Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 6 MARCH 1884

LEGISLATIVE ASSEMBLY.

Thursday, 6 *March*, 1884.

Question.—Message from the Legislative Council.—Member Sworn.—Motion for Adjournment.—Suspension of Standing Orders.—Petition.—Chinese Immigrants Regulation Act of 1877 Amendment Bill—consideration of Council's amendment.—Message from the Governor.—Chinese Immigrants Regulation Act of 1877 Amendment Bill—consideration of Council's amendment.—Supply—resumption of committee.—Message from the Legislative Council.—Loan Estimates, 1883-4.—Ways and Means.—Loan Bill of 1884.—Supply—resumption of committee.—Supplementary Estimates, 1882-3.—Ways and Means—resumption of committee.—Appropriation Bill of 1883-4, No. 4.—Loan Bill, 1884.—Supply—resumption of committee.—Message from the Legislative Council.—Adjournment.

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

QUESTION.

Mr. BAILEY asked the Minister for Lands—

Has the £50 given two years ago for the fencing in of the Tiaro recreation ground been expended?

The MINISTER FOR LANDS (Hon. C. B. Dutton) replied—

The sum of £50 was paid to the trustees of the Tiaro recreation ground on the 11th March, 1883, but as the accounts have not been audited I am unable to say in what manner it has been expended.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced the receipt of a message from the Legislative Council, intimating that that Chamber had agreed to the adoption of the plans, etc., of the deviation of Collins street, South Brisbane Railway.

MEMBER SWORN.

Mr. James Campbell was sworn in as member for the electoral district of Aubigny.

MOTION FOR ADJOURNMENT.

Mr. BAILEY said he wished to bring under the notice of the House the state of the friendly societies in Queensland. Some remarks were made the other day upon this subject, when the Attorney-General's estimates were under discussion, and it then was pointed out that a portion of the duties of the Registrar of the Supreme Court—namely, the care of friendly societies—had hitherto been neglected. The result of that neglect would, he was convinced, soon become apparent, for he had that morning gone over several of the balance-sheets of some of the friendly societies, and unless he was very much mistaken they had been either falsified or were incorrectly prepared. The balances brought forward from year to year showed very gross discrepancies, and those would be found upon examination. They could not be too careful in looking after those societies, for the officers were not generally business men, and did not understand how to protect their interests. Clause 30 of the Friendly Societies Act provided that—

"The Governor in Council may from time to time appoint auditors and valuators for the purposes of this Act, and may determine the rates and remuneration to be paid for the services of auditors, but the employment of such auditors and valuators shall not be compulsory on any society."

Then the 31st clause went more fully into the same subject. He thought it was a duty incumbent upon the Government to as early as possible have the accounts of these societies properly audited by competent men. He brought the matter under the notice of the Government in the hope that it would receive their consideration, and that friendly societies would receive the protection the law ought to afford them.

The PREMIER (Hon. S. W. Griffith) said that, as the Attorney-General was not in the House, he might inform the hon. gentleman that the matter to which he had called attention was one which was admitted by the Government to require consideration. Reasons were given on a previous occasion why the accounts of friendly societies needed investigation, and he would inform his hon. colleague of what had been said on the question, in order that he might see that the provisions of the Friendly Societies Act were put into force.

Question put and negatived.

SUSPENSION OF STANDING ORDERS.

The COLONIAL TREASURER (Hon. J. R. Dickson) moved—

That so much of the Standing Orders be suspended as will admit of Resolutions of Supply and Ways and Means being reported on the same day on which they shall have passed in such Committees, and of Bills being passed through all their stages in one day.

Question put and passed.

PETITION.

The COLONIAL TREASURER presented a petition signed by upwards of 400 residents of the electoral district of Enoggera, praying for a Railway Survey from some point on the Sandgate line in the direction of the cattle-yards.

Petition read and received.

CHINESE IMMIGRANTS REGULATION ACT OF 1877 AMENDMENT BILL —CONSIDERATION OF COUNCIL'S AMENDMENT.

On the motion of the PREMIER, the Speaker left the chair, and the House went into Committee to consider this Order of the Day.

The PREMIER said the amendment made by the Legislative Council was in the 3rd section of the Bill. As the Bill left the Assembly, it provided that if a vessel arrived at any port in Queensland with more than one Chinese passenger for every fifty tons, the owner or master of the ship would be liable to a penalty not exceeding £30. The amendment provided that ships must not have on board a greater number of passengers for Queensland than one for every fifty tons. Now he was not aware of any means of ascertaining whether the Chinese passengers were for Queensland or not. A man might say he was for Queensland. He would just give an illustration: Suppose a vessel arrived with 100 Chinese passengers, of whom ten were for Queensland. There was no machinery to discover whether they were for Queensland or not. The ship arrived on a Sunday evening, and moored alongside the wharf, and the ten passengers landed; but during the night the other ninety walked ashore. Those ninety would then be in the colony, and they could not be got out of it. It was of no use locking the stable after the steed was stolen. However elaborate the machinery might be, convictions under that section would be impossible. Then again, a ship might arrive, calling here on her way, having ten passengers for Queensland, and ninety others, who might be going to Sydney or Melbourne. They might go there, be transhipped into A.S.N. Company's or other steamers, and come to the colony in small numbers in that way. That was another way in which the provision could be evaded. He therefore thought that House should disagree to the amendment; and the reasons he proposed to assign for that disagreement were as followed:—

Because there are no means of discovering whether Chinese passengers on board of a ship arriving from beyond the seas are passengers for Queensland or not, and it would therefore be practically impossible to prove a breach of the provisions of the 3rd section of the Bill as proposed to be amended.

Because the clause, as amended, would facilitate the arrival in Queensland waters of unlimited numbers of Chinese, who might land from the ships bringing them, or be carried out of Queensland waters, and then brought back in small numbers by other vessels.

He moved that the amendment be disagreed to, and he hoped the disagreement would be unanimous.

Mr. ARCHER said he saw perfectly well, with the hon. gentleman, the difficulty in the matter. He was not in favour of having any extra Chinese in the colony. But there was one matter that they had overlooked in passing the Bill, and that was with regard to Chinamen coming from Sydney, for instance, and, on their way to China, calling at Queensland ports. If a vessel from Sydney, carrying more than the number of passengers allowed by law, called at a Queensland port—which they did now—the master and owner would be subject to the same fine as if they brought too many Chinamen from China for Queensland. He would like to get the opinion of the Premier on that point. Was there any difficulty in the matter? He should like to have an opinion, because such a thing might defeat the purposes of the Bill. Would it prevent ships taking Chinese passengers to China or not; or at all events, would it prevent them, as they did now sometimes, calling at Queensland ports, if they had Chinese passengers on board? He knew that the hon. gentleman had great legal knowledge, and he now drew his attention to the difficulty, because he thought it probable that it would be better, as was urged by the hon. member for Townsville in the discussion on the Bill, that Queensland should legislate for itself, and leave the other colonies to legislate for themselves. He thought there was an easy means by which Chinese passengers could be prevented from landing here in greater numbers than the law allowed; and he was perfectly certain that the hon. gentleman could easily find the means.

MESSAGE FROM THE GOVERNOR.

The SPEAKER announced that he had received a message from His Excellency the Governor assenting to the Auditor-General (Salary) Bill.

CHINESE IMMIGRANTS REGULATION ACT OF 1877 AMENDMENT BILL —CONSIDERATION OF COUNCIL'S AMENDMENT.

The PREMIER said, with respect to the possibility of preventing a number of Chinamen not intended for Queensland landing in Queensland, that was a matter not beyond their reach; but it was not provided for by the principal Act now on the statute-book, nor by the present Bill. It would require an entirely different scheme founded on the Customs Act, to be enforced by police watching the ships. He did not think they could at the present stage substitute an entirely new scheme for the scheme they had in the principal Act; it was too late to do that. If that was what the Legislative Council intended, they should have suggested a scheme to carry out their amendment. With respect to the other objection—that ships coming from the other colonies taking Chinese to their homes would be liable to be fined—that no doubt was technically so; but the penalty under the Act could only be enforced by a person authorised by the Governor, and it was not likely that the Governor would direct a prosecution for taking away Chinamen. In all revenue Acts there were absolutely stringent provisions It was impossible for a man to step ashore from a boat coming from beyond the colony without incurring a penalty of £100 at least; but those penalties were only enforced by the Governor, so that practically there was nothing in them. If they were to limit it and say that vessels coming from the neighbouring colonies should not be liable under the Bill, what would be easier than for the ship to go on to Sydney and come back again? They need not go as far as Sydney, as they might only go to the Tweed River and come back; it would only be a little longer journey. So that it was necessary to have those stringent provisions.

Mr. MACROSSAN said there must be a good deal of difficulty surrounding the whole of their Chinese legislation, because they were to some extent interfering with the liberty of people to go from one country to another. Nevertheless, he thought it could be prevented without any elaborate machinery, even if the amendment made by the Legislative Council were carried, though he might state he had no intention of supporting that amendment. He could see, as suggested by his hon. friend the member for Blackall, that at the first port of arrival of a vessel from China the number of Chinese passengers for Queensland and the number of Chinese passengers for other colonies could be

ascertained, and it simply became a matter of telegraph communication then between that port and the other ports on the coasts, through the Custom-house officers. They could say, for instance, there were on board 20 Chinese passengers for Queensland and 100 for other colonies, and at the next port, or any other port called at after that, there must be the same number of Chinese passengers on board the ship not for Queensland, and the captain and owners of the ship would be responsible and liable for any less number than that who might have left the ship. In America the captain and owners were submitted to a very heavy penalty for every Chinaman who left the ship and went ashore; so that there was no elaborate machinery required. However, he thought it better, seeing that they had no machinery either in the Bill or in the principal Act, that they should not agree to the amendment of the Legislative Council, though he did not agree with the reasons given by the Premier for disagreeing to it. To simplify matters and bring into effect this legislation and make things easy, he would not support the amendment. They could make further provision for the matter in the next or some future session, though he had shown that nothing very elaborate was required. The hon. gentleman should not escape with the idea that elaborate machinery was necessary, because the captain of the vessel could be made a machine by which no Chinese could be landed.

Mr. BEATTIE said he hardly agreed with the hon. member for Townsville. They might presume that, however anxious the captain might be to prevent them, some Chinese might get ashore.

Mr. MACROSSAN: That does not matter.

Mr. BEATTIE said it would be necessary to have as many officers to prevent the landing of Chinamen as there were Customs officers at present. He could not agree with the argument for the introduction of the amendment, for this reason: Under the present Bill a vessel of 1,500 tons was allowed to land thirty Chinese in Queensland, fifteen in New South Wales, and fifteen in Victoria; or sixty in all the three colonies. Supposing the vessel had 150 Chinese passengers, and ninety of them were said to be going to New Zealand, and supposing the vessel went to Sydney, was New South Wales to have a preventive service? He had made inquiries and was told that to prevent them going there they simply transferred them to a vessel bound for New Zealand. He knew, however, that that was not the case, and that a good many of them went to New South Wales and Victoria. If they went there surely the captain was not to be held responsible?

Mr. MACROSSAN: Yes.

Mr. BEATTIE said he could not see it. He was as anxious as the hon. member for Townsville or the hon. member for Blackall to prevent Chinamen landing here at all; but he was afraid if the amendment was carried the difficulty of preventing Chinamen landing here would be very great. He was glad to find that both of those hon. gentlemen and the Committee would disagree to the amendment made by the Legislative Council.

Mr. ARCHER said he did not rise for the purpose of complicating matters, but he simply wanted an expression of opinion from the hon. gentleman at the head of the Government as to what would be the consequence of leaving the Bill as it now was. He was anxious that the number of Chinamen should be decreased. The hon. gentleman at the head of the Government stated that the Government would always have the power of remitting fines, if Chinamen came in vessels from the other colonies; but that was not a very nice thing to be done. It ought to be done by law, and not at the pleasure of the Government. The measure which they intended to pass now would only serve for the short time between this and the next session; and next session they should have some more complete legislation which would enable the Chinamen, at all events, to get away in any number they liked, as well from the other colonies as from here. He had not the slightest intention of throwing difficulties in the way of the Bill passing, so that in the meantime they might have a measure which would prevent the influx of Chinamen.

Mr. BLACK said it seemed to him that they were getting into some difficulty over the clause. It had escaped the attention of the Committee that by clause 3, however anxious they might be not to allow Chinese to come into the colony, they were actually preventing them from getting away from it. As the clause read, before the amendment made in it by the Legislative Council, it said:—

"If any vessel shall arrive at any port in Queensland having on board a greater number of Chinese passengers than in the proportion of one to every fifty tons."

According to that, a ship of 1,500 tons leaving the port of Brisbane would carry thirty Chinese passengers returning to China. Of course thirty passengers would not be the full complement of that vessel to carry. Supposing a vessel went to Cooktown with the intention of taking on board 200 Chinamen, if the clause were allowed to stand unamended the captain would have to pay a penalty of £30 for every Chinaman he took back to China. One of their chief objects was to get rid of the Chinamen already in the country, and that was quite defeated by the wording of the clause. The amendment of the Legislative Council would allow a ship to take back a full complement of passengers for China. Without that amendment they were actually locking up the Chinese already in the colony, and preventing them from getting back to their country. He did not think that that was the intention of the House. The Premier had stated that in order to carry out the amendment of the Legislative Council a great number of regulations would be required. But that was the fault of the Government for bringing in an ill-advised measure, before giving every point of that very difficult question mature consideration. He had carefully considered the Council's amendment, and had come to the conclusion that only by accepting it could they get rid of the Chinese already in the colony. If the colony wished to prohibit all trade with China, let that be distinctly understood, for certainly if the Bill passed in its present shape the effect would be to seriously injure that trade. The different colonies looked at the question from different points of view. They were perfectly justified in doing all they could to prevent Chinese landing in unnecessary numbers in Queensland, but they should be very cautious, in endeavouring to achieve that object, not to destroy an important branch of the trade of the colony which they ought to foster by every legitimate means. He had noticed a telegram in that morning's *Courier* which came somewhat *apropos* to the present discussion. It was as followed:—

"Cooktown, March 5.

"The steamer 'Woosung,' from Hongkong, left last night for Brisbane, *viâ* Townsville. She brought 100 tons of cargo for Cooktown, 50 tons for Townsville, and 47 tons for Brisbane.

"The agent of the 'Woosung,' Mr. John Baird, was charged at the Police Court this morning, at the instance of the Customs authorities, with having brought two Chinese passengers more than the number allowed by the Act, and was fined £2 for each, with £1 4s. 6d. costs. The 'Woosung' brought altogether 117 Chinese, of whom

six were naturalised British subjects, two had New South Wales exemptions, and four Queensland exemptions. The bench, however, declined to recognise the naturalisation, and this Act is causing great annoyance to shipmasters and owners."

There was an instance of a ship bringing cargo to our ports and undoubtedly benefiting the colony indirectly, and actually the naturalisation of those Chinese was not admitted, and men who had paid the poll-tax and got exemptions were prohibited from landing, while the captain was fined for carrying them. If the Bill became law in its present form the fine in future would be £30. If a vessel touched for purposes of commerce at Cooktown, or Bowen, or Rockhampton, or Brisbane, the captain would be liable to a penalty of £30 for every Chinaman he carried in excess of one to every fifty tons. It was never contemplated by the House to destroy the trade with China. New South Wales allowed Chinese to pass their ports as passengers to other colonies. The New Zealand Government did not prohibit Chinese going to New Zealand. South Australia, also, did not prohibit their introduction; on the contrary, they invited them thither, especially into the Northern Territory. He believed the Council's amendment was a good one, and it would be an easy matter for the Government, with their legal abilities, to devise such regulations as to prevent any excess of the stipulated number landing in Queensland. They had no right to go out of their way to legislate for other colonies. The other colonies did not take that extreme interest in the welfare of Queensland that they should legislate for them. What they had to do was to protect themselves, being at the same time careful not to strike at one of the chief sources of the maritime commerce of the colony.

The PREMIER pointed out that the clause was the same as that contained in the Act of 1877. The same phraseology had been intentionally continued, not because the Government were not fully aware of all the difficulties that had been pointed out by the hon. member for Mackay, but because, after six years' experience, it was found to be the best adapted to carry out the object they had in view.

Mr. BLACK said he wished to know what provision the Premier would make to allow the Chinese already in the colony to get away from it. There were about 15,000 Chinese in the colony, and it was the irregularities committed by them, and not by those outside the country, that had been the cause of the outcry against the introduction of Chinese. How could the case of the Chinese already in the colony be met, if the amendment of the Council was rejected?

The PREMIER said he had pointed out earlier in the afternoon that no prosecution could be instituted for a breach of that section of the Act unless by direction of the Government—whether in the case of ships coming to Queensland from China, or from either of the other Australasian colonies.

Mr. SCOTT said it appeared to him, from what had fallen from the Premier, that the only way to get over the difficulty was for the Government to wink at any breach of the law, and not allow the law to be put in force unless they thought proper to do so in any particular instance. They could hardly have a more roundabout course to pursue, and he thought it was neither a legitimate nor a fair one.

Question put, and the Committee divided:—

AYES, 32.

Messrs. Griffith, Dickson, Miles, Macrossan, Macfarlane, Dutton, Sheridan, Foote, Hamilton, Archer, J. Campbell, Buckland, Beattie, Salkeld, Grimes, Lissner, Smyth, Bale, Foxton, White, Higson, Bailey, Midgley, Jordan, Stevens, Aland, Groom, Horwitz, Brookes, T. Campbell, Ferguson, and Moreton.

NOES, 7.

Messrs. Black, Scott, Palmer, Nelson, Chubb, Norton, and Stevenson.

Question resolved in the affirmative.

On the motion of the PREMIER, the CHAIRMAN left the chair and reported that the Committee had disagreed to the Legislative Council's amendment in the Bill.

The report was adopted.

On the motion of the PREMIER, the Bill was ordered to be returned to the Legislative Council with a message intimating that their amendment had been disagreed to, for the following reasons:—

Because there are no means of discovering whether Chinese passengers on board of a ship arriving from beyond the seas are passengers for Queensland or not, and it would therefore be practically impossible to prove a breach of the provisions of the 3rd section of the Bill as proposed to be amended.

Because the clause, as amended, would facilitate the arrival in Queensland waters of unlimited numbers of Chinese, who might land from the ship bringing them or be carried out of Queensland waters and then brought back in small numbers by other vessels.

SUPPLY—RESUMPTION OF COMMITTEE.

The COLONIAL TREASURER moved that the Speaker leave the chair, and that the House resolve itself into a Committee of Supply.

Mr. FOOTE said he rose for the purpose of making some allusion to the remarks which had been made on previous occasions in the House with reference to the proceedings of the Elections and Qualifications Committee. He thought it was due, not only to himself but to the other members of the committee, to do so, because several of them had been blamed and had had very disparaging remarks made about the way in which they performed the very difficult and unpleasant duties that had devolved upon them. In a few remarks he had made on a previous occasion he had stated that, in reference to the Aubigny election petition, he believed that every statement in it had been proved by the evidence. Before passing on to that he would refer to the first petition presented, that in the case of the Burnett election. There was some difference of opinion both inside and outside the House respecting the report of the committee in that case, and one member of the House had referred to it as being disgraceful. Whatever the opinion of that hon. member might be was not a matter of any importance to him, neither did he care about it, because he had quite as much right to his opinion as other hon. members had to theirs; and with reference to the formality or informality of certain votes polled at that election—for that was what the whole question hinged on, there being no other evidence of any importance taken—the opinion he then held, and still held, was that the initials of any other person upon the ballot-papers, other than those of the returning officer, or presiding officer, created an informality, and consequently those votes must be declared informal. That was the opinion he had held throughout, and he had acted in accordance with it. He now came to the more important matter of the Aubigny election petition. That petition set forth many irregularities, and not only irregularities, but the parties accused the late sitting member of bribery and corruption, and so on. He need scarcely say that he considered that every one of the charges set forth in that petition had been proved. He did not say that they had been actually connected with the late sitting member. That was the only ground of contention; but every charge as to giving money to electors, supplying grog, personation, and intimidation, had been in his opinion com-

pletely proved, as he was prepared to show as he went on. He should not read all the paragraphs of the petition, as he knew hon. members were anxious to get on with business and finish the session if possible that day, and therefore he should not unnecessarily take up the time of the House; but, as he had already said, such violent charges had been made against the committee that, as far as the honour and integrity of the House and the country were concerned, it was only right and proper that the members of that committee should take some notice of it. Clause 5 of the petition set forth:—

"That one of the polling places duly appointed for the taking of the poll at the said election was the Westbrook Homestead Area, but the said returning officer, without due authority in that behalf, caused no poll to be taken there; but in lieu thereof caused a poll to be taken at the Westbrook Head-station, a place outside of the boundaries of the Westbrook Homestead Area, and which had not been proclaimed a polling place."

He would ask if that had not been clearly proved? In fact, it was admitted, and the unanimous opinion of the committee was that it had been proved beyond doubt. No part of the committee could say it was not. It had not been rebutted, nor had any attempt been made to rebut it. He wanted to know by what authority a returning officer had power to remove a polling place from the place where it was gazetted to be held, without applying in the usual and proper course to the Governor in Council, pointing out certain defects and showing reasons why the polling should be held in another place. The opinion that he held, whether rightly or wrongly, was that no returning officer had a right to remove a polling place from one place to another, even though the only object he had in view was purely and simply to accommodate the electors in the locality. But there were other reasons for the decision arrived at. It was very clear to his mind that the Aubigny election was a thoroughly organised election. He had been upon the Elections and Qualifications Committee before, but, as far as his recollection carried him, he did not remember any election that was shown by the evidence to be more thoroughly organised by one side than that election. He would not say that it was so thoroughly organised on the other. He believed it was not; they appeared to have been very short of that systematic organisation which had been brought about by the other side. It would be seen from the evidence that Mr. Garget, the returning officer, explained, as his reason for removing the polling place from the Westbrook Homestead Area to the Westbrook Head-station, that he was requested to do so for the convenience of the people. Now, the evidence showed the reverse to have been the case. He did not want to wade through every particular part of the evidence to prove what he said, but it was clearly shown that many electors did not go to the polling place for the purpose of voting. One witness, when asked if the electors went there to poll, said a large number of them did not.

Mr. BLACK: What is the number of the question?

Mr. GRIMES: 200, page 20.

Mr. FOOTE said he was not certain about the number, but he knew the evidence was there. The witness, when asked by counsel for the other side in cross-examination, if they did not vote at some other place, said he supposed so. It was quite clear to his mind that they did not vote, and he made the statement now, after due consideration and deliberation upon the subject, that one-half of the votes polled by the late sitting member for Aubigny were not the votes of *bonâ fide* electors. It would be seen from the evidence that there were a few local celebrities in the place who could be well trusted, and some of them polled twice, and others oftener. He believed there were fifty-seven of them altogether, and they polled a total of 157 votes. That was said not to be bribery, nor yet to be corrupt. They had only to read the evidence in order to see whether it was or not. But what he said about the local celebrities did not in the slightest degree refer to those ninety men who came from the direction of Warwick, and who took possession of the polling booths at every place they visited; they occupied them till their purposes were accomplished, and then went somewhere else. There was no notice taken of them. The sitting member said there was a perfect stampede in the polling places, and there was no order there; they were full inside, and there were a great many standing round the presiding officer. When the names were called they said those were their names. He was just mentioning the matter that hon. members might infer whether they were *bonâ fide* voters or not. Any reasonable man would come to the conclusion that they were not. Those were cases of personation. Those same men polled at every other polling place that was convenient, one of which places was the head-station, which they kept possession of for a considerable time. Allusion had been made to intimidation, and the late member was asked whether any of his party were prevented from voting, and he said "no"; but although they did not vote at that time, they voted at a later hour. It was generally known before the election what was likely to take place when the electors got to the polling places, and peaceful and law-abiding electors would rather part with their franchise than go to a polling place to be disturbed and insulted as they were likely to be. The late candidate stated to the committee that he should not like to make use of the language that was used at some of those polling places. With reference to the liquor that was supplied, he was not speaking of drink in places where there were public-houses, but of those places where there were booths erected for refreshments and the supply of liquor. That drink was supplied no one denied, all that was urged being that they could not connect the late member with it. That was the opinion of the majority of the committee; but he (Mr. Foote) held that they had connected the late member with it. Had there been no other ground than that the returning officer had removed a polling place without proper authority, he should have been disposed to upset the election on the grounds he had just mentioned. There were other grounds; the evidence given by the witness Ohlsen was to the effect that he had received 10s. to vote in a certain way. He (Mr. Foote) was acquainted with what took place at elections, as he had had to contest elections during the last twenty years.

Mr. BLACK: Whom did he vote for?

Mr. FOOTE said the hon. member might know whom he voted for; but that man had been tampered with between the time he voted and the time he gave his evidence. He had received 10s. from a person in connection with the late member's committee—Mr. Cameron—and he stated in his evidence that he had voted for Mr. Campbell. He did not believe it. Was it reasonable that a man should part with money to a man to support a candidate when he professed to believe in the other side? He believed that the man voted for Mr. Perkins, and he also believed that Mr. Cameron was a member of Mr. Perkins' committee and had the authority of the committee to spend that money. He was not going through the list of moneys paid, beyond saying that £5 had been paid to secure one man's influence and £10 to another, and so on,

There was one witness named Wecker, who received £5. He was in a public-house one night where he got into a discussion with some German friends about election matters. The next morning as he passed along the street he was accosted by a person who was so pleased with the remarks he made the previous night that he tendered him what he thought was a £1 note, but which afterwards proved to be a £5 note. That person had no vote, but he had influence. Wecker was asked several questions on the subject, and, amongst others, whether he thought the money was given him to purchase his influence in regard to the German vote. His answer was that it might be so; and there could be no doubt as to the purpose for which the money was given. There was no attempt made by counsel to disprove the allegations contained in the petition, for the simple reason that they knew it was impossible to do so. The committee were very mild in their conclusion. They did not bring up their report in such a harsh or offensive way as to reflect great discredit on any party concerned, but they gave the Aubigny electors the opportunity of again recording their votes and deciding who was their proper representative. Notwithstanding the fact that all the allegations in the petition were proved, the committee simply brought up a report which at once maintained the dignity of the House and showed persons petitioning the House that their petitions would receive attention. It had been argued on the other side that if such petitions were entertained and elections upset on such evidence no hon. member would be safe; and he believed that many seats would be rendered vacant if they were petitioned against. The late sitting member was not disqualified from again becoming a candidate if he chose to do so, and that he did not do so was presumptive evidence that he had not the slightest chance of being returned. There was another matter to which he wished to allude, and that was the scurrility of a portion of the Press, though he did not personally care anything about what had been said. An article which appeared in the *Courier* the other day charged the committee with having consulted the Premier, or the Premier with having consulted the committee: the article made it appear that the members of the committee were creatures of the Premier——

HONOURABLE MEMBERS on the Opposition Benches: Hear, hear!

Mr. FOOTE: That the committee carried out his instructions. There was not a word of truth in the statement.

The PREMIER: Hear, hear!

Mr. FOOTE said that since he had been in the House he had never used the word "lie," but he now said that a more base lie was never penned on paper—he did not care who was the writer. He challenged any man whether in the House or out of it, to say that there could be a more independent man than he in every sense of the term.

Mr. STEVENSON: Hear, hear!

Mr. FOOTE: Not even the hon. member for Normanby. That hon. gentleman had never seen his (Mr. Foote's) name on a trade circular coupled with a mortgage of £30,000, and he never would. He had nothing to fear from any man in the world, and nothing to ask for; he sought nothing but to represent his constituency, and he intended to do so as well as his lights and ability would allow. He curried no man's favour, nor did he care for any man's displeasure. He had never used such strong language before, and should not have done so now for his own part; but there were others involved, and he considered that the majority of the committee had a right to vindicate not only their privileges in the House, but also as members of the committee. Two members of the committee thought proper to resign. A man was a free agent whether in or out of the House, and had a right to do as he liked; but if members of the committee wished to resign they ought to have done so in a graceful manner. They did not do so, however, he was sorry to say. Those two gentleman insulted the other side, and had he not been in the chair he should have rebutted the insult; but he was very moderate on the occasion. Referring to one of those gentlemen, he said that if he held the opinions he had expressed he (Mr. Foote) would resign. And he was not sorry that he did resign. He had sat upon committees before, but he did not know that he had ever sat on a committee where all the members agreed. But where they did not all agree they had the grace and the manliness to disagree without exhibiting feelings of displeasure, and without charging the other side with injustice. Was not the minority always beaten? The majority carried everything.

HONOURABLE MEMBERS on the Opposition Benches: Hear, hear!

Mr. FOOTE: Had hon. members not been long enough there to know that? They carried it out in the late Ministry, and they did a lot of jobbing there too; but they did no jobbing now. They had now a lot of respectable men to deal with on the Ministerial benches. He said again, that when they had disagreed they had done so agreeably. It was a very poor sign that when a minority was beaten they should take their defeat in a disagreeable way. He had said already that, so far as concerned the grog, the personation, the intimidation, the double voting, and the money spending, that was all proved, and there was no attempt to disprove it; it was practically admitted on the other side. He would turn to the evidence of one witness—a gentleman named De Grouchy. He was told that he was a respectable man, and that some of his friends sympathised with him for having fallen into such bad company. Mr. De Grouchy said—at least it was attempted to make him say—that he was a fully constituted committee-man; but he would not have it. He said he was appointed by the people to be chairman of a sub-committee. He (Mr. Foote) did not profess to know who the committee were. Several names were mentioned—Mr. Naumberg, Mr. Ramm, Mr. McIntosh, and others—and there appeared to have been a great deal of work done, and no one to do it, while there was a good supply of drink and nobody to pay for it. That drink seemed to have been taken without wheels; it must have been carried up there in a balloon or something of that sort; at any rate, it was not quite clear how it went. Mr. De Grouchy said he did not know where it came from, who brought it, or what it was brought for. It was taken from his house to the booth where it was used; and all that was not drunk was taken and given away. Mr. De Grouchy said he made certain payments, but he never attended a meeting of the committee before the election; he attended a meeting afterwards, but his memory did not serve him to tell for what purpose he attended. He (Mr. Foote) need not say that, whilst that gentleman might have told some truth, there was a great deal that he left untold; and, therefore, he was not disposed to give him any great credit for any facts beyond those he was bound absolutely to admit. There was another matter he had forgotten, and that was a reference to the evidence of Mr. Garget. Mr. Garget was very obtuse when giving his evidence at first; he did not seem to understand the

homestead areas, although he said he did. He seemed to be very careful about giving his evidence—not like a man who was prepared to tell "the truth, the whole truth, and nothing but the truth," regardless of any person. In reference to the homestead areas, Mr. Garget at first said that the head-station was outside the areas, but by-and-by, as he went on, he stated that it was inside the areas. That evidence showed him (Mr. Foote) that Mr. Garget was not the disinterested witness that he ought to have been. He maintained that a returning officer should not be a Government contractor. He did not wish to cast any aspersions on Mr. Garget—at least, not more than was necessary—but he could not help noticing that he was a very important witness. There was something in connection with the voting at the head-station which showed him that there was collusion somewhere, and that the parties concerned thoroughly understood what they were doing, and how they were to do it. He believed that that polling place was removed for a specific purpose—namely, for the accommodation of "Garget's lambs." Besides that, from what was anticipated in the shape of disturbances and so on, respectable voters, it was thought, would not go, while others would be kept away by the distance. As he had said, he believed the charges to be fully proved, but the committee were quite willing to give Mr. Perkins the benefit of that, while, at the same time, they took care that the prayer of the petitioners should be respected. They therefore thought that the honour and integrity of the House would be maintained by declaring the election null and void, and thus giving the electors of Aubigny another opportunity of seeing whether they were right or wrong.

Mr. FOXTON said he did not intend to occupy the time of the House longer than he could help, but he thought it was due to himself and to his fellow-committeemen that he should, before the session closed, endeavour to follow so far in the footsteps of the Chairman of the Elections and Qualifications Committee as to free them from the aspersions which had been cast upon them. There was a matter referring to himself particularly, and to which the hon. member for Normanby had alluded. He thought the hon. member said he (Mr. Foxton) ought to have had the decency to have resigned from that committee before it entered upon its deliberations at all, in consequence of what the hon. member was pleased to call a quarrel or altercation between himself and Mr. Perkins. He had always understood that it took two to make a quarrel, and it also took two to make an altercation; and in this case there was no quarrel and no altercation. At Stanthorpe his scrutineer did something which apparently did not please Mr. Perkins, but put him out considerably, and he thereupon used language to him (Mr. Foxton) which he certainly thought he was now sorry for, and at all events he gave him the credit of thinking that he was. The matter had made no impression upon his mind. Those who heard what was said were possibly accustomed to hear similar things from Mr. Perkins, as what he said did not seem to excite any surprise on their part. He knew that at all events his reputation was not the one that suffered in consequence of what took place. If he had consulted his own interests and his own inclinations he would have resigned from that committee—not in consequence of that, but simply because the duties occupied a very considerable amount of time which a man in business was unable to give to them without injury to himself. When, as possibly would be remembered by hon. members, the late Premier took occasion, almost before his (Mr. Foxton's) seat was warm, to attack him in reference to that very matter, he felt he ought not to be bounced off that committee. That was why he accepted the position, and he certainly declined to acknowledge in any way the principle that any person interested in a petition to that House, which was to be referred to either the Elections and Qualifications Committee or to any other committee, should be able to choose his own tribunal, by using abusive and insulting language to members who he thought might be appointed to that committee, and who he thought might not unduly favour him in their deliberations. He declined to acknowledge any such principle as that. He did not rely entirely upon his own judgment in the matter, but consulted gentlemen, both in this colony and in other colonies, upon whose judgment he could rely—gentlemen in no way mixed up in party politics in this colony, but gentlemen who he ventured to say had as much experience as any gentleman in that House. They were unanimous in justification of his course of action, and he was perfectly satisfied with himself, no matter what anyone else might be. He was quite willing that his motives should be misunderstood by those who did not know him, rather than he should be bounced off the committee. With that matter he had done. He might venture to say that some members on the other side, and certainly some portions of the Press, had imputed gross immorality—he could put it in no other way—gross malpractices on the part of the majority of the Elections and Qualifications Committee. He remembered, when the first report was brought up, the leader of the Opposition referred to it as "a most disgraceful report." He took exception to any such statements. He was not going to retaliate in the same manner, but he did take exception to any such language. If the majority were actuated by party motives only, what about the minority? If the majority voted one way the minority certainly voted another. He was not going to impute to that minority anything; he was not going to say for one moment that they were guilty of not doing their duty as they ought to have done it—as they were sworn to do it. But while he gave them credit for having done it justly and honestly, he claimed the same for himself and the other members of the committee who agreed with him. He was willing to give the members of that minority credit for acting straightforwardly and honestly, although he did not agree with them. He would say this: that it was in human nature that a man, necessarily but perhaps insensibly, took a particular view more or less from those with whom he was constantly in contact. He did not deny for a moment that before he was appointed a member of that committee he had freely expressed his views—he could not say where or to whom—but he had expressed his views upon the questions of law which were involved, at all events, in the Burnett election. He had done that, and many others had done the same thing, but after he was appointed to the committee he had very carefully suppressed any mention of those matters in his presence. He could not, of course, have anticipated that he would be a member of that committee. He believed every member of that committee, before they had been appointed, had given expression to their views upon those matters, which were matters of public interest and general conversation. His opinions had not changed one bit on questions of law in that matter. It was possible that the members of the minority in the committee had, in both of those two first petitions, derived their views upon the matter somewhat unintentionally and unknowingly from the views constantly expressed around

them by those with whom they were constantly in contact. That, he thought, was quite sufficient to explain the difference of opinion, and that was a reason why the present constitution of the Elections and Qualifications Committee was undesirable. He admitted that at once. That, of course, was a question into which he did not propose to enter. He had, however, much doubt whether the Legislature would be able to devise a better tribunal which would be suitable to our present circumstances. He should deal first with the Aubigny election petition. Much stress had been laid on the section of the Act which stated that the question before the committee should be decided in real justice and good conscience. But surely they must regard the law, as indeed they were sworn to do; and the law was supreme. The law was intended for specific purposes, and they were bound to uphold it. Where that did not apply they were bound to be guided by real justice and good conscience, and he believed the committee were so guided. With regard to the Aubigny petition, a polling place was appointed in the regular manner by the Governor in Council for the Westbrook Homestead Area. He himself asked one of the witnesses—a draftsman from the Land office at Toowoomba—what was the size of that area, and the answer, he believed, was fifteen miles by nine miles across. Up to that time, and during two or three previous elections, the polling place for the Westbrook Homestead Area was held at a place called Biddeston, well within the area, and some four or five miles from its boundary—a central place, where he understood there was a post office. The returning officer, by notice in the *Darling Downs Gazette* of the 11th August, and in the *Toowoomba Chronicle* of the 16th August, notified that there would be a change of polling place from Westbrook Homestead Area to Westbrook Head-station. Even if the Governor in Council had wished to alter that polling place it could not have been done at any time after the 6th August, four days before the day of nomination. But what did the returning officer do? Why, on one day after the nomination, in one instance, and six days after the nomination in the second instance, he changed the polling place from Westbrook Homestead Area to Westbrook Head-station—a place three-quarters of a mile outside of the boundary of the area, which, as he had said, was in extent fifteen miles by nine, and six or eight miles from Biddeston. He mentioned those matters because they bore on an authority which he intended to quote. It was contended that that was not doing away with a polling place. He did not care if there had been fifty polling places instead of nine; if a poll was not taken at one of the places appointed by the Governor in Council, the election, according to the authority he would quote, was void. If it was optional for a returning officer to do away, by simple notification, with a polling place proclaimed by the Governor in Council and proclaim others in their stead, he might, in a large electorate, put all the polling places into one corner of it, and it might still be argued that the requisite number of polling places had been provided. The authority he had mentioned was one which had a direct bearing on the Aubigny case. It was a report on the petition of Augustus Morris, Esq., one of the candidates for the south riding of the county of Cumberland, in New South Wales, to declare the election void because no poll was taken at a place called Canterbury. The members of the committee who inquired into that petition were Messrs. William M. Arnold, John Norton Oxley, Terence Aubrey Murray, Alexander Walker Scott, Henry Watson Parker, Richard Jones, Peter Faucett, and Arthur Todd Holroyd. One, if not two, of those gentlemen had since attained a seat on the Supreme Court bench; and there were names there which would command the respect of any community in the colonies—men who, for integrity and perfect knowledge of their duties, were not to be exceeded by any similar body who were ordinarily got together. He would briefly state the facts of the case, and any hon. member who chose might satisfy himself as to their accuracy by referring to the volume in which they were contained, and from which he was quoting. A poll was appointed to be taken at Canterbury. There were other polling places at Ashfield, Burwood, and Newtown, all within a radius of from one and a-half to two miles from Canterbury. There were fifty voters residing in or near Canterbury. The number polled by Mr. Brennan, the successful candidate, was 435, and by Mr. Morris, 367, giving a majority of 68 for Mr. Brennan. The poll was not held at Canterbury, nor was any other place substituted for it, and there was no evidence to show that any of those fifty voters had been disfranchised in consequence. Indeed, if the whole of them had voted for Mr. Morris, Mr. Brennan would have been still in a majority. But what did the committee do? After hearing the evidence, which was not very voluminous, they reported that—

"Having satisfied themselves, upon due inquiry, that no poll was, in fact, taken at Canterbury at the said election, have determined and do hereby accordingly declare the said election to have been and to be wholly void."

What could possibly be stronger, regarded from a strictly legal point of view? He ventured to say that it was unanswerable. He thought he need not dwell any longer upon that point, though he felt he must comment on the case at some length, as he was doing. There was one remark which was made by the hon. member for Mackay, the other evening, to which he took exception, although the hon. member might have made it in all sincerity. The hon. member stated that, with one exception, the committee were of opinion that the charges and allegations made in the Aubigny case against the sitting member had not been sustained. That was scarcely an exact account of the expressions of opinion which were given by the members of the committee on that occasion. What was said—or, at all events, what he said, and what he believed the other members of the committee also said—was that they were satisfied that the charges were not brought home to Mr. Perkins in such a manner as would be required in a court of justice, or that they were not legally brought home by legal evidence. He himself admitted that if the evidence was to be weighed strictly by the rules of evidence which obtained in courts of law, they were not brought home to the sitting member. But it was there that the section relating to real justice and good conscience came in. If they were to be debarred from a decision on the strictly legal point to which he had referred because there was a section of the Act which said they were to be guided by real justice and good conscience, he was prepared for it; but it must not be supposed that men were in such a case bound to decide only by what was brought before them in strictly legal evidence. That was absurd. They must be allowed to discriminate and weigh probabilities, and that was what the committee had done. He was satisfied that the Aubigny election must be upset on the technical ground; and he had therefore the less compunction in acting as he did, because he was satisfied that there was a great deal which was perhaps not legal evidence, but which tended to connect the late sitting member and his agents with the malpractices which took place at the election. He did not think that

bore out the statement of the hon. member for Mackay, who expressed himself to the effect that the members of the committee thought that none of the charges were made out. Morally, it was made out that the malpractices were committed either by Mr. Perkins or his agents. He would deal with the question of agency presently. He believed the exception which the hon. member for Mackay referred to was the hon. member for South Brisbane, who expressed himself to the effect that he believed the charges had been thoroughly sheeted home to the late sitting member. There was a great deal of evidence which weighed very considerably with members of the committee in giving their decision which necessarily did not appear in the report. They could not convey on paper any idea of how the witnesses gave their evidence, or of their manner, and other surrounding circumstances; to all of which regard must be paid. Another matter which did not appear in the report and evidence was that the double, treble, and quadruple voting—even up to six times—amounted to something like 100 votes. Some said 97 votes, and some 102 votes, but he would call it 100 votes. He believed that fact did not appear, and it was argued that, notwithstand ng those being struck off, Mr. Perkins would still have a majority of 17 votes.

Mr. GRIMES: It is on the "Minutes."

Mr. FOXTON said the hon. member for Oxley had pointed out to him that it was on the "Minutes." It was argued that Mr. Perkins would, without those 100 votes, still have a majority of 17 votes. There were other matters, however. It was shown by the evidence that Mr. Ramm went about the country distributing bits of paper to persons who were not electors, and asking them to vote for Mr. Perkins. Three men the committee knew of to whom he did this. One of them gave evidence before the committee—the other two were mates of his—that they very sensibly declined to do so for the reason that—in his own words—"It was not good enough." Were the committee, however, to suppose that the petitioners were able to obtain the evidence of the only three persons who were dealt with in that way? Were they to suppose that it was not successful in some cases? He thought they were justified in assuming that it met with some measure of success. That was one of the facts which weighed very strongly with him when he came to consider the probabilities of the case, and to decide according to real justice and good conscience. The committee actually had some of those slips of paper produced before them and identified by the witness. Mr. Ramm also distributed money to men in the interests of Mr. Perkins. That was not denied. Were the committee to suppose that it was the only £5 which he distributed in that way? It was absurd to suppose that the petitioners spotted the only case of the sort which occurred. The case of the witness Ohlsen was another which he must refer to. He did not agree with the hon. member for Bundanba in thinking that Ohlsen voted for Mr. Campbell. It was immaterial, however, whether the man told a lie to the committee, or to the people who bribed him—he told a lie somewhere, and his (Mr. Foxton's) experience led him to suppose that it was told to Mr. Perkins' supporter. Ohlsen, in giving his evidence, was examined as followed by Mr. Sheridan:—

"292. What took place when you went into Mr. Cameron's office? Mr. Cameron said to me, 'Here is a man who will give you 10s. if you go out in the afternoon and vote for Mr. Perkins.'

"293. Did you get the 10s.? Yes.

"294. By Mr. Black: Who gave you the 10s.? Mr. Cameron came to me at the dinner-hour and gave me 10s."

There was a discrepancy between the evidence of Ohlsen and Mr. Cameron on the point, Mr. Cameron saying that he gave it in the dinner-hour.

Mr. ARCHER: Who is Mr. Cameron?

Mr. FOXTON said he was a witness, and one of the petitioners. Mr. Cameron also said he gave the money to Ohlsen to vote for Mr. Perkins, and there was no contradiction to the statement. He did not lay stress upon it, because the man did not vote for Perkins. He now came to the question of agency. There was a Mr. De Grouchy who paid somebody—he forgot whom, but it was immaterial—a sum of £10 in the interests of Mr. Perkins. Mr. De Grouchy said he paid the money out of his own pocket. The committee believed as much of that as they liked. That was where the good conscience and real justice came in, and he believed that no one could have heard Mr. De Grouchy's evidence without arriving at the conclusion that he was fencing the question all the time. He did not give his evidence in a satisfactory or straightforward manner, or in a manner that would be at all satisfactory to a jury. He said that unhesitatingly. He did not know Mr. De Grouchy; had never seen him before, and did not know whether he was a respectable man or not. He was chairman of one of Mr. Perkins' committees, and said he did not know who was chairman of Mr. Perkins' committee in Toowoomba.

Mr. ARCHER: Who is this gentleman?

Mr. FOXTON: He had stated who Mr. De Grouchy was.

Mr. ARCHER: Is he one of the petitioners?

Mr. FOXTON said the hon. gentleman was cross-examining him as though he were in the witness-box; he had evidently mistaken his profession. Then there was another individual, Mr. Naumberg. He did not know that there was any evidence to show who Mr. Naumberg was, but he ventured to say that if he asked any solitary member of the House what was the connection between Mr. Naumberg and Mr. Perkins, he would get the same answer—that he was his partner. That was where the justice and good conscience came in. It was not legal evidence, but they knew it.

Mr. KELLETT: What does the hon. member for Blackall say now?

Mr. ARCHER: I have not the slightest knowledge of him.

Mr. KELLETT: He knows nothing; he is entirely ignorant.

Mr. FOXTON: Possibly the hon. member did not know him, but they heard a great deal about an "open secret" at Charters Towers the other night, and this was an open secret. He (Mr. Foxton) happened to know of his own knowledge that Mr. Naumberg was—he could not say at the present time—but he was a partner of Mr. Perkins not very long since. Mr. Naumberg claimed the right to go into the polling booth at Gowrie Junction, on behalf of Mr. Perkins, and why? He said that his connection with Mr. Perkins justified it—that he was representing the candidate. Would that satisfy the hon. member? He (Mr. Foxton) said that Mr. Naumberg was guilty of the most barefaced malpractices in the polling booth. He had no right to be there in the first instance, and if the presiding officer had done his duty—if he had been an independent man and not a partisan—he would have excluded Mr. Naumberg, except for the purpose of going in to vote, if he desired to do so.

Mr. KELLETT: What does the hon. member for Blackall say now?

Mr. FOXTON: But although a protest was made by Mr. Campbell's scrutineer, or by Mr. Campbell himself, who was present, that protest was overruled by the presiding officer, and Mr. Naumberg was allowed to remain. He maintained that on the face of the evidence there was not the slightest doubt that Mr. Naumberg was a powerful instrument in obtaining people to personate. He defied any man who was not prejudiced in the matter to arrive at any other conclusion. It was clear that Mr. Naumberg was there for the purpose of providing men with names and numbers in order that they might vote improperly, and they did vote in large numbers. The evidence showed the number to be about ninety. Now he came to the question of agency. It might be asked, "What has Mr. Perkins to do with this?" He would show hon. members. They had heard a great deal about the election judges in England, and it had been said, over and over again, how very much better it would be if election petitions here were referred to a similar tribunal. Mr. Justice Grove was one of the election judges. He presided in the case of an election petition against a Mr. Lehmann, who was returned for the borough of Evesham in 1880, and this was what he said on the question of agency:—

"If a candidate chooses to avail himself of the action of 100 people, and to make common cause with them (to use an expression which I used in the Taunton election), to avail himself of them for carrying out all the active part of the election, for canvassing, for influencing voters (I am assuming now legitimately), for doing all those acts by which a candidate expects to succeed in his canvass, surely he must take that benefit *cum onere*, and he must not say—'I have 100 men; I will avail myself of them by heading my circulars and placards 'Liberal Association'; they have divisional committees and a canvassing organisation. I place myself under their wing entirely, yet if they do aught wrong I am not responsible for their wrong-doing.'"

That was the dictum of Mr. Justice Grove, who also went on to say:—

"Now, we need not go through the various decisions upon agency, but knowing what has been held by various learned judges as to agency, and that agency at elections is not like common law agency, where there is a direct relation of the agent, but that when persons get or employ others to influence voters, to canvass voters, where they make common cause with others by taking them round to canvass with them, by availing themselves knowingly of their services, they must take the risk of their acts. If a man wishes to take the benefit of 100 people, he must take the risk of 100 people."

He ventured to say that nothing could be clearer than that the agency, as laid down by one of the election judges, was a very different thing from legal agency, and that a man was responsible for the acts of his accredited agents—agents whom he knew of his own knowledge were canvassing in his interests. Could anyone imagine for a moment that Mr. Perkins did not know that Mr. De Grouchy was chairman of his committee, or, at all events, that he was an active supporter and canvasser of his?

Mr. HAMILTON: He swore he did not.

Mr. FOXTON: Perhaps the hon. member knew better than he did. Mr. Perkins swore something of the sort, but he did not say that he did not know Mr. De Grouchy. He simply stated that he was not aware that he was chairman of a particular committee. It was absurd to suppose that Mr. Perkins did not know Mr. De Grouchy, and that he was an active supporter. Did Mr. Perkins come into Parliament without knowing who his supporters were?

An HONOURABLE MEMBER: Certainly.

Mr. FOXTON: Mr. De Grouchy was a prominent supporter of Mr. Perkins—a man of sufficient mark to be made chairman of one of his committees; and were they to suppose for a moment that Mr. Perkins did not know him? He was quite willing to avail himself of his services to do canvassing for him, and it was absurd to suppose otherwise. Then, with reference to Mr. Naumberg, was it to be supposed that he was an opponent? He (Mr. Foxton) said most unquestionably Mr. Perkins knew that Mr. Naumberg was a supporter of his, and that he went about canvassing for him wherever he could.

Mr. HAMILTON: Why shouldn't he?

Mr. FOXTON: There was no reason why he should not, but there was every reason why he should not use illegitimate means to obtain his return. He contended that if Mr. Naumberg, being a well-known agent, canvasser, and supporter of Mr. Perkins, chose to commit malpractices he bound his principal by them, according to the dictum of Mr. Justice Grove. He (Mr. Foxton) did not quote that as a legal decision, but as the decision of a tribunal such as hon. members opposite expressed a desire to see established here for the decision of similar cases. There was one more thing he wished to say, and that was in reference to the reflections made by a certain section of the Press upon the committee. He was reminded of an extract from a letter he had read from Frederic the Great to Voltaire, in which that monarch said, "If evil be said of thee, and if it be true, correct thyself; if it be a lie laugh at it." That was the position he took with reference to those slanders. It had been stated that the hon. member for Bundanba, the chairman of that committee, had acted unfairly. That was absolutely untrue, and he could not conceive where such information could have come from. The hon. gentleman conducted the business in a manner which was perfectly fair and just. There was not the slightest doubt about it, and he challenged any hon. member of that committee to say otherwise. They had heard it said in that House that the late member for Aubigny possessed the confidence of a majority of the electors of Aubigny, and he presumed, if he did, his party did, and it was with feelings of expectation that he looked forward to see the result of the new election, after the Elections and Qualifications Committee had arrived at their decision. The fact that the petitioner (Mr. Campbell) was allowed a walk-over was a tolerably strong commentary upon the statement that Mr. Perkins or his party possessed the confidence of the majority. He had a majority at the last election of 117; but where had that 117 melted to? He did not say that that alone would justify the action of the committee in any way; but it was a strong commentary upon the boast that a majority voted for Mr. Perkins at the last election.

Mr. STEVENS said he did not intend to follow in the exact footsteps of the members of the committee who had spoken, and who seemed to think that their action on that committee required explanation and justification. As he did not think anything of the sort as regarded himself, he would not go through the cases submitted to the committee, as the evidence was on the table, and if any members felt dissatisfied with the votes he gave, they were welcome to look at that evidence and see whether he was right or wrong. What he chiefly rose to say was that he disapproved entirely of the tribunal by which disputed elections were tried. He did not charge the majority of that committee with having acted unfairly or in a biassed way known to themselves. He agreed with the hon. member who had just sat down in saying that it was almost impossible for a man to continually meet and associate with certain people and not become imbued with their ideas, and there were clauses in the Act that suited the views of a man

having any known or unknown bias one way or the other; even more, they almost jumped out of the Act ready to his hand. In one part of the Act they were told they must decide such cases by certain forms, or at least certain things must be done, and the inference was that if those things were not done the election was informal. In another part of the Act they were told they must throw all those legalities on one side, and judge a case by equity and good conscience; and looking at it in the way he did, they could not possibly arrive at a fair decision. It was almost impossible where there were a certain number having certain ideas in that committee; the Act was ready to meet them, and they were bound to bring in a verdict in accordance with their views. If they examined the evidence, the result would show that such a thing as an Elections and Qualifications Committee should exist no longer. They should follow the steps of the mother-country, and send such cases to be tried by a more competent tribunal. He had felt, when he was sitting on that committee, that the results would not be altogether fair; but he did not consider it his duty to resign, because he did not think that would be a remedy. Supposing, for instance, he and the two other hon. members on his side of the House had resigned, three others would have been appointed, and, if they resigned, three others and so on till the whole side of the House was exhausted, and gentlemen then would have been appointed from the other. Those gentlemen would have felt in duty bound to settle those cases. It would not have made the committee any less fair or any more fair. Therefore he did not see why he should resign while the cases were being tried; but now the labours of the committee were ended, he intended to send in his resignation; and nothing whatever would induce him to sit on another again.

Mr. JORDAN said the majority of the members of the committee had been accused of having deliberately perjured themselves, as the decision arrived at by the committee was said to have been given contrary to the evidence in the cases of the Burnett and Aubigny elections. In the former case the whole matter hinged upon one point. There were six ballot-papers which had been initialled by two scrutineers, and the returning officer, when those papers were submitted to him in due course, ruled that they were informal. That turned the scale, and one of the candidates lost his seat by only two votes. It appeared to be a very hard case, inasmuch as it was brought about evidently by a misapprehension on the part of one of the scrutineers, who said that the returning officer had instructed him to sign the papers. The returning officer had instructed him to sign two papers—his declaration as a scrutineer, and another—and he had misunderstood his instructions and thought that he had been instructed to initial the ballot-papers, and he did so accordingly. When those papers came before the returning officer, before he said who was elected, he rejected them on the ground that they were not in accordance with the strict requirements of the Act. The Act was very particular in prescribing the exact form of the instrument which was to be used as a ballot-paper when an elector recorded his vote. The Act said those papers should contain the names of the candidates in alphabetical order, and nothing else. That was very simple; a child could understand it. It was not for the returning officer to consider why the requirements of the Act were so absolute in laying down the rule that nothing should appear on the ballot-paper except the names of the candidates. His business was simply to take the Act as he found it, and give a verdict accordingly, rejecting or accepting any votes which were formal or informal. In a subsequent clause, it was provided that the returning officer should initial the ballot-papers. That was absolutely necessary to prevent fraud in the use of spurious papers. The Act was very specific: the returning officer was to initial the ballot-papers. The clause was very specific indeed. It provided that ballot-papers should be initialled by the presiding officer, and that they should not contain anything else than the names of the candidates in alphabetical order. The clause did not alter the absolute power and requirements in the former clause, except so far as it specifically provided for the initialling by the presiding officer; hence, in the Burnett election, the returning officer felt compelled by the strict provisions of the Act, which minutely and particularly described what the ballot-papers should be, to reject those six ballot-papers on which two scrutineers had irregularly and illegally, as he (Mr. Jordan) held, affixed their initials. It was contended that the majority of the members of the Elections and Qualifications Committee did not keep to the requirements of the law as contained in the Legislative Assembly Act, which instructed the committee that they were to give their decision in such cases not according to the solemnities or formalities of the law, but according to real justice and good conscience. Now, in the Burnett election—and he confined his remarks to that case—there was no question of bribery, or corruption, or double voting, or any illegality of that kind. It was simply nothing more nor less than this: had the returning officer the right of rejecting those six votes to which the initials of two scrutineers had been affixed? The committee held that the returning officer was right, and they confirmed his decision. He (Mr. Jordan) maintained that the returning officer had no right to inquire what might have been the intentions of the majority of the electors of Burnett: he had simply to keep to the law, which provided that an elector in giving his vote should use a ballot-paper. Now, what was a ballot-paper? It was a paper upon which, the law said, should be inscribed or printed or written the names of the candidates in alphabetical order, and nothing else, except, as provided in the subsequent clause, the initials of the presiding officer. The returning officer had no right to inquire what was the intention of the law; or why the provisions of the law in describing ballot-papers were so precise and absolute. He had simply to do with the law as it was; he had to decide which of those ballot-papers was strictly legal and which was not—which was a formal vote and which was not. It was not at all difficult, however, to understand the intention of the law in thus laying down so absolutely that the ballot-papers should contain nothing but the names of the candidates and the initials of the presiding officer. The very essence of the ballot was secrecy, and voting by ballot was an invention for the most perfect protection of the elector in the exercise of his right of the franchise. By that means an elector could go to the poll and record his vote according to his own judgment and conscience, no man daring to make him afraid. By the secrecy of the ballot the poorest man in the land, being an elector, could vote against the return to Parliament of the wealthiest man in the land, even though he were his own employer, if he believed he was not the best man to make the laws by which he must be governed. He held that earmarking or interfering with the ballot-paper in any way might destroy the secrecy of the ballot. In the Burnett election there were six votes upon which initials were illegally written—namely, the initials of two scrutineers. It was not for the returning

officer, the committee, that House, or the public to inquire what difference that could have made. In point of fact this difference might have been made : it might have revealed the way in which those six persons had voted. As a matter of fact the initialling on those six ballot-papers was in no two cases alike. In one case the names were written in a column, in another two on one side and one on another, but in no two cases out of the six were they written precisely alike. He did not attach much importance to that. He believed it was purely accidental, but it showed how a system of initialling might be easily devised which would upset entirely the secrecy of the ballot. That was well pointed out by two gentlemen. The hon. member (Mr. Grimes) showed how the initialling was done, and the hon. member (Mr. Foxton) dwelt upon the law of the case and the importance of the secrecy of the ballot; and the majority of the committee felt obliged to say they had no other course, but were compelled to keep to the law and say what was a balloting paper and what was not, precisely as laid down by the law. In doing so they felt that the absolute and strict requirements of the law in describing a ballot-paper were wise and good. That law watched with most careful jealousy over the grand principle of secrecy in voting for the return of a member to Parliament to make the laws of the land, and had surrounded it with most careful safeguards. He might speak for himself and the rest of the gentlemen composing the majority of that committee in saying that under that heavy accusation of wilful perjury their minds were perfectly at rest. But he could not forego his right on the floor of the House to defend himself against the gross charge that he had wilfully perjured himself; and he believed that the other members of the majority of that committee felt that it would be impossible for them to leave the House without doing so, even if they detained the House for six months longer. They were not concerned about their own honour, although an attempt had been made to damage their reputation; but they were concerned about the honour of the House. They felt the insult that had been offered to the House by certain newspapers, and by those hon. gentlemen who had spoken on the other side. The whole matter against the committee really was the Burnett petition—for it had been admitted by the leading Opposition paper that their decisions in the other cases were perfectly correct. In the Cook case the committee came unanimously to their decision. In the Aubigny case there was the most convincing evidence—not direct but circumstantial, such as he, as a layman, believed would have been sufficient to convict a man in a court of law—to prove the charges alleged. He had heard judges on the bench speak of cases in which circumstantial evidence was more satisfactory than direct evidence; and he believed that in the Aubigny case there was sufficient circumstantial evidence to bring home those charges of corruption and bribery, under certain subsections of the bribery clause, to one of the principal actors in that election. But the committee refrained from bringing in such a verdict as the evidence, he thought, might have warranted; they contented themselves by saying that the election should be null and void, on the ground that the returning officer had unwarrantably and illegally removed a certain polling place proclaimed as such by the Governor in Council, which they held that no power on earth was competent to do.

Mr. BLACK said he had come to the House that afternoon, in common with the majority of hon. members, in the hope that they would get through the Estimates; and he knew that the Opposition were prepared to facilitate the conclusion of the business, as far as lay in their power, that night. But several hon. members had taken the opportunity to redress some imaginary grievance which they were labouring under, and they had been at it for the last three or four hours. It was only necessary for him, as a member of that Elections and Qualifications Committee—which, according to hon. members on the other side, had been so grossly libelled and slandered, and accused of perjury—to express in a few short words what he thought on the subject. He did not feel that he was lying under a charge of perjury. If the cap seemed to fit hon. gentlemen on the other side, he could only say that he was very sorry for them. He had never accused them of perjury, although he had expressed his belief that they were, to a certain extent, carried away by a very strong political bias, which was quite natural, considering the constitution of the committee. As for any charge of perjury—he did not care who made it—it was utterly unfounded.

HONOURABLE MEMBERS : Hear, hear!

Mr. BLACK said that they had evidently taken that phrase to themselves through oversensitiveness. Speaking of the Burnett case, the hon. member for South Brisbane (Mr. Jordan) had referred to the inalienable right which every elector possessed to record his vote. No one disputed that. But what he (Mr. Black) insisted upon was that they had no right to disqualify a man through no fault of his own. In that election there was no charge or suspicion of bribery or corruption on the part of either of the candidates. Everything had been conducted in a straightforward and impartial manner ; but, through the fault of the present sitting member's own scrutineer, seven voters were disqualified, and the man who represented the majority of the votes in that electorate was ousted. The whole thing lay in a nutshell. Were electors to be done out of their votes through the irregularities of Government officials?—for that was what it came to. Those men had done no wrong, and yet they were not allowed to record their votes. With that the present sitting member had nothing whatever to do, and, indeed, that hon. member was a gentleman for whom he had always entertained the highest respect. Still, he could not help saying that, if such a thing was to be permitted, a section of the community—and it might be a large section—might be disfranchised in future elections simply through technical errors on the part of scrutineers, who were Government officers;—they might be debarred from exercising what the hon. member for South Brisbane spoke of as the inalienable right of every man to record his vote. It was said that certain instructions were laid down in the Elections Act as to the preparation of the ballot-papers. According to his interpretation of those instructions, the ballot-papers need not necessarily be printed. The words were "written or printed," with nothing on them except the names of the candidates. It was also provided that each paper should be initialled by the returning officer. That was imperative—without that initialling the ballot-paper was undoubtedly informal. There was nothing in the Act, so far as he could see, to show that if the scrutineers, as in this case, did, for further security, and on being misled by the present sitting member's own scrutineer, add their own initials to the ballot-papers, those papers were therefore informal. Mr. Connolly, the chief returning officer of the district, was in such doubt about the matter himself that he wired to the then Attorney-General asking if papers so initialled by a returning officer were formal or informal, and the then Attorney-General wired back that they were formal, and must be

received. Mr. Connolly must have been in doubt or he would not have asked the question. The then Attorney-General did not know in whose favour the votes had been recorded, and yet Mr. Connolly, when he got the answer, said he knew more about it than any Attorney-General, and should declare the papers informal. That was a case, in his opinion, in which the Committee ought to have decided according to real justice and good conscience, apart from technicalities; and they did not do so. A greater harm had been done by disfranchising those innocent electors than would have been done by allowing the votes. A good deal had been said about the secrecy of the ballot. Too much, indeed, was said about it. It was a very good thing under certain conditions; but he believed the majority of the people in the colony were, after voting, quite prepared to say for whom they had voted. If the initialling of a ballot-paper was to make it informal, let it be clearly announced, and let it also be pointed out and made known if the prick of a pin or the turning down of the corner of a paper was to have the same effect. The Burnett case was one which, in his opinion, the committee did not decide on its just merits. The hon. member for Carnarvon (Mr. Foxton) had advocated his view of the case in what was undoubtedly a very able manner, and in a manner which the House might expect from a gentleman with a legal training such as he had received. At the same time, the hon. gentleman had advocated it in such a way as to lead him (Mr. Black) to believe that he would have advocated the other side of the case just as well. He always suspected legal gentlemen who were accustomed to police-court pleading.

Mr. FOXTON: Which I am not.

Mr. BLACK said the hon. gentleman might be so when he was more advanced in his profession. He always, he repeated, questioned the sincerity of legal gentlemen who got up and argued cases in such an able way. They could always tell a legal practitioner. He always had a lot of extracts from legal books to bring orward.

Mr. KELLETT: Not balderdash!

Mr. BLACK: Not balderdash, as the hon. gentleman said. In the present instance, the hon. member had referred to a lot of New South Wales election petitions.

Mr. FOXTON: Only one.

Mr. BLACK said he did not know what the law was in New South Wales. It might be the same as in Queensland.

Mr. FOXTON: So it is.

Mr. BLACK said the hon. gentleman might just as well have referred to something that had taken place in France or Germany. He would be sorry to think that the decisions lately given by their own Elections and Qualifications Committee should be taken as precedents in the future, and he was therefore not prepared to accept the decisions of committees in other places which were similarly constituted to theirs. He would repeat what he had before stated in the House with regard to the Aubigny case. That was that, when the committee deliberated, the members, with one exception—he could now say that the exception was the hon. member for South Brisbane, to whom he gave credit for his opinion—decided that, although there was suspicion, there was nothing legally proved against the sitting member. He believed that it was agreed that the cases were not to be decided on legal technicalities; and, therefore, if the sitting member was not legally affected, he was surely entitled to the benefit of the doubt, if any doubt existed. But the majority of the committee then said that, although they did not consider that anything had been legally proved against the sitting member, yet the irregularities of the returning officer, with whom neither the sitting member nor the petitioner had anything to do, were sufficient to oust the sitting member. The evidence of Mr. Ohlsen had been referred to, and he (Mr. Black) would point out that his was the only case of bribery which was considered to be clearly proved in the Aubigny case. A sum of 10s. was actually given to Mr. Ohlsen by one of the petitioners, who was also one of Mr. Campbell's own supporters; and Ohlsen, who had said he would vote for Mr. Perkins, freely admitted before the Committee that he voted for Mr. Campbell. If bribery was committed, it was committed for the now sitting member. That was the only case in which it was considered that the committal of bribery was proved. Again, in this case they found, according to the decision of the committee, that the irregularity of the returning officer invalidated that election. Well, he could only say that no member would be safe in contesting any constituency if those decisions were to form a precedent for the future. They heard that £5 and £10 had been given away, but he would point out that those amounts were given to non-voters—to men who accepted payment for doing certain work; and, although hon. members might be inclined to make themselves appear very pure and immaculate, they all knew that they could not contest an election without employing someone. Did hon. members opposite mean to say that they never spent money over an election? Who got it? where did it go to? He could guarantee that there was not a member in the House who had not spent £400 or £500 over his election.

HONOURABLE MEMBERS on the Government Benches: No, no!

Mr. BLACK: Hon. members said, "No," but somebody paid it; and they kept their eyes very carefully shut.

Mr. KELLETT: Did the hon. member for Mackay spend £500?

Mr. BLACK: He would advise the hon. member who kept interrupting, not to go up North.

The SPEAKER: The hon. member for Stanley must discontinue interrupting.

Mr. BLACK: In connection with the size of the polling booth at Westbrook, just to show the danger of anyone quoting unless they quoted fully, the hon. member for Bundanba referred to question 200, as to whether electors were prevented from voting through the particular position of the polling booth. Now, the actual evidence was this, the witness being Mr. Jenkins:—

"199. Can you say of your own knowledge whether any of the residents on the Westbrook Homestead Area refrained from voting at the head-station? I cannot say that anyone was kept from voting.

"200. I do not mean that, but did they come to the polling place to vote? A large number of the Westbrook electors did not poll their votes at the head station."

Then he was asked—"After all, I suppose they voted somewhere else?" and the reply was, "I suppose so." Throughout the whole of the evidence in the Aubigny case it was not proved, or even insinuated, that a single voter was prevented from voting by reason of the particular position of the polling place. After the decision of the committee had been arrived at in those two cases he and the hon. member for Rockhampton, having closely analysed what appeared to be the motives or feelings of the committee, came to the conclusion that they had done their duty to the country; that they had had quite enough of the Elections and Qualifications Committee, and they

resigned, leaving the committee to decide the third case. And he was very glad they had retired, and that an opportunity had arisen of criticising the action of the committee in the third case, because he thought a more monstrous miscarriage of justice —a greater farce—than the decision arrived at in that case had never before been arrived at by an Elections and Qualifications Committee. If there was a case in which the sitting members might not be considered to be fairly the representatives of that district, it was the Cook election. If they accepted rumour, and the Aubigny case in particular had been decided upon rumour, not on evidence——

Mr. FOXTON : No !

Mr. BLACK : What were they to think when they looked at what California Gully had brought forth ?—a place where it was said there was only fourteen voters, and where they found something like 200 votes polled ! And then, again, look at Halpin's, where there were supposed to be twenty-five voters, and he did not know how many votes were polled. He dared say the hon. member for Cook could inform them on that point. When they found constituencies almost springing into existence at the beck and nod of candidates, and when they found the Elections and Qualifications Committee condoning that and saying it was all right, he should consider himself disgraced if he had been on a committee that acquiesced in that decision. While hon. members opposite referred very carefully to the Burnett and Aubigny cases, they studiously abstained from any reference to their most extraordinary decision in the Cook case.

Mr. HAMILTON said the hon. member for Mackay had made a charge against the candidates——

The SPEAKER: The hon. member cannot interrupt the hon. member who is speaking.

Mr. HAMILTON : I rise to a point of order.

The SPEAKER : What is the point of order ?

Mr. HAMILTON : The hon. gentleman states that those particular portions of my constituency arose at the beck and nod of the candidates, imputing personal and improper motives to them.

The SPEAKER: That is not a point of order.

Mr. BLACK: If he had hurt the feelings of the hon. member for Cook, he begged to apologise. He had not done so intentionally. He knew the hon. member very well, but for all that he was not going to allow an opportunity of that kind, which might not happen again, to pass by without stating what he thought as to the merits of the Elections and Qualifications Committee ; and although in so doing he should be actually showing up one of his own friends, he was not going to be stopped for that reason. He was simply pointing out to that House the necessity there was for a radical alteration of the law. That was not the first occasion upon which the hon. member for Rockhampton and himself had considered that the action of the committee was not altogether what it should be. On the previous occasion they left the committee-room disgusted, and the reason was this: The counsel acting in the Burnett case raised a question—what was termed a "side-issue"—that in the event of the Hon. Mr. Moreton not being entitled to his seat Mr. Stuart was not entitled to it, and therefore that Mr. Stuart had no right to petition, on the ground of their having given a joint ball. It was really a frivolous objection. The counsel were requested to retire while the committee deliberated, and on their doing so the chairman at once said that such a side-issue was irrelevant to the subject under discussion, and there would be no finality to the petition if those side-issues were to be allowed, and he considered that it should not be entertained. He (Mr. Black) entirely endorsed the chairman's decision, and was followed in the discussion by the hon. member for South Brisbane, Mr. Jordan, who also agreed that side-issues should not be entertained. The hon. member for Rockhampton undoubtedly endorsed that decision, and then the legal element came in. The hon. member for Carnarvon got up and spoke at considerable length, and with his legal acumen he turned the thing inside out until they decided that to save time they had better let the question go to the vote. When it did, to his amazement he found that, instead of the votes going the way they might have been supposed to go by the deliberations of the committee, the hon. chairman and the hon. members for South Brisbane, Carnarvon, and Oxley—four Government men—all voted together. He asked the hon. member for South Brisbane how he could reconcile that to his conscience, and he would give him credit for saying it was the legal ability of the hon. member for Carnarvon that had caused him to change his mind in those few minutes. On that occasion the hon. member for Rockhampton and himself thought they were only wasting time on that committee, as it was simply a party vote, and that the best way to bring about a radical reform of the abuse was to put their foot down in a most determined manner, as they had done, and cause the matter to be discussed thoroughly in that House, in order that the law might be altered. He thought that after that explanation it would be better if they could get on with some of the other business. He had not intended to speak upon the subject until after hearing the lengthy and analytical criticism that hon. members had given to the question, and it was only due to himself and other members holding the same view that he should give his opinion.

Mr. HAMILTON said the hon. member for Mackay had characterised the decision of the Elections Committee in the Cook case as a disgraceful one. The remark of the member for Mackay was disgraceful—not the decision. His insinuation also that certain polling places in his electorate had risen at the beck and nod of candidates was disgraceful. In adducing evidence in support of his statements the hon. member did not confine himself to facts. When he stated, for instance, that only 14 electors were at California Gully when 178 polled, and 25 at Halpin's when 50 polled, he omitted to say that he was only repeating one of the allegations of the petitioners which had been disproved by their own evidence. At Halpin's, for instance, Messrs. Hill and Campbell's own scrutineers, when put in the box, had to admit they were present when the polling commenced, and saw the ballot-box when opened and it was empty; that during the whole day until the poll closed one of them was continually in the booth, not leaving it for a second; each swore that during the time he was there it was impossible for anything wrong to have occurred, and at the end of the polling the papers were signed as correct by Messrs. Hill and Campbell's own scrutineers. It was interesting to watch the ramifications of the minds of various members of the committee, which were shown by their reasons in justification of their decision. In listening to the hon. member for Bundanba's comments on the evidence he was reminded of what a friend said to him once. They were speaking of a novel which both had read. He (Mr. Hamilton) admitted it was a good novel, but found fault with it on account of its unhappy termination, the heroine dying and all the interesting characters coming to grief. "Oh,

but," remarked his friend, "I don't believe that part of it." So it was with the hon. member for Bundanba: he believed all the evidence which was against Mr. Perkins, but none of that which was in his favour. For instance, he adduced, in support of his statement that bribery had been proved, the assertion of Mr. Cameron that he gave a man—Ohlsen—10s. to vote. It was proved, however, that Cameron was not Mr. Perkins' agent nor even on his committee, and yet, although the only evidence that Cameron was Perkins' agent was his sworn testimony that he was not, Mr. Foote contended that he was. Ohlsen next swore that he took the money, but voted for Campbell; yet the hon. member for Bundanba believed that that was evidence that he voted for Mr. Perkins, and his only justification for that statement was his expressed belief that Ohlsen was "got at" before he gave evidence to the committee. He (Mr. Hamilton) thought so too, and he believed he was "got at" in the interest of Mr. Campbell; he had reason to think so, for, although Ohlsen said that the reason he got the 10s. to vote was because he refused to lose a day's work to go and vote unless he was so reimbursed for his loss, yet he swore when giving evidence that he had come down all the way from Toowoomba at his own expense, and was waiting in Brisbane at his own expense in order to give evidence against Mr. Perkins. He (Mr. Hamilton) thought the proceeding showed evidence of a deliberate trap to oust Mr. Perkins. Cameron first hired a man by the payment of 10s. to vote for Mr. Perkins, and then directly he found he was elected he signed a petition against Mr. Perkins' return on the ground that he had done so. The hon. member for Bundanba said he thought in reference to the Aubigny petition that every charge was proved. If he thought so, he had not done his duty in giving the verdict he did; if he had thought so, the verdict should have been far more severe. He (Mr. Hamilton) had been present when some of the evidence was given, and his opinion was that if Mr. Perkins had actually summoned the witnesses for the petition in his defence they could not have given better evidence for him. Cameron had been proved not to be an agent of Mr. Perkins, but Mr. Keating had been proved to be the agent of the present member for Burnett (Mr. Moreton). He was that gentleman's scrutineer, and it had been proved that he was the cause of those votes having been rendered informal which ousted the rival of the gentleman for whom he was acting as an agent. The hon. member for Bundanba said the Burnett election hinged on the formality or informality of the votes. The Act which gave the committee their power expressly instructed them not to be guided by formalities. It said:—

"The committee shall be guided by the real justice and good conscience of the case and not by legal formalities."

They had, therefore, according to their own showing, not done that which they were especially enjoined to do; they had not been guided by the real justice of the case, but had decided on a formality. In the Aubigny case, on account of a technicality, they had caused a fresh election, in order to let the people have another chance of recording their decision; yet in the Burnett case, although it was clearly shown that the electors had decided that Mr. Stuart, and not Mr. Moreton, should be their representative, they had taken advantage of a technicality to force on the electors the one they rejected, and deprive them of the man of their choice.

Mr. CHUBB said he did not intend to say much on this question; but inasmuch as reference had been made to one election, with which he had something to do officially, he took the present opportunity of saying a word. In doing so he followed the lead of the Premier, who, a few days ago, expressed his opinion on a question which arose in connection with the Burnett election. He (Mr. Chubb) did not intend to say anything against the Elections and Qualifications Committee; he had nothing to charge against them, nor anything to excuse them for; they had given their decision, and as a member of that House he was bound to accept it; but with reference to the question involved in the Burnett election he did not agree with the committee. He was brought officially into the case by the returning officer, although that gentleman, in a letter to the public papers—either the *Courier* or *Telegraph*, he was not sure which—distinctly said that he never asked his advice. As a matter of fact, the evidence taken before the committee showed that he did. He asked his advice on two questions—the first was when he was attending the Maryborough Supreme Court, and it was with reference to one vote. He (Mr. Chubb) could say that when his advice was asked he had no knowledge of the way in which the votes had been given, and even if he had had it would not have affected his advice in the slightest degree; he was asked for his official opinion, and as an official he gave it. The first question he was asked by the returning officer was this:—

"If voter in mistake when crossing out one of the candidates' names also crosses out initial letter of returning officer does it make the vote valueless?"

In reply to that he sent a telegram—

"I think this vote is valid and should be counted."

That opinion the returning officer followed. After his return to Brisbane he received a telegram from the returning officer to this effect:—

"Seven voting papers received from outside voting place initialled by scrutineers as well as returning officer. Does it make the votes informal?"

In answer to that he sent the following telegram:—

"The seven votes you refer to are perfectly formal and must be counted and allowed."

Hon. members would see that those were two abstract questions. No information was given to him as to who the votes were for, and he had no more knowledge of them than any member of the House. He was therefore perfectly impartial in giving his opinion. In coming to that conclusion he went on the principle that every man whose name was on the electoral roll had a right to record his vote. Consequently, if he did record his vote it should be counted and allowed except for a very good reason. He had always understood that an informal ballot-paper was a ballot-paper which prevented the returning officer from ascertaining for whom the vote was given. The Act said the ballot-paper should contain only the names of the candidates and nothing else. That was all right, as the ballot-papers were prepared, and the contention of hon. gentlemen opposite would be right if it went no further; but a subsequent clause of the Act provided that the ballot-paper should be initialled by the returning officer. So that in reality it did contain something else. Then, again, there was another matter. The 50th clause of the Act—and he did not know whether the attention of the committee had been called to it—said:—

"And every such elector may vote for any number of candidates not exceeding the number of members then to be chosen, and any ballot-paper containing a greater number of names of candidates, or without the initials of the presiding officer, shall be rejected at the close of the poll."

He read that, and read it still, as the disqualification of the ballot-paper. That was his opinion, and of course it was only a matter of

opinion. He believed from that that the votes which the returning officer had disallowed were perfectly formal. It had been said that the secrecy of the ballot would be violated by initials upon the ballot-papers. The hon. member for South Brisbane said it would be very easy to see how a man voted if the returning officer wrote his initials in a certain way. That was true—it might be shown in that way, or the returning officer might drop a blot on the paper or pinch the corner of it, but that would not destroy the validity of the vote. The hon. member evidently forgot that the presiding officer and the scrutineers had to take an oath not to violate the secrecy of the ballot. The following was the oath which the presiding officer took:—

"I will not attempt to improperly ascertain for whom any elector shall vote, and that I will not by any word or action, directly or indirectly, aid in the discovery of the same. And that I will keep secret all knowledge of the mode in which any elector has voted, which I may obtain in the exercise of my office, unless in answer to any question which I am legally bound to answer."

The scrutineers were sworn to secrecy in the same way, and how could the secrets of the ballot be violated, unless they violated their oath? It had been said in the case of those seven votes which had been rejected, that it was known how each man voted. That was impossible. It could be seen that six voted for one candidate, and one for the other, but it could not be known how each individual recorded his vote. So that the argument concerning the secrecy of the ballot, entirely failed in that case. The reasons before given were those which had induced him to give the decision he had given. He had given it at the time without knowing on which side the votes were to be counted, and without reference to the candidates. The opinion he had given then he held still. The hon. members of the committee held different opinions, and whether they were guided by their own opinions, or by the opinion publicly expressed by the Premier he did not know, but so satisfied was he of the correctness of his opinion that he had submitted the matter to some very high authorities at home, and hoped to get their answer some day, when he would be prepared to admit if he was wrong, and if they decided that he was 'right he would claim that he had been right all along.

Mr. KELLETT said the hon. and learned member for Bowen said the principle of the ballot-paper was that it should simply show who the vote was given for and nothing else; and if it showed that, there should be no informality. During the many years he had lived in Queensland he had seen many informal ballot-papers and he had seen cases in which the elector put his own name on it, and in every such case it was ruled by the presiding officer to be informal; but the keen legal member opposite now stated that that would not make it informal in any way so long as it showed who the elector voted for. It would do away with the whole reason for the ballot if men were allowed to put their names on the ballot-paper, as argued by the hon. member for Bowen. He was perfectly satisfied himself with the decisions of the committee. If the ruling of the hon. member for Bowen were agreed to, any elector could put his name on a ballot-paper and it would be formal, and it would be very useful too in certain cases which had occurred lately, because the name being on the paper there would be no difficulty about the person being paid for his vote, as had been done in many cases.

Mr. STEVENSON said he hoped the hon. member for Bowen would never dare to get up in that House again and deliver a legal opinion after what had fallen from the hon. member for Stanley. He noticed that it was evident at one period of the evening that the Premier had let his followers loose; and that now he regretted his action and was trying to keep them quiet. He was inclined to do business when he came into the House that afternoon, and so were the other members of the Opposition; but, now the fat was in the fire, they might as well carry it a little further. The Government had kept them doing nothing, while the members of the Elections Committee justified their conduct. He did not understand why their decisions wanted so much explaining away. The hon. member for Stanley had better take care. He had seen men locked up in the room down stairs for what that hon. member had been doing all the evening. It was evident the majority of the members of the Elections and Qualifications Committee believed that their decisions required to be justified, and yet he could not help thinking that it would have been wise on the part of the Premier if he had prevented his supporters from opening up the question, as they had only made matters far worse than they were before. The speech of the hon. member for Bundanba has shown his thorough unfitness to be the chairman, or even to be a member of that committee. The hon. member for Carnarvon had certainly brought forward some arguments in support of his case, but the hon. member for Bundanba had simply shown how utterly unfitted he was for his position on the committee. That hon. member, as had been pointed out, was too willing to believe what suited his party, and too unwilling to believe anything that told against it. One of the hon. member's arguments was that the committee's decision with regard to the Aubigny petition was correct, because Mr. Perkins was not game to stand again for that electorate. What did the hon. member know about Mr. Perkins' reasons for not standing again? He (Mr. Stevenson) held that Mr. Perkins had been unfairly unseated, and that he had rightly arrived at the conclusion that if he was again returned for that constituency, the same committee who deprived him of his seat before would deprive him of it again. It was evident that the hon. member was looking for some other justification of the committee's finding beyond that contained in the evidence. In spite of what had been said on the other side, he (Mr. Stevenson) held that Mr. Perkins had been persecuted out of the House. Mr. Perkins was a very useful man, and a better administrator had never been placed at the head of the Lands Department. They would not see his equal there again for a very long time.

Mr. SMYTH: What about the champagne?

Mr. STEVENSON said it was all very well for the Premier to put up his followers to make interjections. It was evident the hon. gentleman did not like the discussion. Another thing the hon. member for Bundanba said was that he was disposed to go further than the other members of the committee. They knew that perfectly well; he would no doubt have liked to put the whole lot out without taking any evidence at all. It had been clearly shown by the hon. member for Mackay that on at least one occasion the majority of that committee spoke one way and voted the other, showing they did not care a bit about evidence, but only what the Premier would like them to do. The argument of the hon. member for South Brisbane, about the secrecy of the ballot being violated by the initialling of the scrutineers, had also been shown to be worthless, for, as the papers were all initialled in the same way, there could be no possibility of finding out which way any particular man voted; besides, it had also been pointed out that it could not

be divulged even if the returning officer and scrutineers did find it out. The Premier had not made much by allowing the discussion to take place; indeed, he considered he had broken faith with the Opposition, by allowing it to take place that evening. On the adjournment last night the Opposition promised that they would help the hon. gentleman to conclude his Estimates that night; but, instead of getting on with the Estimates, the hon. gentleman had put up some members on his own side to enter into a long discussion about a matter which was all over, and about which they did not care anything. Instead of justifying themselves, the members of the majority on the Elections and Qualifications Committee had placed themselves in a far worse position than they were in before.

Mr. ARCHER said that, before the House went into Committee, he would ask if the Government had come to any conclusion as to what they were going to do with regard to the prosecution of the publisher of the *Courier?* The House was interested in the matter, and was anxious to know what course the Government proposed to take concerning it. At present the publisher and editor of that paper were placed in an exceedingly equivocal position.

The PREMIER replied that it was the intention of the Government to obey the order of the House. Since that order was given nothing had arisen to change the position of affairs in the slightest degree. The commencing of a prosecution by the Attorney-General could not be done instantly. There were the necessary papers to be filed in the Supreme Court, and subpœnas had to be served. If the hon. gentleman wanted to know if the prosecution would be proceeded with, he might be perfectly sure that it would be.

Mr. ARCHER asked how long it would be before the papers were ready; how long would it be before the gentleman accused got out of his trouble?

The PREMIER: He cannot be tried for three weeks yet, so there is no trouble.

Mr. ARCHER said it was very unsatisfactory that the Premier could not tell them when the trial would come on.

The PREMIER: The next criminal sittings will be on Monday fortnight.

Question put and passed.

The COLONIAL TREASURER moved that there be voted, by way of loan, a sum of £300,000 for the Immigration Service. He need hardly tell hon. members that the Immigration vote for the year was overdrawn to considerably over that sum on the 31st December last, and the sum now asked for would only replenish the vote. The Government would be prepared with a new loan policy, which they would formulate to the House next session. The £150,000 which was now required for immigration would be provided for out of surplus revenue.

Mr. ARCHER said he had already expressed his opinion on the matter in the debate on the Financial Statement, and he would only add that there would be no objection from his side of the Committee.

Mr. MACROSSAN asked if the sum would cover the deficiency of the Immigration vote?

The COLONIAL TREASURER said that when the Loan Estimates were framed the advices of expenditure in the London Office had not reached the Treasury, so he hardly knew the exact amount to be provided for. It was an approximate only, but he believed it would cover the amount within a few thousands.

Question put and passed.

The COLONIAL TREASURER moved that a sum of £120,000 be voted out of Loan Fund, to meet the deficit on loans of 1881 and 1882.

Question put and passed.

The COLONIAL TREASURER moved that a sum of £1,019,000 be voted, out of Loan Fund, to meet debentures maturing in 1885, which hon. members knew bore interest at 6 per cent.

Question put and passed.

On motion of the COLONIAL TREASURER, the CHAIRMAN left the chair, reported the resolution to the House, and asked leave to sit again.

The House resumed; the CHAIRMAN reported the resolutions and obtained leave to sit again at a later hour of the evening.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER informed the House that he had received a message from the Legislative Council intimating that, having had under consideration the message of the Legislative Assembly of that day's date, relative to the amendment made by the Legislative Council in the Bill entitled "A Bill to amend the Chinese Immigrants Regulation Act of 1877," they did not insist upon the said amendment.

LOAN ESTIMATES, 1883-4.

On motion of the COLONIAL TREASURER, the resolutions previously reported from Committee of Supply were adopted.

WAYS AND MEANS.

On motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of Ways and Means.

The COLONIAL TREASURER moved—

That, towards making good the Supply granted to Her Majesty for the service of the year 1883-4, a sum not exceeding £1,439,000 be raised by the sale of debentures or the creation and sale of inscribed stock, secured upon the Consolidated Revenue Fund of Queensland, and bearing interest at a rate not exceeding 4 per cent. per annum, for immigration, to meet deficits on loans of 1881 and 1882, and for repayment of loans falling due on 1st January, 1885.

Question put and passed.

On motion of the COLONIAL TREASURER, the CHAIRMAN left the chair, reported the resolution to the House, and obtained leave to sit again at a later hour of the evening.

The resolution having been adopted, the COLONIAL TREASURER moved that a Bill be introduced founded upon the resolution.

Question put and passed.

LOAN BILL OF 1884.

The COLONIAL TREASURER presented the Bill, and moved that it be read a first time.

Question put and passed.

The COLONIAL TREASURER said that, in rising to move the second reading of a Bill to authorise the raising of a loan for the Public Service of the colony and for other purposes, he need only remark that the Bill was not in the usual form of the Loan Bills that had heretofore been passed by the Legislative Assembly. The present was the first time, in the history of the colony, where authority had been sought to obtain the issue of their loan under the alternative form either of debentures or inscribed stock, which would be issued and registered and floated by the Bank of England. Hon. members had been put in possession of papers showing how the negotiations had resulted in an arrangement with the Bank of England for the registration

and issue of inscribed stock, and as those arrangements had been satisfactorily completed, the Government thought it was desirable that they should bring the new loan within the terms of that arrangement. Hon. members would, therefore, see that in the 2nd clause of the Bill—"For the purpose of raising the whole or any part of such sum, the Governor in Council may cause debentures to be made out and sold, or may authorise the creation and sale of inscribed stock"—the Government had not quite decided whether the loan should be issued as inscribed stock or whether debentures should be made out and sent home, giving the allotees the option of conversion into inscribed stock. However, they took the authority in the alternative form, and would, of course, be guided by the best advice in the matter. Hon. members would be aware that there was the balance of the old loan to be sold in May, amounting to over £1,200,000, which was in the form of debentures, and the debentures had been sent home, and were at present in London. They would be placed on the market in May in the form of debentures, with the option of inscription, and it was a matter for consideration whether the new loan should be issued in the form of debentures or placed on the Stock Exchange as inscribed stock. Hon. members would be aware that they could not float the loan until May at the earliest, which would give sufficient time to place it on the market in either shape. He begged to move that the Bill be read a second time.

Mr. MACROSSAN asked the Colonial Treasurer if it was the intention of the Government to float that loan of £1,400,000 at the same time that they floated the remainder of the old loan, making altogether over £2,500,000?

The COLONIAL TREASURER said that, with the permission of the Committee, he would make an explanation. The balance of the old loan would be floated as soon as possible after the expiration of the time for which a promise had been given not to place a loan on the London market. It was imperative that that loan should be sold as soon as possible. With regard to the present loan, the greater portion was for retiring debentures falling due in January next; therefore there was no immediate necessity for selling that at once—of course, if the market was favourable in May, he did not see why it should be delayed. The Government would be guided by circumstances, and he would make no promise as to when the stock should be sold.

Question put and passed.

On motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of the Whole to consider the Bill in detail.

The various clauses of the Bill were passed as printed.

On motion of the COLONIAL TREASURER, the House resumed, and the CHAIRMAN reported the Bill without amendment.

The COLONIAL TREASURER moved that the Chairman leave the chair and report the Bill to the House without amendment.

Mr. ARCHER said that, without blaming the hon. gentleman, he might say that he had tried to show the very largest sum which the late Government had expended beyond the sum voted last year for immigration. Last year the vote was £250,000. The hon. gentleman said that the account was now overdrawn £300,000, and that by the present Bill it was to be provided for; which was quite necessary. He (Mr. Archer) only wished to point out that the Bill did not provide up to the end of the last financial year, but up to the end of the current financial year; so that the actual sum overdrawn, according to the sum voted last year, would be £175,000. If the House had voted last July the same amount as it voted the previous July for the purposes of immigration, then the overdraft would only appear at £175,000. He wanted that to be distinctly understood. The sum of £300,000 was not up to the end of the last financial year, but up to the end of next July; therefore, really the amount expended was only £175,000.

The PREMIER said the hon. gentleman spoke as if the £250,000 in the last Loan Act was annually voted. Of course, the hon. member knew that Loan Acts were not annual Acts. If it had been the practice to borrow £250,000 for immigration every year, then the hon. gentleman's argument would have applied; but that had not been the practice.

The COLONIAL TREASURER said he would repeat the exact figures he had previously given. In 1881-2 the Loan vote contained a sum appropriating £250,000 for immigration. The whole of that had been expended, and up to the 31st December last the Loan Account was overdrawn to the extent of £238,325. In addition to that the Government had received advices of the London expenditure, which brought the total up to nearly £300,000; so that up to 31st December, between the expenditure in Brisbane and in London, the Immigration Loan vote would only just be covered by the £300,000 now asked for.

Mr. ARCHER said he understood that fully, and that was just what he had said—namely, that the loan now asked for only covered the extra expenditure, beyond what was voted in 1881-2, up to last December, and that, with the vote, which the hon. member had obtained—namely, £150,000 out of the surplus revenue—would only be to provide for immigration from the 31st December until next July, when probably a new vote would be asked for.

Question put and passed.

The House resumed, and reported the Bill without amendment.

On motion of the COLONIAL TREASURER, the Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence by message in the usual form.

SUPPLY—RESUMPTION OF COMMITTEE.

On motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of Supply.

The COLONIAL TREASURER said he invited the consideration of the Committee to the Special Supplementary Appropriation Estimates for 1883-4. He moved that the sum of £150,000 be granted to provide for Immigration. He had already given sufficient information concerning the matter. It was intended to cover the expenses of the Service until further provision was made out of loan.

Mr. ARCHER said he wished to ask the Treasurer why he had altered the heading of the Bill. Previous headings of a Bill of that kind stated that it was out of surplus revenue. That was carefully suppressed in the present instance. Was it to make square with the hon. gentleman's statement that it was only an "apparent" surplus?

The COLONIAL TREASURER said there was no hidden meaning in the title. In the Appropriation Bill it would be designated as surplus, and would be dealt with as such.

Mr. ARCHER said those votes were to come out of surplus revenue, and it should be stated; at present it looked as if they were raised out of Loan. Those little dodges were beneath the dignity of the Treasurer.

Question put and passed.

The COLONIAL TREASURER moved that a sum of £60,000 be granted for two new Dredges. Hon. gentlemen were already acquainted with the intentions of the Government on that estimate. The necessities of their harbours and rivers improvements required additional dredge plant, and the Government considered that a portion of the surplus revenue could not be better expended than in providing for those requirements.

Mr. NORTON asked whether the hon. Treasurer had made any arrangements or come to any decision about the contract for the second dredge. He understood that one contract had been given to a firm in Maryborough without tenders being called for. Had the hon. gentleman come to any decision about the second dredge?

The COLONIAL TREASURER said he might state at once that the Government had not come to any decision about the subject, for the obvious reason that several ports and harbours in the North were demanding attention, and it was quite possible there might be some change necessary in the form of the dredge, in order that it should more immediately suit the requirements of the Northern ports. The matter had received the attention of the Engineer of Harbours and Rivers, but so far there had been no contract entered into, nor had the plans and specifications been approved. He did not know whether the second dredge ought to be one suitable to the requirements of the Northern rivers. He was not prepared to say whether it should be a sister ship to the "Octopus" and "Saurian," which were dredges for use in navigable rivers, and were difficult and expensive to move.

Mr. NORTON asked whether tenders would be asked for the second dredge?

The COLONIAL TREASURER replied that, if it was decided to make the second dredge of a completely different character from the others, it would no doubt be advisable to call for tenders.

Mr. CHUBB pointed out that, if it was intended to open up the rivers in the North, even the increased dredge plant would be insufficient for all requirements. He hoped the Colonial Treasurer would take that question into consideration before the next session of Parliament.

Question put and passed.

The COLONIAL TREASURER moved that £55,000 be granted for Buildings, the items being as follows:—Brisbane Immigration Depôt, £10,000; Charters Towers, Court-house, £4,000; Ipswich, Railway Workshops, £10,000; Rockhampton, Immigration Depôt, £5,000; ditto, Supreme Court-house, £6,000; Toowoomba, Lunatic Asylum, £10,000; other buildings, £10,000. It would be obvious that the amounts set down were not adequate to complete buildings of the magnitude contemplated. The vote was asked for merely to initiate the works. Provision for their final completion would have to be provided for afterwards.

Mr. NORTON said he objected to the continuance and proposed extension of the Railway workshops at Ipswich, unless a site were found suitable for all requirements. There was no room for additions where the present shops were; and if the additions were to be made there a great portion of the money would be spent in levelling the ground in order to prepare a site. The best plan would be to remove the shops to Brisbane, and in order to mark the feeling of the Committee on the matter he would move, as an amendment, that the word "Ipswich" be omitted, with the view of inserting the word "Woollongabba."

The PREMIER said the amendment could not be put. An appropriation of that kind must either be accepted or rejected; it could not be altered.

Mr. MACROSSAN said he strongly objected to the item, and he believed the money could be far more profitably spent at Toowoomba, where all the repairs on the western side of that place ought to be executed. To spend £10,000 in addition to the shops at Ipswich was simply throwing it away, and he looked upon it as nothing but a sop to satisfy Ipswich. If the Minister in charge of the workshops had consulted his own opinion only he would never have consented to the appropriation. It was suggested by an hon. member that the Minister had not charge of the workshops, but that the workshops had charge of him—which he (Mr. Macrossan) could hardly believe. Seriously, he believed the £10,000 would be far better expended at Toowoomba. Had he remained in office longer, he should have gone further in that direction than he did, and he hoped the hon. gentleman would take it into consideration. The workshops ought to be used for making repairs, not for making stock, which ought to be let entirely outside the workshops. It was not a question of cheaper or dearer; but it would be better to have the work of construction distributed than to have it concentrated in one large workshop. When repairs and construction were combined, there was a danger of the shops taking charge of the Minister.

Mr. NORTON asked for the ruling of the Chairman as to whether his amendment could be put.

The CHAIRMAN ruled that the amendment could not be put.

Mr. MACROSSAN asked the Minister for Works if the sum set down for the court-house at Charters Towers would be sufficient for it, and if the building would be in keeping with the importance of the place and its large population. The hospital there cost £6,000, and surely the court-house would cost more. He was surprised that the hon. gentleman who represented the Kennedy had not taken better care of his electorate.

The MINISTER FOR WORKS said that, as in the case of the Rockhampton Court-house, the sum set down would be sufficient to commence with. Further provision would be made if it was found to be necessary.

Mr. MACROSSAN asked if he was to understand that the Colonial Architect would be asked to make a building in accordance with that vote?

The MINISTER FOR WORKS: No.

Mr. STEVENSON said it was very extraordinary that, after the statement of the late Minister for Works that the money set down for the Ipswich workshops would be thrown away, no member for the town should get up to justify the vote.

The MINISTER FOR WORKS said there was a fine site for the workshops in Ipswich, and he believed that it was the proper place for them. The Government intended to have them erected further up the old line. No doubt repairs might very well be done at Toowoomba.

Mr. FERGUSON said it was clear, after that explanation, that the vote was going to be a waste of money. It was no good putting workshops in a place like Ipswich. They ought to be in the capital of the colony, and, as they would have to be shifted there in course of time, they might as well do it at once. The labour would be at the command of the department in Brisbane when required. In Ipswich the buildings were out of place altogether, and as he understood they only consisted of two or three old sheds, it would be no loss to the colony if they were pulled down, and the sooner that was done the better it would be.

Mr. MACFARLANE said the hon. member for Rockhampton was so unreasonable that he could not help telling the hon. gentleman that he was very much behind the time in his views on railway management. The system in vogue at home was to have the workshops in a central position, but not at the terminus, or in a large town. The hon. gentleman showed his selfishness in objecting to the vote when he got £13,000 on the previous evening voted for Rockhampton, and now there was an additional £11,000 set down for the same place. The hon. gentleman apparently wanted all the money to go to Rockhampton.

Mr. BLACK said he could understand the hon. gentleman justifying the votes for the Brisbane Depôt and the buildings at Rockhampton and Charters Towers, but what had that to do with Ipswich? Would the hon. gentleman compare Ipswich with those places?

Mr. MACFARLANE: I do.

Mr. BLACK said there was a time when Ipswich had some importance as a manufacturing district, but those good times had waned and gone by, and at present Ipswich existed on the bounty of a liberal Government. What would be the result if they removed those annual votes, for which they had no claim except on the score of bounty and charity? Let hon. members consider the matter from that point, and then he was sure their generosity would be glad to afford Ipswich the means of subsistence. But to say that because Charters Towers, which was one of the greatest mining centres in the colony, and Rockhampton, which was only second to Brisbane itself, were to have sums of money voted for them, Ipswich was also to have an unnecessary vote, was absurd. There was no reason at all in it.

Mr. KELLETT said he was very glad to see the hon. member for Mackay on his legs again, as usual. The hon. gentleman put him in mind of another hon. gentleman who sat in the House for a time, and who, on one occasion, got up from the cross-benches and said he was going to answer the arguments of another hon. member, and that his reason for speaking strongly on the subject was that he knew less about it than anyone else in the House, and consequently could speak better upon it. The hon. member for Mackay was very good on sugar——

An HONOURABLE MEMBER: And rum.

Mr. KELLETT: And perhaps rum also; but he seemed to think that God Almighty had come down and made him an authority on every subject that came before the Chamber.

Mr. NORTON asked if the hon. member was in order in using such language?

The CHAIRMAN: I think it is unbecoming for the hon. member to use such language.

Mr. KELLETT: Will the hon. gentleman quote the language that was objectionable? The hon. member for Mackay seemed to think that he was a heaven-born statesman—that on every subject that ever God Almighty thought fit to——

HONOURABLE MEMBERS: Order, order!

Mr. KELLETT: Did the hon. member for Blackall call him to order again?

Mr. ARCHER: As the hon. member alludes to me, I must say that I consider it indecent to use such language.

The CHAIRMAN: I have already ruled that the language used is not becoming.

Mr. KELLETT: Will you please to use the language mentioned, and show where it is indecent?

The CHAIRMAN: I do not think it befitting me to repeat the language objected to. I may indicate to the hon. member that it is profane language.

Mr. KELLETT: With all due deference, I beg to differ from you. I do not see where the profaneness comes in.

Mr. ARCHER: I ask, is the Premier going to support the Chairman, or is he going to allow a supporter to insult the Chairman?

Mr. KELLETT: Does the hon. member for Blackall rise to a point of order?

Mr. ARCHER: I ask, is the Premier going to support the Chairman in his ruling?

Mr. KELLETT: Who asked the question?

The CHAIRMAN: The hon. gentleman wishes to know who asked for my ruling. The hon. member for Blackall asked for my ruling as to the language used by the hon. member, and I ruled that it is unbecoming. I do not think the hon. member should raise any question on that.

Mr. STEVENSON: And he should not say he differs from you.

Mr. KELLETT: I am speaking to the question before the House, which I think it is very advisable should be discussed.

The CHAIRMAN: I will not interrupt the hon. member so long as he speaks to the question.

Mr. KELLETT said he understood that objection had been taken to something he did that afternoon—that some members opposite thought he was pointing his finger at them, but all he did was merely to lift up his fingers to show that there were only five members on the Opposition benches. He should be very sorry to be disrespectful to either the Speaker or the Chairman, or any member, by making any remark that was unparliamentary. It was not out of any disrespect to the hon. member for Normanby that he did what he had done, but simply for the reason he had given.

The CHAIRMAN: I must call the hon. member's attention to the question before the Committee, which is the vote for buildings.

Mr. KELLETT said he was much obliged to the Chairman for calling his attention to the question; but he merely wished to say that he should be very sorry to be disrespectful to the hon. member for Normanby or any other member.

Mr. STEVENSON said the only justification that had been given for the vote for the Ipswich workshops, was that given by the hon. member for Ipswich, Mr. Macfarlane—that in England such workshops were never placed in a central position. If that was the only justification that could be given, he thought the Minister for Works had better wipe the thing out altogether. He moved that the item of £10,000 for the Ipswich workshops be omitted.

Mr. KELLETT thought the item a very advisable one to have on the Estimates, and his only objection to it was that instead of being £10,000 it ought to be £50,000. There was an item of £50,000 or £60,000 put down by the late Government for workshops at Woollongabba, and how the present Government had come to put down only £10,000 for Ipswich he could not understand. Ipswich was the manufacturing district of the colony; it had round about it the only coal in Queensland known up to the present time, and it had great facilities for workshops and for work being done in a proper and cheap way. He was only sorry that the Premier had not seen his way to put £50,000 on the Estimates for Ipswich than £10,000.

Question — That the item proposed to be omitted, be so omitted—put, and the Committee divided :—

AYES, 9.

Messrs. Archer, Norton, Stevenson, Black, Ferguson, Lissner, Nelson, Palmer, and Macrossan.

NOES, 23.

Messrs. Miles, Griffith, Dickson, Rutledge, Brookes, Aland, Groom, Smyth, Bale, Jordan, Foxton, Kellett, White, Midgley, T. Campbell, Moreton, Higson, Bailey, Horwitz, Salkeld, Macfarlane, Beattie, and Grimes.

Amendment resolved in the negative.

Question—That £55,000 be voted—put and passed.

The COLONIAL TREASURER moved that £30,000 be voted for Bridges.

Mr. MACROSSAN said he would ask the Minister for Works if the money they were asked to vote was to be spent by the Works Department, or whether tenders would be called after the designs had been prepared? He would also like to know how it was proposed to subdivide the vote, because he was certain that each of the three bridges would not cost £10,000.

The MINISTER FOR WORKS said that the bridges would be designed by the Government, and tenders called. He would take care that there was no more work done by day labour. More money had been wasted in that way than in any other. He could not give the hon. gentleman the exact amount which would be required for each bridge.

Mr. ARCHER said that, for the information of the Minister for Works, he would tell him that the plans for the bridge across the Pioneer were lying in the Harbours and Rivers Office. Tenders were called, but he forgot what the amount was—about £12,000 he thought. It was a very good tender, and the contractor was a good contractor.

The MINISTER FOR WORKS said he did not know that the plans had been prepared by the Treasury Department. He would get the work under way as soon as possible.

Mr. MACROSSAN said he hoped they would have the plans for the bridge over Ross' Creek prepared as soon as possible. It was a very important work, and the hon. gentleman might know that the creek divided the town into two parts. There was one portion on one side and another portion on the other, and there was no means of communication between them except by boat. The sooner the work was in hand the better; the Government had some land to sell on the other side of the creek.

The MINISTER FOR WORKS said there would be no delay; the work would be proceeded with at once.

Mr. HORWITZ said that, as the Government were going to spend £30,000 on bridges, he should like to ask the Minister for Works whether he would propose a sum for a new bridge at Warwick?

The MINISTER FOR WORKS said he would remind the hon. member that the Government had already provided for Warwick. There was one bridge over the Condamine from the railway station to the town, and another some little distance up the river. All the bridges there had been built out of the general revenue.

Mr. HORWITZ said that one of the bridges spoken of by the hon. gentleman was built by the New South Wales Government thirty years ago; and they required a new one now. As the Government were so liberal as regarded other bridges, he thought the people of Warwick were entitled to £3,000 for a bridge over the Condamine.

Mr. MACROSSAN said the Premier knew something about the necessity for the building of that bridge over the Annan at once. The settlers there were obliged to watch for the tide to cross the river, and frequently they were in danger of having their horses taken away by alligators; so that it was important that the bridge should be built as soon as possible, more especially as the settlers had suffered a good deal lately from floods.

Mr. NORTON said that the late Government proposed to spend money for those particular bridges, and also proposed to build a bridge over the Burnett at Bundaberg. It was a great pity that the Minister for Works had not included that among the bridges, especially as the Government would be bound to build a bridge there for the railway.

Mr. T. CAMPBELL said the proposed bridge over the Annan, to which the hon. member for Townsville had drawn attention, was in his (Mr. Campbell's) electorate, and he therefore thanked the hon. member in the name of his constituents for having referred to it earlier than he had done himself. He had intended to mention the subject; and, in fact, he had spoken to the Minister for Works privately. The work was a very important one. He had no knowledge of the Annan River himself; but he made inquiries about it when he was there; in fact, the bridge was made a test question at the election. It was the only way of getting to the centres of population; but when there was a fresh in the river the settlers had to go round a distance of twenty-five miles, and they were in danger of meeting with alligators when crossing. He hoped the work would be proceeded with as soon as possible.

Mr. STEVENS said he was glad the Government was going to spend money in making bridges. He had always been of opinion that the divisional boards were unable to build bridges over rivers. In the Logan alone there were three places where bridges where almost an absolute necessity, and yet the divisional boards were unable to build them. There was one required over the Logan at Loganholme, another at Logan Village, and another at Tallebudgera.

Mr. ARCHER pointed out that the vote was for bridges in the North in places where they never had any; it was not for the South, which had had bridges and roads made for it.

Mr. STEVENS said it did not follow because the rivers in the North required bridges over them, that the rivers in the South did not require them. He did not see where the argument came in.

Mr. LISSNER said he saw where the argument came in. The settlers at the Annan wanted a bridge on account of the alligators; but he did not think the Logan was in the same position. He thought the Government were quite justified in giving the North bridges.

Question put and passed.

The COLONIAL TREASURER moved that £15,000 be voted as grant in aid to Divisional Boards.

Mr. STEVENSON said he thought they ought to have some information as to how the money was to be spent.

The MINISTER FOR WORKS said the money would be equally distributed amongst the divisional boards, with the exception of those which had large sums at fixed deposits; they were not entitled to it. With regard to the remarks of the hon. member for Logan, he did not think much of the money would go towards the bridges he mentioned. They heard a great deal about the benefit of divisional boards;

but he was under the apprehension that if they were not careful they would become a curse. If the Government were to subsidise them, then it must be understood that the boards did their own work. As the hon. member for Blackall had said, they were only giving bridges where there had been none before. In the South all the rivers had been bridged.

Mr. STEVENS said he was sorry that the present Government were following in the footsteps of their late lamented predecessors. Everything now must go to the North.

Mr. JORDAN said that the ex-Treasurer had stated that that vote was for the North; he did not know that the House had been before informed that it was so. If any exception could be made, it should be made in favour of a bridge at Tingalpa. That bridge had not been handed over to the board in a good state. The bridge there had been out of repair many years, and was now in a dangerous state.

Mr. GRIMES said that in the Yeerongpilly Division, in his electorate, there were no less than four large bridges to be maintained, and he would point out that if any accident happened on account of those bridges getting into disrepair the board would be liable for damages. He hoped that if that board made any claims upon the Minister for Works he would give it fair consideration.

Mr. ARCHER said it appeared to him that the Minister for Works had better expend the whole of the money round about Brisbane.

Mr. NORTON said he would tell the hon. the Minister for Works that he was quite ready to take a good portion of the vote for the boards in his district.

Mr. BAILEY asked the Minister for Works whether he would give shire councils in the colony the same fair play which he wished to give to divisional boards. In the shire councils the people had consented to a higher rating, and their necessities were greater, and he hoped they would receive the same consideration as divisional boards.

Mr. ALAND said that, after what the hon. member for Wide Bay had asked, he felt disposed to ask the Minister for Works whether he intended to treat municipalities in the same way.

Mr. BAILEY said he wished the Minister for Works to tell him whether he intended that shire councils should receive the same treatment as divisional boards in this matter? He knew certain districts where a portion of a division had separated from the rest, and subjected themselves to higher rating, and formed themselves into a shire council. He thought they should receive the same consideration as divisional boards.

The MINISTER FOR WORKS said that if the hon. member for Wide Bay would mention the shire councils he referred to he might be able to give him an answer.

Mr. BAILEY said he could mention one shire council. It was one recently formed in his own district, and was a portion of the Tiaro Division. One section of the division had formed itself into a shire council. A bridge was urgently required there, and the inhabitants were quite prepared to contribute a fair proportion towards the construction of that bridge, and he thought they were justly entitled to the same consideration as the divisional boards were.

Question put and passed.

SUPPLEMENTARY ESTIMATES, 1882-3.

The COLONIAL TREASURER said he had to draw the attention of the Committee to the Supplementary Estimates for 1882-3. He moved that the sum of £1,551 7s. 8d. be granted for the Legislative Assembly and Legislative Council. He did not know that there was any information necessary in regard to the sum beyond the fact that the money had already been spent, and it was no use attempting to lock the door of the stable after the horse had been stolen.

Mr. GROOM said there was one item to which he would call the attention of the Committee. That was the sum of £600 paid to the Parliamentary Librarian as a gratuity for the compilation of the Library catalogue. He was one of those who had looked into that very excellent work, and had perused and examined it with a great deal of care and attention, and he was prepared to say that he did not believe that in any library in the southern portion of the globe they would find such an excellent catalogue. It must have taken years of toil on the part of the Librarian to collate the information to produce such a work. The sum of £600 on the Estimates, in his opinion, was quite inadequate as an appreciation of the labour employed in the work. He was aware that the vote could not be increased, but the Committee might mark their opinion of the work of the Librarian by stating that they would approve of his getting a further sum of £400, as £1,000 was only a fair honorarium for the labour which the work must have cost. It should be remembered, also, that the work was constantly increasing: that every day brought in its own share of work, and in a short time they would have a supplement to the catalogue, almost of as much value as the catalogue itself. He need scarcely refer to the encomiums passed upon the work by some of the ablest men in all parts of the world. He need only refer to the recently deceased librarian of the library of Canada—the late Mr. Alpheus Todd—who had pronounced a most excellent opinion upon the work. Lord Roseberry, also, when visiting the colonies, was so much pleased with the catalogue that he was not satisfied with the one copy that was sent to him, but had applied to the Librarian for two more copies to take home with him to England, so that he might show the House of Commons and the House of Lords the kind of publications brought out in Queensland. He thought the Committee would agree with him that £1,000 was not too much to give as a mark of their appreciation of the enormous amount of literary work necessitated in the compilation of that catalogue.

Mr. ARCHER said he would like to know what was the use of calling attention to that subject, when they knew that nothing could be done at so late a period of the session: It was only wasting time.

Mr. MACROSSAN said he did not think it was at all wasting time. He knew the vote could not be increased, but if the matter was brought prominently before the Government, as the hon. member for Toowoomba had brought it they might easily come to the conclusion that they had the approval of the Committee in increasing the vote. It was certainly not wasting time, for by a discussion of the subject the Government would understand that members of both sides of the Committee approved of the suggestion made by the hon. gentleman who had just spoken.

Mr. STEVENS said he did not see how recognising the services and ability of an officer of the House could be called wasting time. Everyone admitted that the work produced by the Librarian was really a first-class one. He had read many critiques in the papers concerning it, and the writers of them all were of the one opinion—that it was a most valuable literary contribution. He had no doubt the gentleman who had compiled it must have taken his work home with him, and worked hours and hours into the night to compile that catalogue. He hoped the Government would consider the matter in the most favourable light.

Mr. ARCHER said that, as the matter was likely to spread, he insisted that it was waste of time now to discuss it. A substantive motion when the House met again would much more fully meet the case than that discussion at the end of the session. In saying that, he had not the slightest intention of insinuating that the Librarian ought not to receive additional remuneration for the excellent work he had done. He, as fully as anyone, appreciated those labours; his only contention was that the present was not the time for discussing the subject.

Mr. STEVENSON said that, while fully agreeing with all that had fallen from the hon. member for Toowoomba, he also agreed with the hon. member for Blackall that the present was the wrong time to bring the matter forward.

The COLONIAL TREASURER said he fully believed that everything that had been said in praise of the catalogue was justified; but the Government really had not had time to consider the matter, on account of the session coming on so early in the year. He could hardly make any promise at present, but the expression of opinion that had been given would not be lost upon the Government, and before the House met again they would have arrived at some conclusion on the subject.

Mr. PALMER said he withdrew his resolution on the subject last week on the understanding that the Government would take the question into their favourable consideration; and, judging from the expressions just fallen from the Colonial Treasurer, he judged the Government were favourable to further recognition.

Mr. KELLETT said the work of the Librarian deserved careful consideration, and he well deserved the honorarium that had been suggested. He trusted the suggestion would be favourably received by the Government.

Mr. MIDGLEY said he really felt it incumbent upon him to say he hoped the Government would very carefully consider the question before doing what was suggested. There were thousands of men in the Public Service who were doing their duty faithfully, but it was never contemplated that they should receive a gratuity in addition to their salary for so doing. The whole thing was preposterous.

Mr. NORTON said he would remind the hon. member for Fassifern that the Librarian had not confined himself to office hours in the preparation of the catalogue, but had worked at it night after night. He should support the Government if they intended to increase Mr. O'Donovan's honorarium to £1,000.

Question put and passed.

The following items were passed, on the motion of the COLONIAL TREASURER, without discussion:—Colonial Secretary's Department, £32,267 4s. 9d.; Administration of Justice, £4,395 13s. 6d.; Public Instruction, £1,432 8s. 2d.; Colonial Treasurer's Department, £19,475 12s. 9d.; Lands Department, £10,564 17s. 4d.; Works and Mines and Railways Department, £16,599 3s. 3d.; Postmaster-General's Department, £2,028 2s. 4d.; and Auditor-General's Department, £377 4s. 1d.

On motion of the COLONIAL TREASURER, the CHAIRMAN left the chair, reported the resolutions to the House, and obtained leave to sit again at a later period of the evening.

The various resolutions agreed to by the Committee of Supply were read by the CLERK.

The COLONIAL TREASURER moved that the report be now adopted.

Question put and passed.

WAYS AND MEANS—RESUMPTION OF COMMITTEE.

On motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of Ways and Means.

The COLONIAL TREASURER moved—

That, towards making good the Supply granted to Her Majesty for the service of the year 1883-4, a further sum not exceeding £1,068,596 be granted out of the Consolidated Revenue Fund of Queensland.

Question put and passed.

The COLONIAL TREASURER moved—

That, towards making good the Supply granted to Her Majesty for the service of the year 1882-3, a further sum of £88,691 13s. 10d. be granted out of the Consolidated Revenue Fund of Queensland.

Question put and passed.

On motion of the COLONIAL TREASURER, the CHAIRMAN left the chair, reported the resolutions to the House, and the report was adopted.

The COLONIAL TREASURER moved that a Bill be introduced founded on these resolutions.

Question put and passed.

APPROPRIATION BILL OF 1883-4 No. 4.

The COLONIAL TREASURER presented the Bill, and moved that it be read a first time.

Question put and passed.

The COLONIAL TREASURER, in moving the second reading of the Bill, said he wished to direct the attention of hon. members, and especially the hon. member for Blackall, his predecessor in office, to a new clause that had been introduced. In previous Appropriation Bills surplus revenue had been treated as ordinary revenue within the meaning of the Audit Act; and, although surplus revenue was specially defined in the Bill, there had been no provision made hitherto to prevent them from lapsing under the 18th section of the Audit Act, in case the money had not been attached to any contract before the expiration of the year. It was considered desirable to amend that, and it had been done by inserting a new clause, which stood as clause 2 of the Bill, which provided:—

"Nothwithstanding the provisions of the eighteenth section of the Audit Act of 1874, the sum of three hundred and ten thousand pounds in the last preceding section mentioned under the title of "Surplus Revenue," shall not cease to be available at the expiration of three months after the said last day of June, one thousand eight hundred and eighty-four, although no contract or engagement shall have been made or entered into before the said last day of June by which a liability to issue or apply the same shall have been incurred; but the said sum shall be legally available for the services for which the same is hereby appropriated at any time until the same shall have been expended."

He thought the addition of the clause a very wise provision. It would be an instruction to the Auditor-General that this surplus was not to lapse in case the whole amount had not been expended before the expiration of the year. He begged to move that the Bill be now read a second time.

Mr. ARCHER said he quite agreed with the hon. gentleman as to the wisdom of the clause, although the practice had been to spend the money. However, it was much better to do the thing legally, and he was only sorry that the hon. Premier, when Attorney-General, did not advise the then Government to carry it out.

Question put and passed.

The Bill having been passed through its remaining stages without discussion, was ordered to be transmitted to the Legislative Council with the usual message.

LOAN BILL, 1884.

The SPEAKER announced that he had received a message from the Legislative Council stating that they had passed this Bill without amendment.

SUPPLY—RESUMPTION OF COMMITTEE.

On motion of the COLONIAL TREASURER, the Speaker left the chair and the House resolved itself into a Committee of Supply.

The COLONIAL TREASURER, in moving that £3,886 be voted for salaries, Harbours and Rivers Department, said that the vote showed a slight increase on that of the previous year, which arose from increases to some of the officers and the appointment of new ones. The assistant and draftsman at Townsville was put down for an increase of £50, or from £250 to £300, and considering he was living in the North he was fairly entitled to it. The Inspector of Northern Works had an increase of £14, and there was a new appointment of an inspector of the Port Alma works. There was also the sum of £25 down for the Storekeeper at Brisbane.

Mr. BEATTIE said that this department had attained huge dimensions, and he thought the Committee ought to know something about it. He would bring under notice what he thought was unfair to the employés in the Harbours and Rivers Department in connection with the dredging operations. He understood that there was a departmental regulation to the effect that no one should take command of a dredge except he held an engineer's certificate. What necessity was there for such a regulation? An engineer with a first-class certificate, if he had not been employed in dredging operations, knew as much about it as a bricklayer or any other mechanic. Anyone conversant with dredging operations knew that the safety of the dredge and the plant depended upon the chief engineer, who was generally termed the "ladderman." At the present time there were in the department two men—he had an intimate knowledge of them and the work they had to do—who, he had no hesitation in saying, had no superiors in the colonies so far as the practical working of a dredge was concerned. When a departmental regulation of that kind was insisted upon by the head of the department, it did an injury to officers who deserved promotion. He now came to the cases he wished to bring before the Committee. The "Saurian" was at present working in the Fitzroy. Her captain was originally in one of the boats trading to Eastern countries, and he was appointed captain of the dredge because he was an engineer; but he knew as much about the working of a dredge as a man who had never seen one. He was sent up to conduct dredging operations in the Fitzroy, knowing nothing about dredging operations. What encouragement was that for men in the service of the Harbours and Rivers Department? One of the two men he referred to was at the present time chief officer of the "Groper." He had been in the Government Service for twenty years. He was employed by Mr. Francis at the cutting of Francis Channel, being in command of the dredge there. He was afterwards sent to the North in command of a dredge; then he was at Cockatoo River in charge of a small dredge, clearing away an obstruction in the Brisbane River. A month ago he (Mr. Beattie) found that he was chief officer of the "Groper." He would ask the members of the Committee whether they, in their private capacity, if they were going to build an iron ship, would employ a bricklayer to superintend its construction; and yet there was a departmental regulation which said that the Government would have none but a first-class engineer as captain of one of those dredges, who, perhaps, knew nothing about the practical work of dredging. This man, he presumed, began in an inferior position, and had worked his way up; but, from time to time, engineers had been placed over his head, and he had remained in the position he had occupied for the last eighteen years. The fact was that captains got their instructions from those men who actually taught them their work. He (Mr. Beattie) might be told that it was necessary to have a first-class engineer in charge of dredges; but why? There were two engineers on board who had charge of the engines working under the decks. The work of the dredging plant above the decks was attended by the very man he was speaking about, and the engineer in charge of the engines really had nothing to do with the portion of the plant above deck. The name of the man he referred to was Young. The other man he wished to mention was mate of the "Octopus"; he had had a similar experience to Young, only he had not been so long in the Government Service. He hoped it was not going to be a regulation that when a man went into the Government Service he should not rise, but that people should be brought in from outside and put over his head; if so, he entered his protest against any such system. If a man was worthy, he should be promoted to the highest position he could obtain. A vacancy had taken place on the "Saurian," and he understood that, in consequence of that ridiculous departmental regulation, the Colonial Treasurer had been recommended to appoint an individual from Sydney over the heads of those two men who had been twenty and fifteen years respectively in the Government Service. He had intended to say a good deal more upon the subject, but he did not intend to take up the time of the Committee further at that hour. He believed the Treasurer did not believe in passing over the heads of old and faithful servants by the appointment of men outside the Service altogether. The case he referred to was one of the most glaring cases of the kind he had ever heard of. The whole safety of the dredge plant in its workings and operations depended upon the skill, attentiveness, and ability of the ladderman or chief officer of the dredge; and he asked the Committee who was better deserving of promotion than the man who did that work in a satisfactory manner for fifteen or twenty years? He hoped the Colonial Treasurer would inquire into the matter, and do that justice which would break up what might be called the "blue ribbons" of the Harbours and Rivers Department.

The COLONIAL TREASURER said that, in reply to the hon. member for Fortitude Valley, the hon. gentleman was doubtless aware that he was always in favour of giving promotion within the Service. He was a great believer in that wherever it could be carried out. At the present time there was some matter of the sort the hon. member referred to under his consideration. It was, however, inconvenient to refer to it in the House, and he could only promise the hon. member that he would give the matter full consideration, and if he found there were thoroughly competent men in the Service to whom the dredges might be safely entrusted he should certainly not appoint an outsider. He was of course, to a very great extent, guided by the head of the department, and had to consider the value of the Government plant; but if men could be found in the Service competent to discharge the duties of commanders of those dredges he should certainly prefer giving the appointments to them than to anyone outside the colony.

Mr. ARCHER said he had had a short conversation with the hon. member for Fortitude Valley, who had called his attention to the matter before the House met that night. He would recommend the hon. gentleman at the head of the department—and he really took a great interest in the matter of their harbours and rivers—to be very careful how he made any change at all. A sailor was really not wanted to take charge of a dredge, which was not a sailing machine. He did not say a sailor might not be the captain of a dredge ; but they would certainly find that engineers were fitter for the position than sailors. It was quite different work from sailors' work. If they appointed an engineer to go to sea as captain of a vessel they would make a terrible mistake, but an engineer in command of a dredge was the right man in the right place. He might say, without wishing to say anything against the men to whom the hon. member for Fortitude Valley referred, that a man who had consented to be a ladderman for twenty years had proved himself unfit to be captain of a dredge. He hoped the Colonial Treasurer would be very careful in considering the matter, and would appoint none but competent men.

Mr. FERGUSON said he had a word or two to say in reply to what had fallen from the hon. member for Fortitude Valley with reference to the master of the "Saurian," which was at present engaged in the Fitzroy River. He believed the hon. gentleman stated that that officer did not know anything at all about his work. He could tell the hon. member that he did not believe there was an officer in the Service more competent or more efficient than Captain Bennett. The truth of that was found in the result of his work since he had been in the Fitzroy River. It was not long since he had gone there, and he had already increased the depth of water in the Fitzroy by about three feet. He was only that day talking to a gentleman who was a very large shipping agent in Rockhampton, and he had explained that the last immigrant vessel had been brought straight up to the wharves in Rockhampton. That was the result of Captain Bennett's work, and it showed that he was competent to undertake his present duties. The hon. member was wrong in saying that even if a sailor had been fifty years in the Service he would be fitted to take charge of a dredge. No sailor could take charge of a dredge, as the commander of a dredge should be a mechanic or an engineer. No doubt the hon. member thought a sailor could do anything, but he could tell him that no sailor was fit to take charge of a dredge.

Mr. BEATTIE said that the remarks of the hon. member for Rockhampton had proved satisfactorily to his mind that that gentleman knew nothing at all about it. He talked about a sailor, but he (Mr. Beattie) had said nothing about a sailor at all. He could tell the hon. member for Rockhampton and the hon. member for Blackall that the whole of the safety of the dredge plant depended upon that very man they talked about, as not being able to take command. He was the man who had charge of the brake, and let the ladder up and down, and if he was not careful and did not understand the practical working of the dredge he would knock the engines and the vessel to pieces in a very few minutes. Those hon. members had actually said that this man, who was twenty years engaged on that work, was not competent to take charge of the dredge. He would like to know from the hon. member for Rockhampton whether a carpenter working at his bench for ten years would not be competent to take the position of foreman ?

Mr. FERGUSON : Not one in a hundred.

Mr. BEATTIE said he was sorry the hon. gentleman thought so little of those who were engaged in his own business. He had no hesitation in saying that the man he referred to was competent to take charge of a dredge. What could an engineer know about laying anchors without the asistance of a sailor ? It was very evident that the hon. member did not know much about the working of dredges.

Question put and passed.

The COLONIAL TREASURER moved that £5,023 be granted for the Waterworks Branch. The vote showed a large increase on that of last year, but it was nothing to what it would have to be in future years if they wished to make the hydraulic department a source of benefit to the colony. The staff had been considerably increased, and the report which had been laid on the table showed what had been accomplished. A great deal of preliminary work had been done, the effects of which would be appreciable hereafter.

Question put and passed.

The MINISTER FOR WORKS moved that £6,090 be granted for office staff, Railways, Southern Division. There was an increase of £100 to the Chief Draftsman, and four additional draftsmen had been employed to meet the increasing work of the department.

Mr. NORTON asked for an explanation of the item, "Deputy Chief Engineer, allowance, £400."

The MINISTER FOR WORKS said it was the allowance that had hitherto been drawn by Mr. Thornloe Smith. It was not a new item.

Mr. NORTON asked if the hon. gentleman intended to continue it?

The MINISTER FOR WORKS replied that he did not intend to interfere with it.

Question put and passed.

The MINISTER FOR WORKS moved that £680 be granted for the South Brisbane Branch construction staff.

Question put and passed.

The MINISTER FOR WORKS moved that £680 be granted for the Logan Branch construction staff.

Mr. STEVENS asked when it was expected that the extension to Beenleigh and Logan Village would be completed ? He asked the question because the work seemed to be going on very slowly.

The MINISTER FOR WORKS said he did not see any of the officers of the department present, but he would give the hon. member the information afterwards.

Question put and passed.

The MINISTER FOR WORKS moved that £1,025 be granted for construction staff, Highfields and Brisbane Valley branches.

Question put and passed.

The MINISTER FOR WORKS moved that £1,080 be granted for construction staff, extension Highfields to Crow's Nest and Killarney branches.

Mr. GROOM asked when tenders were likely to be called for the second section of the branch to Crow's Nest?

The MINISTER FOR WORKS replied that he was scarcely in a position to say, but the hon. member might rely upon it that, as the line would not pay until the second section was completed, the work would be pushed on as rapidly as possible.

Question put and passed.

On the motion of the MINISTER FOR WORKS, a sum of £1,500 was voted for the extension beyond Roma; £110 for the Burrum branch; £2,000 for the Kilkivan and Burrum to Bundaberg branches; £1,100 for the Bundaberg line; and £8,800 for extension surveys.

The MINISTER FOR WORKS moved that a sum of £3,712 be voted for the Central and Northern Railway, general staff.

Mr. ARCHER asked the Minister for Works, in reference to the promised survey of a line to Emu Park, if he would make it an instruction to the surveyors to report upon the country they went through, and to say which route would be most beneficial for the whole of the country, and not to accept any laid-down plan from anyone else, but use his own judgment. Even if a suggestion were made as to a deviation from the line proposed, he hoped the surveyors would have sufficient evidence before them before they agreed to it, and not take the opinion of anybody upon it.

The MINISTER FOR WORKS said that was exactly the line which he intended to pursue. Although survey would be made to find out the best route, the surveyor would not be guided by anyone, either the one way or the other. He did not believe in zig-zagging about all over the country; but the surveyor would be able to judge which was the best route.

Mr. HAMILTON said he would ask the Minister for Works if he had received any account of the progress of the railway surveys from Herberton to the coast. He had asked the hon. gentleman for that information on several occasions, and when he did so a few weeks since, the hon. gentleman said he might expect the report by the end of the month. He now asked if the report had arrived, or if any information whatever had been received?

The MINISTER FOR WORKS said the hon. member for Cook seemed to be very much exercised about that line, as he had asked him several times about it, and had wanted him to wire about it to Herberton. He had informed the hon. member that directly he got the information he would furnish him with it, but he had got none, and the hon. member knew as much about it as he did himself. He did not think it necessary to wire for information for the satisfaction of the hon. member. Mr. Hannam, who was making the survey, would give the benefit of his knowledge in seeing which was the best route. He (Mr. Miles) could only promise the hon. member that directly he got the information he would supply him with it.

Mr. HAMILTON said the Minister for Works was quite right in saying that he (Mr. Hamilton) was greatly exercised for information regarding the progress of the surveys from Herberton. The speedy extension of that railway meant the rapid progress and development of Herberton and the country through which it went. The Government certainly were not very much exercised regarding the matter, and evidently had very little interest in it, seeing that they actually refused to grant his request, and take the trouble of writing out a telegram to the Northern surveyor in charge to ascertain what had been done regarding these surveys. He (Mr. Hamilton) had taken the trouble to wire since then at his own expense, and he found that two of the surveys had been effected.

Mr. FERGUSON said he wished to explain that when he moved for the survey of a line of railway to Emu Park he laid down no hard-and-fast line as to the route which was to be taken. He was prepared to accept any route, so long as it led in the proper direction. He knew that attempts were being made at the present time by some persons to direct the line through their own private property, and he did not want to see that done.

Question put and passed.

The MINISTER FOR WORKS moved that a sum of £2,805 be voted for salaries and allowances in connection with the works staff, Central and Clermont Railway.

Question put and passed.

The MINISTER FOR WORKS moved that a sum of £1,730 be voted for salaries and allowances in connection with the works staff, Northern Railway.

Question put and passed.

The MINISTER FOR WORKS moved that a sum of £6,050 be voted for salaries and allowances in connection with the survey staff of the Central and Northern Division.

Mr. PALMER asked the Minister for Works if he could give him any idea when the Government were likely to take into consideration the report laid upon the table of the House with regard to the survey of a line of railway from Normanton to Cloncurry?

The MINISTER FOR WORKS said that provision would have to be made by a vote of the House before the survey could be carried out. There would be no delay as soon as money was available to carry out the survey.

The PREMIER said he might add to what had been said by his hon. colleague, that the Government had been trying to get all the information they could with regard to the rivers in the Gulf. It was a most important point to discover which was the best port, about which there was some difference of opinion. He had laid upon the table that afternoon all the information in the possession of the Government on the subject, but he hoped in the course of two or three months to get much fuller information. The hon. gentleman could rely upon it that the Government would not lose sight of the matter in any way.

Question put and passed.

The COLONIAL TREASURER moved that the Chairman leave the chair, and report the resolutions to the House.

Mr. BEATTIE said he should like to get some information from the Premier upon a matter that was of a good deal of interest to hon. members. He understood that a large amount of money—something like £10,500—had been expended for the purpose of lighting that Chamber and the Government Printing Office with the electric light. If such was the case, he thought it was a great pity that the machinery should be kept lying idle, and that the Government Printing Office should not have the advantage of that light. He should therefore ask the Premier whether it was likely that that Chamber and the Government Printing Office would be lighted with the electric light next session?

The PREMIER said he was afraid that the electric light would not be ready for use by next session. It had been stated that it would be, but from the latest information he had received he very much doubted that it was possible.

Question put and passed.

The House resumed, the CHAIRMAN reported the resolutions, and the report was adopted.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received a message from the Legislative Council, intimating that they had agreed to the Appropriation Bill for 1883-4, No. 4, without amendment.

ADJOURNMENT.

The PREMIER: I have to ask leave to move, without notice, that this House do now adjourn until Tuesday next. I presume that no objection will be taken to that motion. I wish to take this opportunity of congratulating hon. members upon having arrived at the conclusion of their labours for the present session. We have been in session since the adjournment, exactly eight weeks, and it is clear that we could not have performed our labours in less time, because it was necessary that we should continue sitting until the labours of an important committee—the Committee of Elections and Qualifications—were concluded, which did not occur until the day before yesterday. In that time we have been able, besides passing the Estimates, to dispose of what I cannot help thinking is somewhat important business. We have repealed the Railway Companies Preliminary Act of 1880; and, whatever difference of opinion there may be with regard to the merits of that measure, there can be little difference of opinion that the repeal of the Act marks an important change in our public works policy in this colony. In addition to that, we have dealt with the Polynesian Labour question, which, on every occasion when it has arisen, has occupied a great deal of time, and has engrossed a very considerable amount of attention on both sides of the House. I am happy to think that the measure we have passed will be a valuable contribution to our legislation upon the subject, and that it will tend to remove many evils which have been found to exist in connection with that labour. We have also succeeded in amending the law so as to restrict Chinese immigration in such a manner as will, I believe, practically prevent their influx into this colony. In addition to that, we have dealt with a crying evil that existed in regard to our election system—an evil by which it was practicable for men who had long since ceased to have any connection with an electoral district, by their votes to swamp the votes of those who were honestly entitled to record them. That Bill will, I think, be found to have a very material effect in future elections. We have revivified the Divisional Boards Act, I may say, which, owing to a strange omission, had become in many cases practically inoperative. To-morrow there will appear in the *Gazette* a number of notices, reconstructing boards which would otherwise have become defunct. The fact that to this list there is not added a Bill to repeal the Coolie Act is a misfortune; but I think the House is to be congratulated upon the result of their labours during the session. Hon. members may also be congratulated upon the good tone and good feeling that has for the most part prevailed on both sides of the House. I move that the House adjourn until Tuesday next; in the meantime a proclamation will be issued proroguing the House. I take this opportunity of repeating that it is intended to call the House together for the despatch of business in the end of June or beginning of July, at the latest.

Mr. ARCHER: When I heard the Premier congratulate himself and the House upon the work that has been done, I was not at all inclined to check his self-satisfactory feelings; but I really think that the speech he has made was not addressed so much to this House as in the form of reply to a leading article that appeared in the *Courier* of this morning; it looked very like it. No speeches have come from this side of the House which would have called for it. I do not blame the hon. gentleman for blowing his own trumpet; if I had been in his place I should probably have blown my trumpet in exactly the same way. I, too, would congratulate the House on the finish of the session, but I believe that the business that has been brought up might have been carried through a fortnight earlier than it has been. Questions of such moment as have been put on the notice-paper could not be considered in this short session, and we have passed their second reading simply because it was useless to take up time over them. I believe the hon. gentleman made a mistake in bringing in those Bills, as he has disorganised labour and discouraged the introduction of capital by doing so; in fact, he has made capitalists look upon Queensland as not so safe a field for investment as it was before. I do not think it was wise, a long time before they were prepared to bring in final measures, to give notes of warning that industries were not to continue to thrive and do well. I am not inclined to congratulate the hon. gentleman on the discretion that he has shown in that respect; but I will congratulate him on having closed the session and on being able to bring measures to a second reading that he saw he would not be able to pass through the House. I can promise him, on behalf of my side, that when he brings in well-matured and well-considered measures he will be met in a fair spirit, and if his measures are such as will conduce to the prosperity of the country they will pass without cavil and without any bad feeling at all.

The PREMIER: The hon. gentleman seems to think it surprising that I should have made the speech I have. It was not in connection with any article that appeared in a paper this morning. Is the hon. gentleman aware that I was following the example of the leading Ministers in England at the close of a session? It is the usual practice—oftener followed than not followed—at the conclusion of a session to do as I have done; but I certainly have not done it in consequence of anything that appeared in a leading article this morning.

Question put and passed.

The House adjourned at four minutes to 12 o'clock until Tuesday next.

Parliament prorogued by following Proclamation in Gazette Extraordinary, Monday, 10th March:—

"PROCLAMATION by His Excellency Sir
"ANTHONY MUSGRAVE, Knight Com-
[L.S.] "mander of the Most Distinguished
A. MUSGRAVE, "Order of St. Michael and St. George,
Governor. "Governor and Commander-in-Chief of
"the Colony of Queensland and its
"Dependencies.

"WHEREAS the Parliament of Queensland now stands "adjourned to Tuesday next, the eleventh day of March "instant, and it is expedient to Prorogue the same: "Now, therefore, I, Sir ANTHONY MUSGRAVE, in pursuance "of the power and authority vested in me as Governor "aforesaid, do, by this my Proclamation, Prorogue the "said Parliament to Tuesday, the twenty-second day of "April next.

"Given under my Hand and Seal, at Government "House, Brisbane, this tenth day of March, in the "year of our Lord one thousand eight hundred and "eighty-four, and in the forty-seventh year of Her "Majesty's reign.

"By Command,

"S. W. GRIFFITH.

"GOD SAVE THE QUEEN!"