sorry to see any such attempt made to shield them from the punishment which would otherwise have overtaken them.

Mr. SHEAFFE moved the adjournment of the debate.

Question put and passed.

The House adjourned at twenty-five minutes past 10 o'clock until half-past 3 o'clock next day.